

30 June 2025

Positive preliminary assessment of the satisfactory fulfilment of milestones and targets related to the third payment request submitted by Malta on 12 December 2024, transmitted to the Economic and Financial Committee by the European Commission

Executive summary

In accordance with Article 24(2) of Regulation (EU) 2021/241, on 12 December 2024, Malta submitted a request for payment for the third instalment of the non-repayable support. The payment request was accompanied by the required management declaration and summary of audits.

To support its payment request, Malta has provided due justification of the satisfactory fulfilment of the 24 milestones and targets of the third instalment of the non-repayable support, as set out in Section 2.1 of the Council Implementing Decision of 5 October 2021 on the approval of the assessment of the recovery and resilience plan for Malta¹.

For 4 targets covering a large number of recipients, in addition to the summary documents and official listings provided by Malta, Commission services have assessed a statistically significant sample of individual files. The sample size has been uniformly set at 60, which corresponds to a confidence level of 95% or above in all cases.

In its payment request, Malta has confirmed that measures related to previously satisfactorily fulfilled milestones and targets have not been reversed. The Commission does not have evidence of the contrary. Upon receipt of the payment request, the Commission has assessed on a preliminary basis the satisfactory fulfilment of the relevant milestones and targets. Based on the information provided by Malta, the Commission has made a positive preliminary assessment of the satisfactory fulfilment of all 24 milestones and targets.

The milestones and targets positively assessed as part of this payment request demonstrate significant steps in the implementation of Malta's Recovery and Resilience Plan. They notably highlight the continuation of the reform momentum in key policy areas. This includes, among others, increasing the number of people with access to free public transport, enhancing the quality and inclusiveness of education, foster digital skills, and strengthening Malta's anti-money laundering framework. The milestones and targets also confirm progress towards the completion of investment projects related to medical equipment for the health system, digitisation of the justice system, and the provision of electric vehicles for the private and public sectors.

By the transmission of this positive preliminary assessment and in accordance with Article 24(4) of Regulation (EU) 2021/241, the Commission asks for the opinion of the Economic and Financial Committee on the satisfactory fulfilment of the relevant milestones and targets.

¹ ST 11941/2021; ST 11941/2021 ADD 1 as amended by ST 11202/23 and 11202/23 ADD 1, and ST 9589/25 and ADD 9589/25.

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Number and name of the Milestone: 1.2 Building and Construction Authority-equipped with resources

Related Measure: C1.R1 Develop a long-term renovation strategy

Qualitative Indicator: The Building and Construction Authority is equipped with human and financial resources

Time: Q1 2023

1. Context:

The objective of the reform is to strengthen the institutional framework and ensure the availability of skilled workforce in the building and construction industry.

The reform includes the establishment of a Regulator for Buildings, responsible for an integrated regulation and sustainable management of the building and construction industry having various responsibilities including issuance and enforcement of good practices guidelines and methodologies, policies and regulations, providing a centralised office for receipt and processing of complaints and monitoring the performance, safety and quality of buildings and construction works in Malta.

Milestone 1.2 requires that the Building and Construction Authority is equipped with human and financial resources.

Milestone 1.2 is the third milestone of the reform, and it follows the completion of milestone 1.1 related to the entry into force of the Building and Construction Authority Act and milestone 1.3 related to the open call for applications for a training and certification programme for professionals and tradesmen in the construction industry. It will be followed by target 1.4 related to professionals in the construction industry eligible for a certificate.

The reform has a final expected date for implementation on 30 June 2023.

2. Evidence provided:

	Name of the evidence	Short description
1	Summary document	A summary document duly justifying how the milestone (including all the constitutive elements) was satisfactorily fulfilled.
2	Copy of the extract from the database of Malta's Public Employment Service agency (Jobsplus) on 3 April 2025	The extract from Malta Public Employment services agency (Jobsplus) is dated 3 April 2025 and details the human resources employed by BCA.
3	Extract of Budget concerning the financial allocation for Ministry for Public Works and Planning	Financial estimates of Malta's budget as approved by the Parliament detailing the actual expenditure for 2023, the approved estimate for 2024 and ex ante estimated expenditure for 2025.
4	Government Notice	Government Notice detailing the appointment

	Name of the evidence	Short description
	published in Govt. Gazette No. 21,237 of 7 May 2024	of the Building and Construction Board.
5	Covering letter regarding the inspection statistics and two support spreadsheets	Letter detailing the statistics of the Enforcement Team for 2023 and first 11 months in 2024 and two spreadsheets with additional details

3. Analysis:

The justification and substantiating evidence provided by the Maltese authorities cover all constitutive elements of the milestone.

The Building and Construction Authority is equipped with human and financial resources.

The Building and Construction Authority shall be made operational by contracting at least 50 staff members and with a budget of at least EUR 2 million.

Furthermore, in line with the description of the measure, **it shall be made operational by contracting staff and committing financial resources.**

- (i) Evidence 2 documents that the workforce of the BCA on 3 April 2025 (and recruited after February 2020) stood at 72 people. Extracts of the database of Jobsplus proves the number of people in employment at any given time. The Employment and Training Services Act (Chapter 594 of the Laws of Malta), states that all employment contracts notifications are sent to the national employment agency Jobsplus (Article 36), and that Jobsplus is also notified of any contract termination (Article 40). Therefore, by April 2025, the evidence shows that BCA had contracted at least 50 staff members.
- (ii) Evidence 3 (page 377) documents that for the year 2023, the BCA recorded an actual expenditure of EUR 5 million and has approved budget of EUR 6.3 million for 2024. The document states that the budget allocated for 2025 is EUR 7.5 million.

In addition, Malta also submitted the following evidence showing that the BCA is functioning:

- (iii) Evidence 4 documents that the appointment of the Building and Construction Authority Board took effect by virtue of Government Notice No. 579 published in Government Gazette No. 21.237 on 7 May 2024. These appointments were effective from 20 October 2023 and are valid until 19 October 2026.
- (iv) Evidence 5 reports that the BCA conducted 10,457 inspections in 2023 and 12,200 inspections by end of November 2024. The evidence provides additional details of these inspections including their geographical distribution in Malta and Gozo.

4. Commission Preliminary Assessment: Satisfactorily fulfilled

Number and name of the Target: 1.4 Professionals in the construction industry eligible for a certificate

Related Measure: C1.R1 Develop a long-term renovation strategy

Quantitative Indicator: Number

Baseline: 0

Target: 500

Time: Q2 2023

1. Context:

The reform aims to strengthen the institutional framework and ensure the availability of skilled workforce in the building and construction industry.

Target 1.4 requires that 500 professionals in the construction industry are eligible for a certificate.

Target 1.4 is the fourth and last target of the reform, and it follows the completion of milestone 1.3 related to the open calls for applications for the trainings.

Under the same reform, milestone 1.1 and milestone 1.2 (assessed under this payment request), relate to establishing and making operational the Building and Construction Authority by contracting staff and committing financial resources.

The reform shall be implemented by 30 June 2023.

2. Evidence provided:

	Name of the evidence	Short description
1	Summary document	A summary document duly justifying how the milestone (including all the constitutive elements) was satisfactorily fulfilled.
2	Training course description	A detailed description of the training course "Award in Concepts for the Decarbonisation of the Building Industry"
3	Training course description	A detailed description of the training course on "Energy efficiency in Maltese buildings"
4	Anonymised list of individual certificates	An Excel document reporting the list of the individuals eligible for a certificate (in total of 510) identified uniquely by their ID number
5	Decarbonisation training certificate	22 training certificates provided in the context of sampling for the completion of decarbonisation course
6	Energy efficiency training certificate	5 training certificates provided in the context of sampling for the completion of energy efficiency course

	Name of the evidence	Short description
7	Signatures from the collection logbook of certificates	33 signatures from the collection logbook demonstrating the collection of the training certificates for the decarbonisation course

3. Analysis:

The justification and substantiating evidence provided by the Maltese authorities cover all constitutive elements of the target.

Number of professionals in the construction industry eligible for a certificate.

Malta submitted a list of 510 professionals (evidence 4) that were eligible for a certificate from two training programmes: 1) 'Award in concepts for the decarbonisation of the building industry' and 2) 'Energy efficiency in Maltese buildings'. These calls were open and assessed under Milestone 1.3 as part of the second payment request, which Target 1.4 implements.

The course 'Award in concepts for decarbonisation of the building industry' (evidence 2) promotes a comprehensive understanding of the technical aspects for energy efficiency buildings and renovations delivered in five modules: (1) introduction to climate change and sustainability, (2) design for sustainability, (3) building energy systems and innovative technologies, (4) building assessment tools, government grants and best renovation package and (5) legal framework, standards and policies.

The training programme on 'Energy efficiency in Maltese buildings' (evidence 3) has a two-day duration and includes, among others, courses in (1) the energy context, (2) energy and its use in typical buildings, (3) buildings and the EU Policy context, (4) sustainable building design, insulation, and glazing systems and (5) minimum energy performance requirements providing a detailed roadmap for achieving energy performance targets.

Following the selection of a random sample of 60 units from the list (evidence 4), Malta submitted copies of 27 training certificates (evidence 5 and 6) and 33 training beneficiaries' signatures (evidence 7). The evidence provided for a sample of 60 units confirmed that the requirements of the target have been met. The variety in evidence provided reflects the fact that for 234 beneficiaries who did not collect their certificates, Malta was able to supply the training certificates (evidence 5 and 6). For the remaining 276 beneficiaries who collected their certificates, Malta provided a signed the logbook confirming their collection (evidence 7).

Furthermore, in line with the description of the measure, **it shall increase the availability of qualified staff by extending skilling and upskilling measures to new professional categories with specific priority related to the acquisition of the necessary skills for supporting the building renovation projects.**

The training provided to the 510 professionals (evidence 4) directly increases the availability of qualified staff in Malta workforce. The calls assessed under Milestone 1.3 were open both to professionals willing to become assessors (skilling) or existing assessors which were required to graduate the training to maintain their accreditation (upskilling). The courses (evidence 2 and 3) are on decarbonisation of the building industry and energy efficiency in Maltese buildings thereby providing skills which are necessary for the renovation of buildings.

4. Commission Preliminary Assessment: Satisfactorily fulfilled.

Number and name of the Milestone: 1.10 Entry into force of a new regulatory framework for the management of construction and demolition waste

Related Measure: C1.R2 Fostering effective waste management through a robust waste governance framework including reforming the waste collection system

Qualitative Indicator: Provision in the new regulatory framework indicating the entry into force of the new regulatory framework

Time: Q4 2023

1. Context:

The objective of the reform is to improve waste management and further the transition towards a circular economy.

Milestone 1.10 concerns the entry into force of a new regulatory framework for the management of construction and demolition waste in Malta. Milestone 1.10 is the seventh milestone of the reform, and it follows the completion of milestone 1.5, milestone 1.8, milestone 1.9, milestone 1.11, milestone 1.12 and milestone 1.13. It will be followed by milestone 1.6 and milestone 1.7, related to the study on the feasibility of expanding Extended Producer Responsibility obligations to additional waste streams and the entry into force of related legislation.

The reform has a final expected date for implementation by 31 December 2025.

2. Evidence provided:

	Name of the evidence	Short description
1	Summary document	A summary document duly justifying how the milestone (including all the constitutive elements) was satisfactorily fulfilled.
2	Copies (both in English and Maltese) of Legal Notice 311 of 2023 , issued under the Environment Protection Act (Chapter 549), introducing Construction and Demolition Waste Framework Regulations, which entered into force on 2 March 2024, and links to the websites where they can be accessed (https://legislation.mt/eli/ln/2023/311/eng) and (https://legislation.mt/eli/ln/2023/311/mlt).	The Construction and Demolition Waste Framework Regulations represent the new regulatory framework for the management of construction and demolition waste.
3	Copy of the Supplement to the Malta Government Gazette No 21,172 dated 29 December 2023 wherein Legal Notice 311 of 2023 was published and notified as published in the copy of the Malta Government Gazette No. 21,173 dated 2 January 2024 and a link to the website where it can be accessed (https://www.gov.mt/en/Government/DOI/Government%20Gazette/Documents/2024/01/Government%20Gazette%20-%202nd%20January.pdf)	These two documents ensure the entry into force of the new regulatory framework.

	Name of the evidence	Short description
4	Copy of responses submitted during the public consultation, and a link to the website where they can be accessed (https://era.org.mt/wp-content/uploads/2024/01/CDWFR-Public-Consultation-Report.pdf)	The document, which is publicly available on the website, includes the comments submitted during the public consultation period including the outcome of key stakeholders' consultation meetings.
5	Four screenshots of the emails inviting stakeholders for the public consultation	The emails were sent to stakeholders to invite them to the public consultation
6	Copies (both in English and Maltese) of the Building Regulation Act (Chapter 513 of the Laws of Malta), and links to the websites where they can be accessed (https://legislation.mt/eli/cap/513/eng) and (https://legislation.mt/eli/cap/513/mlt).	The Act regulates the building and construction industry and makes provisions for the planning, management and control of the sector
7	Copies (both in English and Maltese) of the Development Planning Act (Chapter 552 of the Laws of Malta), and links to the websites where they can be accessed (https://legislation.mt/eli/cap/552/eng) and (https://legislation.mt/eli/cap/552/mlt).	The Act makes regulates the planning and management of buildings and other developments
8	Copies (both in English and Maltese) of the Environment Protection Act (Chapter 549 of the Laws of Malta), and links to the websites where they can be accessed (https://legislation.mt/eli/cap/549/eng) and (https://legislation.mt/eli/cap/549/mlt).	The Act makes provisions for the protection of the environment
9	Copies (both in English and Maltese) of the Construction Management Site Regulations (Subsidiary Legislation 623.08 of the Laws of Malta), and links to the websites where they can be accessed (https://legislation.mt/eli/sl/623.8/eng) and (https://legislation.mt/eli/sl/623.8/mlt).	The regulations aim to limit environmental degradation through appropriate construction management practices

3. Analysis:

The justification and substantiating evidence provided by the Maltese authorities cover all constitutive elements of the milestone.

Entry into force of a new regulatory framework for the management of construction and demolition waste in Malta.

Furthermore, in line with the description of the measure, **to implement such strategy: (i) a new regulatory framework for the management of the construction and demolition waste shall enter into force.**

The Council Implementing Decision required the entry into force of a new regulatory framework for the management of construction and demolition waste. Malta has amended the legal framework to achieve this objective (Evidence 2). The Construction and Demolition Waste Framework Regulations, 2023 (CDWFR), introduced via Subsidiary Legislation 549.161 were published as a legal notice Legal Notice 311 of 2023 in the Supplement to the Malta Government Gazette No. 21,172 dated 29 December 2023 and notified as published in the Malta Government Gazette No. 21,173 dated 2 January 2024 (evidence 3). Article 1(5) of Legal Notice 311 of 2023 (evidence 2) states that the new regulations enter into force within two months from their publication in the Government Gazette, namely on 2 March 2024. Article 1(6) of Legal Notice 311 of 2023 further states that Article 5(4), related to requirement for contractors to submit a pre-demolition audit for high density residential developments, will enter into force on 1 January 2026. Whilst this constitutes a minimal temporal deviation from the requirement of the Council Implementing Decision, the delay between the entry into force of CDWFR and the entry into force of its Article 5(4) is considered both limited and appropriate, notably as it is limited to a single article (Article 5(4)) and justified by the time necessary for both the authorities and the parties to prepare for the implementation of the new provision. In particular, the preparation for the implementation of the provision which requires the contractors to submit a pre-demolition audit implies ad-hoc procedures and specialised expertise. This delay is necessary for the industry to develop and adopt the necessary internal procedures and technical expertise. At the same time, the authorities need to develop the necessary technical guidance for pre-demolition audits and raise stakeholders' awareness. Furthermore, Article 5(4) of the Construction and Demolition Framework Regulations is implementing Measure 6 of the Construction and Demolition Waste Strategy, which was assessed with the first payment request (milestone 1.8). In the Strategy, this measure was identified as a long-term action with an implementation timeframe set for 2026, which is consistent with the date set in Article 5(4) for the entry into force of the obligation to submit pre-demolition. Moreover, the Construction and Demolition Waste Framework Regulations is already producing legal effects, with the exception of Article 5(4) which will produce legal effects following its entry into force on 1 January 2026. There are no other legal acts that are required to be adopted for Article 5(4) to enter into force. On this basis, it is considered that this constitutive element of the milestone is satisfactorily fulfilled.

The Council Implementing Decision states *"To implement such strategy"*. The Council Implementing Decision, in the immediate preceding sentence, also states: *"A Construction and Demolition Waste Strategy shall be adopted, which shall identify options for the management of waste arising from construction and demolition activities, with a view to shifting the treatment of such waste away from disposal to the preparing for re-use and recycling"*. In light of the contextual interpretation of this requirement from the Council Implementing Decision, it is interpreted that the strategy is Malta's Construction and Demolition Waste Strategy (CDWFR), as assessed under milestone 1.8. The entry into force of the CDWFR implements Measure 3 of Malta's Construction and Demolition Waste Strategy (milestone 1.8), which requires to "introduce a New Regulatory Framework directed at the Management of C&D Waste" (p. 29), as well as Measure 6 "Improve Waste Classification and Source Separation" (p. 29). On this basis, it is considered that this constitutive element of the milestone is satisfactorily fulfilled.

The regulatory framework shall be developed and discussed with actors involved along the construction and demolition chain.

The legislative process included a four-week public consultation period in November 2023 in line with Article 55 of the Environment Protection Act(Chapter 549 of the Laws of Malta). This is documented by evidence 4, which includes the comments submitted during the public consultation period, as published on the website of the consultation, including the outcomes of some specific meetings held in two days (30 and 31 October 2023) with the following stakeholders: Malta Developers Association (MDA), the Malta Chamber of Construction Managers, the Chamber of Architects and Civil Engineers, the Malta Chamber of Commerce and the Malta Chamber of SMEs.

Malta also submitted four screenshots of the emails inviting stakeholders for the public consultation (evidence 5).

The regulatory framework shall comply with the EU waste legislation and EU Construction and Demolition Waste Protocol and Guidelines.

The Construction and Demolition Waste Framework Regulations apply the key concepts outlined by the EU waste legislation and EU Construction and Demolition Waste Protocol Guidelines including waste hierarchy, waste separation and adequate treatment to the local construction and demolition industry. The mapping below shows the correlation between the EU Waste legislation and the EU Construction and Demolition Waste Protocol and Guidelines and the Construction and Demolition Waste Framework Regulations.

Construction and Demolition Waste Protocol Checklist			Correlation with CDWFR (S.L. 549.161)
Waste identification, source separation and collection	Improve waste identification	Prepare a pre-demolition audit	Article 5(4), Schedule 1
		Prepare a process-oriented waste management plan.	Article 5(3), Article 5(4), Schedule 1
		Decide on the best treatment options for different materials (related to Art 4 WFD).	Article 5(1), Article 5(2), Article 5(4), Schedule 1
		Guarantee efficient supervision by local authorities or by an independent third party.	Article 5(4), Article 10, Article 5(3), Article 11
	Improve source separation	Keep materials separated during the demolition and construction process (related to Art 11(1) WFD).	Article 3(c), Article 5(2), Article 6(1), Article 6(4)
		Remove hazardous waste (decontamination) correctly and systematically prior to demolition (related to Art 11(1) WFD).	Article 5(4), Article 6(3)
		Selectively demolish and dismantle the main inert waste streams, often manually, and treat them separately (related to Art 11(1) WFD).	Article 3(b)
		Minimise packaging materials as much as possible.	Article 5(1)
		Provide necessary documentation to all contractors to support	Article 3(d), Article 5(2), Article 5(3), Article 10

		transparency and monitoring.	
Waste logistics	Transparency, tracking and tracing	Provide necessary documentation to all contractors to support transparency and monitoring.	Article 3(d), Article 5(2), Article 5(3), Article 10
		Use the European List of Waste to assure comparability of data across the EU (related to Art 7 WFD).	As laid down in Article 5(4) of the CDWFR, all waste streams foreseen to be generated are to be identified. The identified waste streams will be classified in line European List of Waste as prescribed in national standard SM 810:2022 referred to in the fourth schedule of SL 623.08 .
	Improve logistics	Try to keep distances short to keep recycling economically attractive and environmentally sound (related to Art 16 WFD).	Not applicable (due to Malta's geographical size, this requirement is considered as not applicable for the local context)
		Optimise the transport network and make use of supporting IT systems.	Not applicable (due to Malta's geographical size, this requirement is considered as not applicable for the local context)
		Where possible, use waste transfer stations and/or waste sorting and recycling services(related to Art 4 WFD).	Article 7(3)
		Guarantee the integrity of materials from dismantling to recycling during transportation.	Article 6(4)
	Stockpiling potential and proper stocking	Proper stocking and stockpiling of C&D materials is required in certain situations.	Catered for under separate Legislation
		Take precautionary measures to minimise emissions and risks, taking local conditions into account.	Catered for under separate Legislation
Waste processing and	Waste	Follow the waste hierarchy	Article 5(1), Article 5(2)

treatment	processing and treatment options	(related to Art 4 WFD).	
		Sort non-inert materials and products depending on their economic value, if possible (related to Art 11(1) WFD).	Article 6(1)
		Process or treat materials on the basis of environmental criteria and regulations that are in place.	Article 3(d), Article 5(2)(f), Article 7(1)
	Preparation for reuse	Reuse as much material as possible (related to Art 4 WFD).	Article 5(1), Article 5(2), Article 6(1), Article 6(4) Article 9(1)
	Recycling	Recycle materials, either on-site into new construction or off-site at a recycling plant (related to Art 4 WFD).	Article 6(1), Article 6(4), Article 9(1)
		Promote recycling (related to Art 4 WFD).	Not applicable (The requirements related to recycling laid down in the CDWFR do not distinguish by area but rather by type of development given that the whole territory of Malta is considered as mostly urban.)
		Ensure sound planning of waste management activities	Article 5(1), Article 5(2), Article 5(4), Article 9(1)
	Material and energy recovery	Backfilling can be considered in particular situations, when reuse or recycling into higher quality application is not possible (related to Art 4 WFD).	Article 5(1), Article 5(2)
		Energy recovery should be considered for materials that cannot be reused or recycled (related to Art 4 WFD).	Article 5(1), Article 5(2)
Quality management and assurance	Quality of the primary process	Introduce quality management and quality assurance checks and tools in all stages of the recycling route.	Article 5(1), (2), Article 6(1), (2), (4), Article 7(1)
		Make use of existing general quality management schemes like ISO 9000, ISO 14001 and EMAS.	Article 3(b), Article 7(5)
		Key quality management and assurance checks and tools per process step	Article 5(3), Article 5(4)

	Quality assurance related to products and product standards	Follow the same European standards that apply to primary materials for recycled materials.	Article 4(1)
		If these European product standards do not apply, make use of European Technical Assessments (EAD).	
		In case European product standards or assessments do not apply, use Quality Assurance schemes as an additional tool.	

The regulatory framework shall be structured on the following main priority areas indicated in the strategy to ensure a shift towards a more circular economy:

(i) the prevention and better management of C&D waste at each stage of the development, that is at the demolition, excavation and construction stages;

The following provisions in Legal Notice 311 of 2023 (evidence 2) focus on prevention and better management of C&D waste at different stages:

- Article 3 (a) stipulates that the developer or anyone acting on its behalf involved in the design stage of a development shall take measures to ensure the prevention and minimisation of waste and implement them throughout the lifetime of the development. This encourages the prevention and minimisation of waste, all stages of development, from demolition to construction, as explicitly stipulated by Article 3(a)
- According to the Article 5(2) (a), the main actors involved will need to take the necessary measures to prevent the generation of waste across all stages of construction. Such stages include but are not limited to design, demolition, excavation, construction and finishing. This encourages the prevention of wastes, at the demolition and excavation and construction stage, as explicitly required by Article 5(2)
- Article 5(4) stipulates that the pre-demolition audit requires the identification, at development planning stage, of the types and amounts of various waste streams expected to be generated and their proposed destination. This encourages the prevention of waste through appropriate planning and ensures the identification of environmentally sound options for its treatment, for a better management of construction and demolition waste. .
- All the above mentioned provisions are expected to minimise waste, ensure the prevention and improve management of construction and demolition waste at all stages of the project development

(ii) the separation of waste at source;

The following provisions in Legal Notice 311 of 2023 (evidence 2) concern the separation of waste at source:

- Article 3(c) stipulates that contractors engaged by the client or developer shall make efforts to segregate waste at source.
- Article 6 provides that where site specific characteristics allow, contractors shall endeavour to separate demolition, excavation and construction materials or waste at source in order to facilitate the re-use of material and the preparation for re-use, recycling and recovery of waste, including but not limited to mineral fractions, metal, glass, wood and plastic waste.

This is further supported by the preparation of a pre-demolition audit (Article 5(4)), which requires the identification of all waste streams foreseen to be generated as well as the indication of which materials can be separated at source, facilitating the achievement of the waste targets. By ensuring that waste streams are identified ex ante, this will facilitate the separation of waste at source and therefore improve their treatment.

and (iii) promoting the development of secondary markets for end-of-life resources, as well as ensuring that there is a shift from recovery and disposal to reuse and recycling.

The provisions in LN 311 of 2023 (evidence 2) concern the development of secondary markets as following:

Article 9 facilitates the development of secondary markets for end-of-life resources, as well as ensuring that there is a shift from recovery and disposal to reuse and recycling by establishing specific targets for supply and demand.

Supply is facilitated by establishing:

- (1) a target of 40% for excavated material to be re-used or recycled (Article 9(a)); and
- (2) a target of a minimum of 40% by weight of non-hazardous waste generated during demolition to be prepared for re-use, recycling or other forms of material recovery other than backfilling (Article 9(b)).

Demand is promoted by targets requiring that:

- (1) a minimum of 15% of construction material, including that used in finishes, is made up of re-used or recycled material (Article 9(c)), and that
- (2) a minimum of 25% of the granular material used for construction is made up of recycled aggregates (Article 9(d)).

The prevention and better management of the construction and demolition waste at each stage of development, the separation of waste at source, the promotion of secondary markets for end-of-life resources as well as the shift from recovery and disposal to re-use and recycling are concrete measures to ensure and achieve a shift towards a circular economy.

In addition, the said regulations shall clearly identify and define the roles and responsibilities of the actors (such as developers, contractors, architects and property owners) involved in the sector.

The Council Implementing Decision requires that the regulations clearly identifies and defines the roles and responsibilities of the actors (such as developers, contractors, architects and property owners).

Article 3 of Legal Notice 311 of 2023 (evidence 2) identifies the roles and responsibilities of the different actors involved in the construction industry including:

- 1) The developer or anyone acting on his behalf, involved in the design stage of a development shall ensure that measures to prevent and minimise the generation of waste are integrated in any development and that these measures are implemented throughout the lifetime of the development;

- 2) The client, developer or anyone acting on his behalf shall ensure that demolition and excavation are carried out in line with paragraph 3 (a) of the Fourth Schedule of the Construction Management Site Regulations (S.L. 623.08);
- 3) The contractors engaged by the client or developer shall ensure the prevention and minimisation of waste during all on-site activities and make efforts to segregate waste at source while ensuring that any collection and transport of waste generated on site is carried out by duly authorised waste carriers;
- 4) The waste carrier shall ensure that any waste collected is transported according to waste regulations, to authorised facilities permitted under the waste regulations and shall provide documentary proof when requested; and
- 5) The site manager shall ascertain that any development is carried out according to these regulations and that the actors involved fulfil their duties.

Legal Notice 311 of 2023 does not explicitly mention the roles and responsibilities of architects and property owners. Whilst this represents a minimal substantive deviation from the requirement of the Council Implementing Decision, the roles and responsibilities of architects and property owners are identified and defined indirectly in the Legal Notice 311 of 2023. In particular, Art. 2 of Legal Notice 311 of 2023 defines the “client” as *“the person in whose name the application had been submitted for a development permit in accordance with the provisions of the Development Planning Act [...]”*. This is the same definition used for “developer” in the Building Regulation Act (Chapter 513 of the Laws of Malta, evidence 6). In turn, Art. 71(4) of the Development Planning Act (Chapter 552 of the Laws of Malta, evidence 7) sets out that *“An applicant for development permission shall declare to the Authority that: (i) he is the owner of the site or that he has notified the owner of his intention to apply by registered letter of which a copy has been received by the Authority and that the owner has granted his consent to submit an application; or (ii) he is authorised to carry out such proposed development under any other law or through an agreement with the owner”*. Therefore, the roles and responsibilities of the *property owner* are also defined in Art. 2 of Legal Notice 311 of 2023 as the *client*, which is the applicant for the development permit. Furthermore, Art. 2 of Legal Notice 311 of 2023 defines the roles of *“the developer or anyone acting on his behalf involved in the design stage of a development”*. In addition, the Building Regulation Act (Chapter 513 of the Laws of Malta, evidence 6) defines the *perit*² in charge of the project as the person *“that is going to assume responsibility for the execution of the project approved in the development permit”*. While the law also foresees the role of a *“site technical officer”* to oversee the works carried out on site, his/her competence is governed by the Third Schedule of the Building Regulation Act (Chapter 513 of the Laws of Malta, evidence 6) that defines the role and responsibility of the site technical officer to those of a *perit* in case of demolition, excavation and building works. The term “site manager” is also defined in the Environment Protection Act (Chapter 549 of the Laws of Malta, evidence 8) as having *“the same meaning as assigned to it in regulation 3 of the Construction Management Site Regulations {Subsidiary Legislation 623.08 of the Laws of Malta}”* which in turn includes the possibility of this task being carried out by (a) the client, (b) the project supervisor, (c) *a perit*, (d) any other competent person (evidence 9). The broad definition of this role and the legal provisions cited,

² In Malta, a *perit* is both an architect and a civil engineer: <https://kamratalperiti.org/profession/what-is-a-perit/>.

refer to roles and responsibilities related to the management of the site falling onto the *perit*. Therefore, the roles and responsibilities of the *architect* are also defined in Art. 2 of Legal Notice 311 of 2023 as the *site manager*. As of this, this minimal deviation does not change the nature of the measure and does not affect the progress towards achieving the reform that the milestone represents. On this basis, it is considered that this constitutive element of the milestone is satisfactorily fulfilled.

4. Commission Preliminary Assessment: Satisfactorily fulfilled.

Number and name of the Milestone: 1.15 Contracted services for the renovation of public buildings

Related Measure: C1.I1 Investment in the renovation and greening of public and private sector buildings, including retrofitting through energy and resource efficiency measures

Qualitative Indicator: Contracts signed for the procurement of renovation services for selected public buildings covered by this investment

Time: Q2 2023

1. Context:

The objective of the investment is to improve energy efficiency, reduce energy demand, lower carbon emissions and limit energy waste through the retrofitting of public and private sector buildings.

Milestone 1.15 requires that all contracts are signed for the procurement of renovation services of public buildings with an area of at least 9 232 m².

While milestone 1.15 is the second milestone of this investment, it is the first milestone related to renovation works targeting public buildings. It follows the completion of milestone 1.17 related to the launch of call for applications for grants targeting the renovation of private sector buildings. It will be followed by target 1.16 and target 1.18, related to the completion of the renovation works of public and private sector buildings, respectively. The investment has a final expected date for implementation on 30 June 2023.

2. Evidence provided:

	Name of the evidence	Short description
1	Summary document	Duly justifying how the milestone (including all its constitutive elements, as listed in the description of the milestone and the corresponding measure in the CID annex) was satisfactorily fulfilled.
2	Contract for the renovation works of Rabat District Office, signed on 4 August 2023.	Contract for the renovation works of Rabat District Office, signed on 31 July and 4 August 2023, between the Public Works Department and the contractor.
3	Contract for the renovation works of the Manufacturing and Servicing Directorate (MSD) Offices, signed on 21 July 2023.	Contract for the renovation works of Manufacturing and Servicing Directorate (MSD) Offices, signed on 21 July 2023, between the Public Works Department and the contractor.
4	Contract for the renovation works of the Mellieha District Office, signed on 2 August 2023.	Contract for the renovation works of Mellieha District Office, signed on 27 July and 2 August 2023, between the Public Works Department and the contractor.
5	Contract for the	Contract for the renovation works of Pembroke

	Name of the evidence	Short description
	renovation works of the Pembroke District Office, signed on 24 August 2023.	District Office, signed on 17 and 24 August 2023, between the Public Works Department and the contractor.
6	Contract for the renovation works of the Kirkop District Office, signed on 4 July 2023.	Contract for the renovation works of Kirkop District Office, signed on 4 July 2023, between the Public Works Department and the contractor.
7	Contract for the renovation works of the Project House, Floriana, signed on 15 December 2020.	Contract for the renovation works of Project House, Floriana, signed on 11 and 15 December 2020, between the Department of Contracts on behalf of the Ministry for Transport, Infrastructure and Capital Projects and the contractor.
8	Tender for the renovation works of Block A, Floriana.	Tender for the renovation works of Block A, Floriana
9	Contract (lot 1) for the renovation works of the Block A, Floriana, signed 19 June 2023.	Contract for the renovation works of Block A, Floriana (lot 1), signed on 12 and 19 June 2023, between the Department of Contracts on behalf of the Ministry for Public Works and Planning, and the contractor.
10	Contract (lot 2) for the renovation works of the Block A, Floriana, signed on 28 September 2023.	Contract for the renovation works of Block A, Floriana (lot 2), signed on 26 and 28 September 2023, between the Department of Contracts on behalf of the Ministry for Public Works and Planning, and the contractor.
11	Contract for the renovation works of the Zebbug District Office, signed on 21 August 2023.	Contract for the renovation works of Zebbug District Office, signed on 8 and 21 August 2023, between the Department of Contracts on behalf of the Ministry for Public Works and Planning, and the contractor.
12	Contract (lot 1) for the renovation works of the Block B, Floriana, signed on 12 September 2023.	Contract for the renovation works of Block B, Floriana (lot 1), signed on 6 and 12 September 2023, between the Department of Contracts on behalf of the Ministry for Public Works and Planning, and the contractor.
13	Contract (lot 2) for the renovation works of the Block B, Floriana, signed on 10 October 2023.	Contract for the renovation works of Block B, Floriana (lot 2), signed on 6 and 10 October 2023, between the Department of Contracts on behalf of the Ministry for Public Works and Planning, and the contractor.
14	Contract for the renovation works of the Office Block at Kordin, Paola, signed on 8 August 2023.	Contract for the renovation works of Office Block at Kordin, Paola, signed on 2 and 8 August 2023, between the Department of Contracts on behalf of the Ministry for Public Works and Planning, and the contractor.
15	Energy Performance	Energy Performance Certificate (pre-renovation)

	Name of the evidence	Short description
	Certificate - PWD, PID District Office, Rabat	of the building 'PWD, PID District Office, Rabat', signed by a Perit and registered on 15 September 2022, containing the useful floor area of the building.
16	Energy Performance Certificate - PWD, PID District Office, Zebbug	Energy Performance Certificate (pre-renovation) of the building 'PWD, PID District Office, Zebbug', signed by a Perit and registered on 15 September 2022, containing the useful floor area of the building.
17	Energy Performance Certificate - Manufacturing and Servicing Directorate (MSD) Offices	Energy Performance Certificate (pre-renovation) of the building 'Manufacturing and Servicing Directorate (MSD) Offices', signed by a Perit and registered on 16 September 2022, containing the useful floor area of the building.
18	Energy Performance Certificate - PWD, Project House, Floriana	Energy Performance Certificate (post-renovation) of the building 'PWD, Project House, Floriana', signed by a Perit and registered on 29 March 2018, containing the useful floor area of the building.
19	Energy Performance Certificate - PWD, PID District Office, Mellieha	Energy Performance Certificate (pre-renovation) of the building 'PWD, PID District Office, Mellieha', signed by a Perit and registered on 15 September 2022, containing the useful floor area of the building.
20	Energy Performance Certificate - PWD Office Block at Kordin, Paola	Energy Performance Certificate (pre-renovation) of the building 'PWD Office Block at Kordin, Paola', signed by a Perit and registered on 15 September 2022, containing the useful floor area of the building.
21	Energy Performance Certificate - PWD, PID District Office, Kirkop	Energy Performance Certificate (pre-renovation) of the building 'PWD, PID District Office, Kirkop', signed by a Perit and registered on 15 September 2022, containing the useful floor area of the building.
22	Energy Performance Certificate - PWD, PID District Office, Pembroke	Energy Performance Certificate (pre-renovation) of the building 'PWD, PID District Office, Pembroke', signed by a Perit and registered on 15 September 2022, containing the useful floor area of the building.
23	Energy Performance Certificate - Block B, Floriana	Energy Performance Certificate (pre-renovation) of the building 'Block B, Floriana', signed by a Perit and registered on 8 February 2019, containing the useful floor area of the building.
24	Energy Performance Certificate - Block A, Floriana	Energy Performance Certificate (pre-renovation) of the building 'Block A, Floriana', signed by a Perit and registered on 9 February 2019, containing the useful floor area of the building.
25	Certificate of compliance	Certificate signed by the contractor that carried

	Name of the evidence	Short description
	with DNSH for the building 'Project House Floriana'	the works in the building 'Project House Floriana' attesting compliance with the DNSH.

3. Analysis:

The justification and substantiating evidence provided by the Maltese authorities cover all constitutive elements of the milestone.

Contracts signed for the procurement of renovation services for selected public buildings covered by this investment

All contracts signed for the procurement of renovation services of public buildings [...]

Furthermore, in line with the description of the measure, **the investment shall consist of the renovation, including retrofitting, of [...] public buildings**

The Maltese authorities selected ten buildings to renovate under this investment, all under the remit of the Public Works Department within the Ministry for Transport, Infrastructure and Public Works, which according to the Maltese authorities considered among the 22 buildings under its remit which ones to select for the renovation, to meet the square metreage area of the target. Contracts have been signed for the procurement of renovation services of the 10 buildings selected as attested by the evidence presented in the list below, including the name of the building to be renovated, date of signature of the contract and respective evidence number:

Building	Date of signature of the contract	Evidence No.
PWD, PID District Office, Rabat	4 August 2023	2
Manufacturing and Servicing Directorate (MSD) Offices	21 July 2023	3
PWD, PID District Office, Mellieha	2 August 2023	4
PWD, PID District Office, Pembroke	24 August 2023	5
PWD, PID District Office, Kirkop	4 July 2023	6
PWD, Project House, Floriana	15 December 2020	7
Block A, Floriana	Lot 1 – 19 June 2023 Lot 2 – 28 September 2023	Lot 1 – 9 Lot 2 - 10
PWD, PID District Office, Zebbug	21 August 2023	11
Block B, Floriana	Lot 1 – 12 September 2023 Lot 2 - 10 October 2023	Lot 1 – 12 Lot 2 - 13
PWD Office Block at Kordin, Paola	8 August 2023	14

According to the contracts provided, the renovation in the different buildings will include retrofitting operations to improve energy performance. Some examples of such retrofitting operations for each building are presented in the table below:

Building	Examples of retrofitting works	Page and evidence No.
PWD, PID District Office, Rabat	Certified insulation boards to reduce energy costs on roof slab and installation of photovoltaic panels.	Pages 319 and 336, evidence 2
Manufacturing and Servicing Directorate (MSD) Offices	Installation of photovoltaic panels.	Page 272, evidence 3
PWD, PID District Office, Mellieha	Insulation works and installation of photovoltaic panels.	Pages 278 and 285, evidence 4
PWD, PID District Office, Pembroke	Insulation works and installation of photovoltaic panels.	Pages 285, 296 and 297, evidence 5
PWD, PID District Office, Kirkop	Installation of photovoltaic panels.	Page 275, evidence 6
PWD, Project House, Floriana	Insulation works and installation of thermal break windows.	Pages 397, 398 and 406, evidence 7
Block A, Floriana	Thermal insulation works and installation of photovoltaic panels.	Page 186 and 227 of evidence 8 (technical specifications in the tender for the renovation works, which according to the contracts – evidence 9 and 10 – are an integral part of the contract)
PWD, PID District Office, Zebbug	Installation of photovoltaic panels.	Page 481, evidence 11
Block B, Floriana	Installation of double-glazed windows.	Page 360 and following, evidence 12
PWD Office Block at Kordin, Paola	Installation of photovoltaic panels.	Page 966 and following, evidence 14

[...] with an area of at least 9 232 m².

Furthermore, in line with the description of the measure, **the investment shall consist of [...] at least 9,232m² [...]**

The renovation of the ten buildings selected will cover a total of area of 9 623m², exceeding the target of 9 232m² as set in the milestone description. This is attested by the Energy Performance Certificates (EPC) issued for each building. A list with the name of the building (same as in the contracts), area and respective evidence number (notably the respective EPC) is presented below:

Building	Area (m2)	Evidence No.
PWD, PID District Office, Rabat	196	15
Manufacturing and Servicing Directorate (MSD) Offices	594	17
PWD, PID District Office, Mellieha	85	19
PWD, PID District Office, Pembroke	197	22
PWD, PID District Office, Kirkop	497	21
PWD, Project House, Floriana	4199	18
Block A, Floriana	1542	24
PWD, PID District Office, Zebbug	234	16

Building	Area (m2)	Evidence No.
Block B, Floriana	1363	23
PWD Office Block at Kordin, Paola	716	20
TOTAL	9623	

Furthermore, in line with the measure description, it is expected that this measure does not do significant harm to environmental objectives within the meaning of Article 17 of Regulation (EU) 2020/852, taking into account the description of the measure and the mitigating steps set out in the RRP in accordance with the Do No Significant Harm Technical Guidance (2021/C58/01). In particular, the measure requires the economic operators carrying out the construction works to ensure that at least 70% (by weight) of the non-hazardous construction and demolition waste (excluding naturally occurring material referred to in category 17 05 04 in the European List of Waste established by Decision 2000/532/EC of 3 May 2000 replacing Decision 94/3/EC establishing a list of wastes pursuant to Article 1(a) of Council Directive 75/442/EEC on waste and Council Decision 94/904/EC establishing a list of hazardous waste pursuant to Article 1(4) of Council Directive 91/689/EEC on hazardous waste (notified under document number C(2000) 1147)) generated on the construction site shall be prepared for re-use, recycling and other material recovery, including backfilling operations using waste to substitute other materials, in accordance with the waste hierarchy, Article 11.2 (b) of Directive 2008/98/EC on waste and the EU Construction and Demolition Waste Management Protocol.

This DNSH requirement is included in the signed contracts for the renovation works of nine out of the ten buildings selected. A list with the name of the nine buildings, as well as the relevant points and pages of the evidence documents where the DNSH requirement is included is presented below:

Building	Point/Page
PWD, PID District Office, Rabat	Points 70.1 and 70.2 of the Special Conditions (page 23 and following of Evidence 2), which according to point 4, line a) of the contract are an integral part of the contract (page 2 of Evidence 2).
Manufacturing and Servicing Directorate (MSD) Offices	Points 70.1 and 70.2 of the Special Conditions (page 21 and following of Evidence 3), which according to point 4, line a) of the contract are an integral part of the contract (page 2 of Evidence 3).
PWD, PID District Office, Mellieha	Points 70.1 and 70.2 of the Special Conditions (page 22 and following of Evidence 4), which according to point 4, line a) of the contract are an integral part of the contract (page 2 of Evidence 4).
PWD, PID District Office, Pembroke	Points 70.1 and 70.2 of the Special Conditions (page 23 and following of Evidence 5), which according to point 4, line a) of the contract are an integral part of the contract (page 2 of Evidence 5).
PWD, PID District Office, Kirkop	Points 70.1 and 70.2 of the Special Conditions (page 24 and following of Evidence 6), which according to point 4, line a) of the contract are an integral part of the contract (page 2 of Evidence 6).
Block A, Floriana	<p>Lot 1 – Points 70.1 and 70.2 of the Special Conditions of the Tender for renovation works of Block A, Floriana (page 25 and following of Evidence 8), which according to point 4, line a) of the contract are an integral part of the contract (page 3 of Evidence 9).</p> <p>Lot 2 - Points 70.1 and 70.2 of the Special Conditions (page 23 and following of Evidence 10), which according to point 4, line a) of the</p>

Building	Point/Page
	contract are an integral part of the contract (page 3 of Evidence 10).
PWD, PID District Office, Zebbug	Points 70.1 and 70.2 of the Special Conditions (page 25 and following of Evidence 11), which according to point 4, line a) of the contract are an integral part of the contract (page 3 of Evidence 11).
Block B, Floriana	<p>Lot 1 – Points 70.1 and 70.2 of the Special Conditions (page 26 and following of Evidence 12), which according to point 4, line a) of the contract are an integral part of the contract (page 3 of Evidence 12).</p> <p>Lot 2 - Points 70.1 and 70.2 of the Special Conditions (page 26 and following of Evidence 13), which according to point 4, line a) of the contract are an integral part of the contract (page 3 of Evidence 13).</p>
PWD Office Block at Kordin, Paola	Points 71.1 and 71.2 of the Special Conditions (page 21 and following of Evidence 14), which according to point 4, line a) of the contract are an integral part of the contract (page 3 of Evidence 14).

In the different contracts, the first point referred in the list above for each building relates to compliance with the general DNSH principle. As an example, in the contract for the renovation of the building ‘PWD, PID District Office, Rabat’ (evidence 2), point 70.1 states that:

‘The project is cofinanced by the European Union/Government of Malta, in accordance with the rules of the EU’s Recovery and Resilience Facility (RRF). The EU’s Recovery and Resilience Facility (RRF) requires that no measures do any significant harm to the environment. Every project provided with RRF funding must fulfil the “Do No Significant Harm (DNSH)” requirements. An activity is considered to do significant harm: (...). Economic operators are required to comply with the “Do No Significant Harm (DNSH)” principle during contract implementation.’

In turn, the second point referred in the list above for each building relates to compliance with the specific DNSH requirement in the measure description requesting that economic operators ‘ensure that at least 70% (by weight) of the non-hazardous construction and demolition waste (...) generated on the construction site shall be prepared for re-use, recycling and other material recovery, including backfilling operations using waste to substitute other materials (...)’. As an example of this, in the contract for the renovation of the building ‘Manufacturing and Servicing Directorate (MSD) Offices’ (evidence 3) it is stated in point 70.2 that:

‘Economic operators are required to ensure that at least 70% (by weight) of the non-hazardous construction and demolition waste (excluding naturally occurring material referred to in category 17 05 04 in the European List of Waste established by Decision 2000/532/EC of 3 May 2000) generated onsite during contract implementation (...) shall be prepared for re-use, recycling and other material recovery, including backfilling operations using waste to substitute other materials, in accordance with the waste hierarchy, Article 11.2 (b) of Directive 2008/98/EC on waste and the EU Construction and Demolition Waste Management Protocol.’

The Council Implementing Decision required that ‘the economic operators carrying out the construction works to ensure that at least 70% (by weight) of the non-hazardous construction and

demolition waste (excluding naturally occurring material referred to in category 17 05 04 in the European List of Waste established by Decision 2000/532/EC of 3 May 2000 replacing Decision 94/3/EC establishing a list of wastes pursuant to Article 1(a) of Council Directive 75/442/EEC on waste and Council Decision 94/904/EC establishing a list of hazardous waste pursuant to Article 1(4) of Council Directive 91/689/EEC on hazardous waste (notified under document number C(2000) 1147)) generated on the construction site shall be prepared for re-use, recycling and other material recovery, including backfilling operations using waste to substitute other materials, in accordance with the waste hierarchy, Article 11.2 (b) of Directive 2008/98/EC on waste and the EU Construction and Demolition Waste Management Protocol'. For the building 'PWD, Project House, Floriana' (not included in the list above), the Maltese authorities submitted an ex-post assessment of compliance with the DNSH requirement by the contractor which carried out the renovation, since the renovation works were already concluded and an amendment of the contract with the contractor which carried out the renovation was not suitable. According to the certificate containing that assessment (evidence 25), the contractor prepared 97% of the waste generated on site for re-use, recycling or backfilling. The contractor also certified compliance with all the DNSH elements in the measure description, attested by the following transcription from pages 1 and 2 of evidence 25:

'This measure does not do significant harm to environmental objectives within the meaning of Article 17 of Regulation (EU) 2020/852, taking into account the description of the measure and the mitigating steps set out in the RRP in accordance with the Do No Significant Harm Technical Guidance (2021/C58/01).

Key Contractors Ltd. ensured that at least 70% (by weight) of the non-hazardous construction and demolition waste (excluding naturally occurring material referred to in category 17 05 04 in the European List of Waste established by Decision 2000/532/EC of 3 May 2000 replacing Decision 94/3/EC establishing a list of wastes pursuant to Article 1(a) of Council Directive 75/442/EEC on waste and Council Decision 94/904/EC establishing a list of hazardous waste pursuant to Article 1(4) of Council Directive 91/689/EEC on hazardous waste (notified under document number C(2000) 1147)) generated on the construction site was prepared for re-use, recycling and other material recovery, including backfilling operations using waste to substitute other materials, in accordance with the waste hierarchy, Article 11.2 (b) of Directive 2008/98/EC on waste and the EU Construction and Demolition Waste Management Protocol.'

Whilst this constitutes a minimal substantive deviation from the requirement of the Council Implementing Decision, compliance with the DNSH requirements was ensured in the terms described above also for the building in question. In fact, the check for compliance with the DNSH requirements of this building, by being an assessment that the requirements were *de facto* implemented, is stronger than the verification of the inclusion of the DNSH requirements as part of the contractual obligations and therefore, *a fortiori*, it is considered that this minimal deviation does not change the nature of the measure and does not affect the progress towards achieving the investment that the milestone represents. On this basis, it is considered that this constitutive element of the measure is satisfactorily fulfilled.

4. Commission Preliminary Assessment: Satisfactorily fulfilled

Number and name of the Target: 1.24 Reduced primary energy demand in two Public Schools

Related Measure: C1.I3 Investment in the renovation, retrofitting and renewable energy in public schools

Quantitative Indicator: percentage

Baseline: 0

Target: 30

Time: Q4 2023

1. Context:

The objective of the investment is to improve energy efficiency, reduce energy demand, lower carbon emissions and limit energy waste in two public schools.

Target 1.24 requires a reduction of primary energy demand (PED) of at least 30% in two public schools.

Target 1.24 is the third and last target of the investment. It follows the fulfilment of milestones 1.22 and 1.23, respectively related to the assessment of overall Energy Performance and Audit of the two schools and to the signature of contracts for the renovation works.

The investment has a final expected date for implementation on 31 December 2023.

2. Evidence provided:

	Name of the evidence.	Short description
1	Summary document	Duly justifying how the target (including all its constitutive elements) was satisfactorily fulfilled.
2	Report on energy performance of the Ghaxaq Primary School	Dated 3 December 2024, signed by a specialist in energy and engineer, Prof. Ing. Charles Yousif, containing (for Ghaxaq Primary School): Primary Energy Demand (PED) levels before and after the renovation, and percentage reduction of PED; Energy Performance Certificates before and after the renovation, and corresponding asset rating of the building.
3	Report on energy performance of the Nadur Primary School	Dated 4 December 2024, signed by a specialist in energy and engineer, Prof. Ing. Charles Yousif, containing (for Nadur Primary School): Primary Energy Demand (PED) levels before and after the renovation, and percentage reduction of PED; Energy Performance Certificates before and after the renovation, and corresponding asset rating of the building.

3. Analysis:

The justification and substantiating evidence provided by the Maltese authorities cover all constitutive elements of the target.

Reduction of primary energy demand (PED) of at least 30% in two public schools (St. Benedict College Ġhaxaq Primary School and Gozo College Nadur Primary School).

Furthermore, in line with the measure description, **the investment shall achieve a reduction of primary energy demand (PED) of at least 30% in two public schools (St Benedict College Ġhaxaq Primary School and Gozo College Nadur Primary School).**

According to the evidence provided, with the renovation of the schools Malta achieved a reduction of primary energy demand (hereinafter referred to as 'PED') of 86% for St. Benedict Ġhaxaq Primary School and of 82.6% for Gozo College Nadur Primary School. Both values exceed the goal of target 1.24 (which was 30%), by 56 percentage points in the case of St. Benedict Ġhaxaq Primary School and by 52.6 percentage points in the case of Gozo College Nadur Primary School. This information is provided in the reports on energy performance submitted for each school, developed and signed by a specialist in energy and engineer, Prof. Ing. Charles Yousif, both dated of December 2024 and containing information on the primary energy demand levels of the schools before and after the renovation and including the respective Energy Performance Certificates (EPCs) of the schools, where the levels of primary energy demand and the energy asset rating of the buildings before and after the renovation can be verified (evidence 2 in the evidence list for St. Benedict Ġhaxaq Primary School and evidence 3 in the evidence list for Gozo College Nadur Primary School), according to which:

i) St. Benedict College Ġhaxaq Primary School

Pre-renovation PED: 1 014.00 kWh/m²/year (corresponding to an asset EPC rating of 148 – C)

Post-renovation PED: 142.17 kWh/m²/year (corresponding to an asset EPC rating of 51 – B)

Absolute PED reduction after renovation: 871.83 kWh/m²/year

Percentage PED reduction after renovation: 86% [(1 014.00 – 142.17)/1014.00]

ii) Gozo College Nadur Primary School

Pre-renovation PED: 580.13kWh/m²/year (corresponding to an asset EPC rating of 196 – D)

Post-renovation PED: 101.00 kWh/m²/year (corresponding to an asset EPC rating of 34 – A)

Absolute PED reduction after renovation: 479.13 kWh/m²/year

Percentage PED reduction after renovation: 82.6% [(580.13-101.00)/580.13]

4. Commission Preliminary Assessment: Satisfactorily fulfilled

Number and name of the Target: 1.26 Construction of a near-carbon neutral school completed

Related Measure: C1.I4 Investment in the construction of a pilot near carbon neutral school to serve as a model for the future and provide a future-proof learning experience to students

Quantitative Indicator: m²

Baseline: 0

Target: 14499

Time: Q4 2023

1. Context:

The objective of the investment is to build a near carbon neutral school, St. Theresa College Msida Primary School, which will serve as a pilot project for future investments in Malta.

The target shall ensure that the construction of the near carbon neutral school amounting to a total area of approximately 14,499m², with a capacity of 500 students, 40 classes, a childcare centre able to take approximately 120 children, a library, and a hall. is complete. The construction shall ensure that a Primary Energy Demand of at least 20% lower than the Nearly-Zero Energy Building requirement is met.

Target 1.26 is the second and last target of this investment. It follows the fulfilment of milestone 1.25, related to the contracted services for the construction of the near carbon neutral school.

2. Evidence provided:

	Name of the evidence	Short description
1	Summary document	The summary document justifies how the target (including all its constitutive elements) was satisfactorily fulfilled.
2	Certificate of completion of the new St. Theresa College Msida Primary School, dated 28 March 2024	The certificate of completion is signed by a Perit (in Malta, a Perit is an accredited architect or civil engineer) and certifies that the school was completed, covering a floor area of 14 500m ² and catering for 500 students.
3	Certificate of additional elements of the new St. Theresa College Msida Primary School, dated 4 December 2024	The certificate of completion is signed by a Perit (in Malta, a Perit is an accredited architect and civil engineer) and certifies, in addition to the elements certified in evidence 2, that the school has 40 classrooms, a childcare centre that caters for 120 children, a library and a hall with a capacity of 300 people.
4	Report on energy performance of the new St. Theresa College Msida Primary School, dated August 2024	The report is signed by a specialist in energy and engineer, Prof. Ing. Charles Yousif, and shows that Primary Energy Demand (PED) is more than 20% lower than the NZEB requirement, including Energy Performance Certificate with asset rating of the building and information on

	Name of the evidence	Short description
		the use of solar photovoltaics and renewable water heating.
5	Declaration of compliance with accessibility requirements, dated 9 December 2024	The declaration of compliance is signed by a Perit (in Malta, a Perit is an accredited architect or civil engineer) and certifies that the school complies with accessibility guidelines of the regulatory body for disability and that all spaces are fully accessible.

3. Analysis:

The justification and substantiating evidence provided by the Maltese authorities cover all constitutive elements of the target.

Construction works of the near-carbon neutral school are completed.

The certificate of completion of the new St. Theresa College Msida Primary School (evidence 2), signed by a Perit (architect or civil engineer) in charge of the design and construction of the school, confirms that the school was completed.

The Report on energy performance of the new St. Theresa College Msida Primary School (developed and signed by a specialist in energy and engineer, Prof. Ing. Charles Yousif, dated of August 2024 and containing information on the building's energy features - evidence 4) confirms that the school is carbon neutral, with an Energy Performance Certificate carbon emission rating of – 2.896 kg CO₂/m²/year (pages 3 and 8, evidence 4). In addition, the school is a net producer of renewable energy, as it produces 113% of its Primary Energy Demand (hereinafter referred to as well as 'PED') through photovoltaics (page 6, evidence 4). The school also uses renewable water heating (page 6, evidence 4).

The school is estimated to cater for around 500 students and to have a land surface area of at least 14 499 m².

The certificate of completion of the new St. Theresa College Msida Primary School (evidence 2) confirms that the school covers a floor area of 14 500m². The following transcription on page 1 of the certificate attests this:

'The school has (...) fourteen thousand, five hundred (14,500) square meters of floor space (...).'

The certificate of additional elements of the new St. Theresa College Msida Primary School (evidence 3) confirms that the school caters for around 500 students and reattests that the school covers a floor area of 14 500m². The following transcription on page 1 of the certificate attests this:

'As Architect in charge of the construction of the new Msida Primary School, I do hereby confirm and certify that this school has around 14,500m² of floor area and satisfactorily caters for 500 students.'

The construction shall ensure that a Primary Energy Demand (PED) that is at least 20% lower than the NZEB requirement is met.

The Report on energy performance of the new St. Theresa College Msida Primary School (developed and signed by a specialist in energy and engineer, Prof. Ing. Charles Yousif, dated of August 2024 - evidence 4) confirms that the construction of the school ensured that Primary Energy Demand is at least 20% lower than the Nearly-Zero Energy Building (hereinafter referred to as 'NZEB') requirement.

The report shows that the NZEB requirement of PED for new school buildings with renewable energy installations in Malta is a maximum of PED of 220 kWh/m²/year. According to the report, the school has an Energy Performance Certificate rating of -9, with PED of -11.378 kWh/m².year and a carbon emission rating of -2.896 kg CO₂/m².year (evidence 4, page 3, 7 and 8). Therefore, the PED is 5272% lower than the NZEB requirement.

The school produces 113% of its PED through photovoltaics (page 6, evidence 4). Therefore, not only the school is carbon neutral and meets the 20% PED lower than the NZEB requirement, as it is a positive net producer of renewable energy.

Furthermore, in line with the measure description, **the school shall have 40 classes, a childcare centre able to take approximately 120 children, a library, and a hall.**

The certificate of additional elements of the new St. Theresa College Msida Primary School (evidence 3), confirms that the school has 40 classes, a childcare centre for approximately 120 children, a library and a hall. The following transcription on page 1 of the certificate attests this:

'It has 40 classrooms, a childcare centre that caters for approximately 120 children, a library and a hall with a capacity of 300 people.'

Furthermore, in line with the measure description, **equal access for persons with disabilities shall also be ensured.**

The declaration of compliance with accessibility requirements confirms that the school ensures equal access for persons with disabilities (evidence 5). The following transcription on page 1 of the certificate attests this:

'the school has been constructed to be compliant with the accessibility guidelines as issued by the Commission for the Rights of Persons with Disability³ and all usable spaces are fully accessible'

One example of these guidelines is the 'Access for all Design Guidelines', online available at <https://www.crpdp.org.mt/resources/legislation/>. These guidelines state, for instance, that:

³ The Commission for the Rights of Persons with Disability is the regulatory body safeguarding the interests of persons with disability in Malta and Gozo. Its role is to promote inclusion in the Maltese society of persons with disability, by developing projects to promote inclusion and by ensuring compliance with disability-related laws, including monitoring, auditing and certifying applications that are made for the development of buildings open to the public, as described on their website: [Commission for the Rights of Persons with Disability - CRPD](https://www.crpdp.org.mt/).

'Emergency exits shall be designed to provide emergency egress for persons with disability particularly wheelchair users.'

And

'Persons with disability shall be able to find and use suitable lavatory accommodation as easily as non-disabled persons.'

4. Commission Preliminary Assessment: Satisfactorily fulfilled

Number and name of the Milestone: 2.3 Access to scheduled fare-free road public transport for all holders of a personalised Tallinja Card

Related Measure: C2.R2 Promoting further use of collective road public transport

Time: Q4 2023

1. Context:

The objective of this reform is to promote the use of road public transport as a mean to reduce emissions and address congestion. The reform shall allow fare-free access to scheduled road public transport services to all holders of a personalised Tallinja Card.

Milestone 2.3 is the only milestone of this reform.

The reform has a final expected date for implementation on 31 December 2023

2. Evidence provided:

	Name of the evidence	Short description
1	Summary document	Summary document duly justifying how the milestone requirements (including all its constitutive elements) have been satisfactorily fulfilled
2	Memorandum of Understanding between the operator and the Ministry responsible for Transport	Redacted copy of the Addendum to the concession for the operation of the scheduled bus service in Malta and Gozo signed between the Malta Public Transport Services (the Operator) and the Authority for transport in Malta (the Authority) on 30 September 2022 specifying that all holders of personalised Tallinja cards can use free public transport.

3. Analysis:

The justification and substantiating evidence provided by the Maltese authorities cover all constitutive elements of the milestone.

Signature of the addendum to the concession agreement between the Maltese Authority for Transport and the Operator providing public transport services, allowing access to scheduled fare-free road public transport for all holders of a personalised Tallinja Card.

Furthermore, in line with the description of the measure, **this reform shall consist in the signature of an addendum to the concession agreement between the Maltese Authority for Transport and the Operator providing public transport services, allowing access to scheduled fare-free road public transport for all holders of a personalised Tallinja Card.**

From 30 September 2022 Malta allowed fare-free access to scheduled road public transport to all holders of the *Personalised Tallinja Card (hereinafter referred to as "PTC")*, which is accessible to every resident in Malta.

This is proven by the Addendum to the Concession Agreement with the sole operator for scheduled bus transport in Malta and Gozo signed on 30 September 2022 (evidence 2, page 10). The Addendum stipulates that the PTC holder will not be debited, with the Authority for Transport instead paying the applicable fare to the Operator, on behalf of the PTC holder (paragraph E, page 2). It is further clarified that this only applies to scheduled public transport. Non-scheduled bus trips (that is, on-demand bus trips and Tallinja direct bus trips) are not covered by the provisions (article 5, page 4).

4. Commission Preliminary Assessment: Satisfactorily fulfilled

Number and name of the Milestone: 2.10 Completion of study on enhanced mobility management in the Maltese public service

Related Measure: C2.R6 Enhanced mobility management in the public service

Qualitative Indicator: Study with recommendations completed

Time: Q1 2023

1. Context:

The measure aims to improve mobility management in the Maltese public service, leading to a more efficient and greener public mobility service.

The milestone involves the completion of a study, by an independent contractor, about change in mobility management in the Maltese Public Service. The study shall examine the current situation and establish a baseline of existing shared mobility (that is, coordinated trips between at least two Government Departments) in the public service; make recommendations to re-engineer the process leading to higher efficiency; and identify the no. and type of a cleaner fleet of government general-use vehicles.

Milestone 2.10 is the first step of the implementation of the reform. It will be followed by target 2.11, related to the increase in shared mobility (coordinated trips between at least two Government Departments) in the public service from the baseline determined in the independent study on enhanced mobility management in the Malta public service.

The reform has a final expected date for implementation of 30 June 2025.

2. Evidence provided:

	Name of the evidence	Short description
1	Summary Note	Summary document duly justifying how the milestone (including all the constitutive elements) was satisfactorily fulfilled.
2	Tender	Copy of the call for tender (including terms of reference) to carry out a study about a change in mobility management in the Maltese Public Service through the procurement of a cleaner fleet of government general-use vehicles, together with improving efficiency of the current operations by introducing the concept of ride sharing between various Ministries and Government Departments.
3	Notification of Award	Copy of Contract Award Notice from TED (tenders electronic daily) concerning the selection of the independent contractor for carrying out the study.
4	Study	A copy of the study, establishing a baseline of existing shared mobility in the public service; including recommendations to re-engineer the process leading to higher efficiency; and identify

	Name of the evidence	Short description
		the number and type of a cleaner fleet of government general-use vehicles. The Study is made up of three parts (Activity 1 report, Activity 2 report and Activity 3 report and a presentation on the final report results).
5	Contract	Contract between the Office of the Prime Minister and PriceWaterhouseCoopers to carry out a study about a change in mobility management in the Maltese Public Service through the procurement of a cleaner fleet of government general-use vehicles, together with improving efficiency of the current operations by introducing the concept of ride sharing between various Ministries and Government Departments signed on 17 September 2021.

3. Analysis:

The justification and substantiating evidence provided by the Maltese authorities cover all constitutive elements of the milestone.

Completion of study about change in mobility management in the Maltese Public Service. The study shall examine the current situation and establish a baseline of existing shared mobility (that is, coordinated trips between at least two Government Departments) in the public service;

Furthermore, in line with the description of the measure, **this reform shall entail a study to assess public service transport infrastructure currently in place across the Maltese Public Service. The study shall examine the current situation and establish a baseline of existing shared mobility in the public service.**

The Study (evidence 4) on change in mobility management in the Maltese Public Service was completed in May 2022, and provides the following:

- in Activity 1 report, Sections 3 and 5 (pages 11-12 and 33-42), Activity 3 report, Section 2 (page 13) and Section 3 (pages 73-74), and in slide 7 of the presentation are evidence the requirements of describing and assessing the public service transport infrastructure currently in place across the Maltese Public Service were met. This consists of analysing the composition of the current government fleet including a census of trips for a typical working week, an analysis of system requirements including charging infrastructure, and identifying the main socioeconomic factors contributing to barriers in the procurement of clean vehicles; and
- in Activity 1 report, Sections 3 and 5 (pages 13-23 and 52), Activity 3 report, Section 3 (page 74) and slide 11 are evidence the requirements of examining the current situation regarding shared mobility in the public service and establishing a baseline of existing shared mobility in the public service were met, such as 91.9% of trips being non-ride sharing between Ministries (page 52 Activity 1 Report). The current baseline was established using the vehicle journey logbooks.

Make recommendations to re-engineer the process leading to higher efficiency; and identify the number and type of a cleaner fleet of government general-use vehicles.

Furthermore, in line with the description of the measure, **this reform shall make recommendations to re-engineer the car sharing process leading to higher efficiency and identify, in terms of number and type, a cleaner fleet of government general-use vehicles.**

The Study (evidence 4) in Activity 1 report Section 5 (page 64), Activity 3 report Section 3 (pages 80 onwards), and in slide 28 onwards of the presentation, makes recommendations **to the Office of the Prime Minister to re-engineer the process leading to higher efficiency and identifies, in terms of number** (slide 58 of the presentation indicates a recommended fleet size of 136 vehicles) **and type** (slide 60 of the presentation refers to a switch to electric vehicles), **a cleaner fleet of government general-use vehicles for the Maltese Public Service. Recommendations include directly procuring from local car importers and a hybrid cloud approach.**

The study shall be carried out by an independent contractor following a public procurement procedure.

Furthermore, in line with the description of the measure, **this reform the study shall be carried out by an independent contractor following a public procurement procedure.**

The study was carried out by an independent contractor, PwC. The contractor has been selected following the public procurement procedure number OPM_E/T/01/2021, launched on 24 February 2024 by the Office of the Prime Minister (OPM) This is proven by the copy of the publication of the call for tenders (evidence 2), including the terms of reference, and the notification of award related to the selection of the independent contractor for carrying out the study (evidence 3). The contract with PwC was signed on 17 September 2021 (evidence 5).

The study shall be shared with the European Commission.

Malta provided the European Commission with a copy of the study (evidence 4). This was shared with the European Commission on 12 December 2024.

4. Commission Preliminary Assessment: Satisfactorily fulfilled.

Number and name of the Target: 2.16 Number of grants awarded for electric vehicles under the scheme for the private sector

Related Measure: C2.I2 Enhancing the uptake of electric vehicles in the private sector

Quantitative Indicator: Number

Baseline: 0

Target: 1000

Time: Q2 2023

1. Context:

This investment aims at instigating a wider shift towards electric mobility and reduce emissions emanating from the road transport sector in Malta by promoting the uptake of electric vehicles in the private sector, including the commercial sector.

Target 2.16 concerns the award of 1,000 grants under the Electric Vehicle Scheme in the private sector.

Target 2.16 is the second target of the investment, and it follows the completion of milestone 2.15, related to the launch of the open call for applications for electric vehicles. It will be followed by target 2.17, related to the award of grants under the scheme, to reach a total of 5,600 grants awarded.

The investment has a final expected date for implementation of 31 December 2025.

2. Evidence provided:

	Name of the evidence	Short description
1.	Summary document	Summary document duly justifying how the milestone requirements (including all its constitutive elements) have been satisfactorily fulfilled
2.	Guide "Purchase of New Electric Vehicles And Pedelecs"	The guide, published on the website of Transport Malta, explains the application process and requirements under the scheme (https://www.transport.gov.mt/land/sustainable-transport/grant-schemes-on-new-electric-vehicles-and-pedelecs/2024-scheme-for-new-electric-vehicles-and-pedelecs-7135).
3.	A list of 1,126 applications for which a grant has been awarded	A list of 1,126 applications for which a grant has been awarded by 30 June 2023. Each application is assigned a unique official reference number. The list also indicates the specific type and category of electric vehicles.
4.	Grant award letters for 60 sampled units	In the context of the sampling exercise, Malta provided 60 copies of grant award letters, including completed application form VEH 057

		under the Electric Vehicle Scheme, for 60 randomly selected applications out of a total of 1,126 application.
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3. Analysis:

The justification and substantiating evidence provided by the Maltese authorities cover all constitutive elements of the target.

Number of grants awarded for electric vehicles under the scheme for the private sector.

This target measures the number of grants awarded under the Electric Vehicle Scheme in the private sector.

According to the list of applications (evidence 3), by 30 June 2023, 1,126 grants were awarded for electric vehicles for the private sector under the Electric Vehicle Scheme. For each grant, the list of applications contains several fields, including the unique identifier (i.e. application number), type of applicant (i.e. person or undertaking), as well as the brand, model and category of the purchased electric vehicle (evidence 3).

As specified in the Guide “Purchase of New Electric Vehicles And Pedelects”, in order to apply for the grant, the applicants first had to register the new electric vehicle with Transport Malta or, in case of pedelects not requiring registration, submit an invoice (evidence 2). This ensured that the electric vehicle was actually purchased.

Following the selection of a random sample of 60 units from the list of applications (evidence 3), Malta submitted copies of the grant award letters issued to the applicants, including completed application form VEH 057 under the Electric Vehicle Scheme (evidence 4). The evidence provided for 59 sampled units confirmed that the requirements of the target have been met. In particular, the grants were awarded for a purchase of an electric vehicle (i.e., car, minibus/coach, quadricycle/motorcycle or pedelect) to individuals or undertakings (i.e. private sector).

A statistical analysis was carried out taking into account the overachievement of the target of 1,126 grants awarded for a required 1,000 grants awarded. Based on this, there is statistical assurance that the target has been met, and all its constitutive elements have been satisfactorily fulfilled.

4. Commission Preliminary Assessment: Satisfactorily fulfilled.

Number and name of the Milestone: 2.18 Contracted services for the supply of electric vehicles for the public service fleet

Related Measure: C2.I3 Decarbonising the public service fleet

Qualitative Indicator: Contracts signed

Time: Q3 2023

1. Context:

The objective of this investment is to decarbonise the transport sector in Malta by promoting the uptake of electric vehicles in the public service. The investment consists of the purchase of electric vehicles

Milestone 2.18 concerns the signing of contracts for the supply of electric vehicles for the public service fleet.

Milestone 2.18 is the first step of the implementation of this investment. It will be followed by target 2.19 that will assess the replacement of internal combustion engine vehicles with fully electric vehicles to reach a total of 262 electric vehicles in the Government general use vehicle fleet.

The investment has a final expected date for implementation on 30 September 2025.

2. Evidence provided:

	Name of the evidence.	Short description
1	Summary Document	Summary document duly justifying how the milestone requirements (including all its constitutive elements) have been satisfactorily fulfilled
2	Annex A: CT3015/2023/1 for Lots 1 and 3 signed on 12 September 2023	Signed contracts for Lot 1 (Supply of 194 passenger Vehicles (5 passengers)) and Lot 3 (Supply of 16 commercial small vehicles)
3	Annex B: CT3015/2023/2 Lot 2 signed on 28 September 2023	Signed contract for Lot 2 (Supply of 30 passenger Vehicles (8 passengers))
4	Annex C: CT3049/2022 Lot 4 signed on 12 September 2023	Signed Contract for Lot 4 (Supply of 10 commercial large vehicles)

3. Analysis:

The justification and substantiating evidence provided by the Maltese authorities cover all constitutive elements of the milestone.

Signed contracts for the supply of electric vehicles for the public service.

Contracts were signed for the supply of electric vehicles, with specific reference to four lots, each catering to different vehicle types and requirements. The Technical Specifications of the contracts, on page 63 of evidence 2, page 61 of evidence 3, and page 49 of evidence 4 include that the vehicles must be electric. The contracts were awarded as follows:

- Lot 1: Michael Attard Ltd. was awarded the contract for the supply of 194 passenger vehicles (5 passengers) as evidenced by the signature on page 5 of evidence no.2 listed above. The contract was signed on 12 September 2023. As evidenced on page 3, the contract concerns the supply and delivery of 194 passenger vehicles (5 passengers). On page 85, it is shown that the vehicles contracted refer to Peugeot 208 Active Electric, Peugeot 208 Allure Pack Electric, Peugeot 208 GT Electric, Peugeot Traveller Business L3 Electric, and Peugeot Expertcombi L2 Electric.
- Lot 2: Motors Inc. was awarded the contract for the supply of 30 passenger vehicles (8 passengers) as evidenced by the signatures on page 5 of evidence no. 3 listed above. The contract was signed on 28 September 2023. As evidenced on page 3, article 2, of evidence no.3 the contract is for the supply of 30 passenger vehicles (8 passengers). On page 84 it is shown that 30 vehicles contracted refer to Fiat Scudo Combi (e-Ulysse) (see item no.1.1).
- Lot 3: Michael Attard Ltd. was awarded the contract for the supply of 16 commercial small vehicles as evidenced by the signature on page 5 of evidence no.2 listed above. The contract was signed on 12 September 2023. As evidenced on page 3, the tender concerns the supply and delivery of 16 small commercial vehicles. On page 140, it is shown that that the vehicles contracted refer to Peugeot ePartner.
- Lot 4: Gasan Zammit Motors Ltd. was awarded the contract for the supply of 10 commercial large vehicles as evidenced by the signatures on page 5 of evidence no. 4 listed above. The contract was signed on 12 September 2023. As evidenced on page 3 of evidence no.4 the contract is for the supply of 10 commercial large vehicles. On page 96, it is shown that the 10 vehicles contracted refer to Ford E Transit (see item 1.1).

Furthermore, in line with the measure description, **this measure does not do significant harm to environmental objectives within the meaning of Article 17 of Regulation (EU) 2020/852, taking into account the description of the measure and the mitigating steps set out in the RRP in accordance with the DNSH Technical Guidance (2021/C58/01). In particular, only zero-emission vehicles shall receive financial support.**

As evidenced above, all contracted vehicles are zero-emission vehicles.

4. Commission Preliminary Assessment: Satisfactorily fulfilled

Number and name of the Target: 3.2 Individuals supported to mitigate digital divide

Related Measure: C3.R1 Deepening the digital transformation through policy reform, with a focus on reducing the digital divide and promoting digital skills

Quantitative Indicator: Number

Baseline: 0

Target: 1000

Time: Q4 2023

1. Context:

The objective of the reform is to develop and implement strategies and initiatives focussing on reducing the digital divide, promoting digital skills and improving digital public services.

Target 3.2 concerns the launch of a pilot scheme to provide 1,000 low-income individuals with a computer. In addition, beneficiaries shall be informed of their eligibility for internet access, as well as training and guidance on the use of the computer.

Target 3.2 is the second and last target of the reform, and it follows the completion of milestone 3.1, related to the launch of a scholarship scheme to encourage students to pursue a career in Information and Communication Technology (ICT) areas.

The reform has a final expected date for implementation on 31 December 2023.

2. Evidence provided:

	Name of the evidence	Short description
1.	Summary document	Summary document duly justifying how the target (including all the constitutive elements) was satisfactorily fulfilled
2.	Copy of the Guidelines on the Digital Connect scheme by the Ministry for the Economy and Industry in collaboration with the Ministry for Social Justice and Solidarity, the Family and Children's Rights and the Malta Digital Innovation Authority (19 November 2021), and a link to the Guidelines in the publication link: https://mdia.gov.mt/app/uploads/2024/08/Schemes-MDIA-Digital-Connect-Guidelines.pdf	The Guidelines set out the details of the scheme, including the eligibility and application process. The Guidelines were published on the website of Malta Digital Innovation Authority.
3.	Impact assessment report of the Digital Connect scheme by Malta Digital Innovation Authority (December 2022)	The 52-page report by the implementing authority analyses the impact and outcomes of the scheme.
4.	Anonymised list of 1,664 beneficiaries	The list contains 1,664 beneficiaries of the scheme, specifying their unique identifier, the type of social support they

		receive from the state, and the type of benefit received under the scheme.
5.	For 60 sampled individuals, a copy of the eligibility letter and a signed certificate of laptop receipt	The eligibility letter informs the candidates of their eligibility for the laptop, internet voucher and training. The certificate signed by the beneficiary certifies that the beneficiary received the laptop.

3. Analysis:

The justification and substantiating evidence provided by the Maltese authorities cover all constitutive elements of the target.

A pilot scheme shall be launched in 2021 to analyse the impact of home internet connection and access to a computer on low income families in respect to digital literacy, connectivity, integration of digital technology and computer skills.

In November 2021, the Ministry for the Economy and Industry in collaboration with the Ministry for Social Justice and Solidarity, the Family and Children's Rights and the Malta Digital Innovation Authority launched a pilot scheme to increase inclusion and digitalisation skills. The scheme's main scope was to improve the digital literacy, connectivity, integration of digital technology, and computer skills of low income families (evidence 2, page 1).

Under the scheme, each eligible participant was entitled to receive a laptop, internet connection (voucher), as well as training and guidance on the use of the laptop (evidence 2, page 3 and evidence 5).

At the end of the scheme, in December 2022, the Malta Digital Innovation Authority prepared a detailed impact assessment report to analyse the impact of the provision of home internet connection and access to a computer had on low income families (evidence 3). In preparation of that report, a survey was conducted to gather feedback from the beneficiaries. The report concluded that the Digital Connect scheme had broadly met its original objectives of improving the digital literacy, connectivity, integration of digital technology, and computer skills in households that could otherwise not afford digital tools and connectivity (evidence 3, page 50). Notably, while over three-quarters of beneficiaries who collected the equipment reported limited to no digital skills at the program's start (2021), a significant improvement was observed a year later. 79% of the surveyed beneficiaries reported basic skills, with only 9% claiming no skills at all (evidence 3, page 32).

The pilot scheme shall target applicants with low income and limited means.

Based on the Guidelines on the Digital Connect scheme, eligibility for the scheme was restricted to individuals receiving specific social security benefits, due to low income and limited means, as outlined in the Social Security Act (Chapter 318 of the Laws of Malta). These benefits included Pink Card (free medical aid), non-contributory age pension, social assistance, single unmarried parent or unemployment assistance (evidence 2, page 1).

Beneficiaries shall be provided with a computer. In addition, beneficiaries shall be informed of their eligibility for internet access, as well as of the possibility of applying for training and guidance on the use of the computer on a first-come, first-served basis.

Malta provided a list of 1,664 beneficiaries who had received a laptop and who had been informed of their eligibility for internet access and the possibility of applying for laptop training and guidance on a first-come, first-served basis under the Digital Connect scheme (evidence 4).

Following the selection of 60 beneficiaries from the list of 1,664, for each selected beneficiary, Malta submitted a copy of the signed certificate confirming the receipt of the laptop and a copy of the eligibility letter sent to beneficiaries to inform them of their eligibility for internet access, as well as of the possibility of applying for training and guidance on the use of the computer on a first-come, first-served basis (evidence 5).

The review of the evidence provided for a sample showed that no copy of the eligibility letter was provided for one sampled beneficiary. Furthermore, 11 certificates of receipt had been signed by a different person than the sampled beneficiary – possibly a relative or a friend collecting the laptop.

Even if 12 units out of the sample of 60 are discarded as inconclusive (that is, (i) one unit where no copy of the eligibility letter was provided, and (ii) 11 units where the certificate of receipt was signed by a different person than the beneficiary), the fulfilment of the target is not affected given its overachievement. A statistical analysis was carried out taking into account the overachievement of the target of 1,664 beneficiaries for a required 1,000 beneficiaries. Based on this, there is statistical assurance that the target has been met, and all its constitutive elements have been satisfactorily fulfilled.

4. Commission Preliminary Assessment: Satisfactorily fulfilled.

Number and name of the Target: 3.5 Increased uptime of the Digital Backbone

Related Measure: C3.I1 Strengthening the resilience, security and efficiency of the government digital backbone and investing in appropriate digital solutions, devices and tools

Quantitative Indicator: % (Percentage)

Baseline: 99.7

Target: 99.8

Time: Q4 2023

1. Context:

The investment aims to improve the resilience and security of the government digital backbone and increase the homogeneity, standardisation and sharing of services across the government. The investment consists of implementing various digital solutions and components within the digital backbone to further improve its overall security, resilience and capacity. The investment into the tools is complemented by digital training provided to public officers and awareness campaigns, notably on cybersecurity.

Target 3.5 requires the percentage of uptime of the digital backbone to be at least 99.8%, as measured by Malta Information Technology Agency (MITA).

Target 3.5 is the first step of the implementation of the investment. It is followed by milestone 3.6 related to the improvement of the level in NIST cyber-security framework. The investment has a final expected date for implementation on 31 December 2025.

2. Evidence provided:

	Name of the evidence	Short description
1	Summary document	Summary document duly justifying how the target (including all its constitutive elements) was satisfactorily fulfilled.
2	Extracts from the MITA Service Availability Monitoring Report 2023	The extracts show 99.8% uptime of the government digital backbone in 2023, as measured based on six criteria.
3	Measurements of the service availability in 2020, provided by MITA	The data provided by MITA shows 99.7% uptime of the government digital backbone in 2020, as measured based on six criteria.
4	Copies of contracts related to the implementation of projects contributing to increasing the uptime of the digital backbone: i. C018/22 Provision of Cisco Equipment and	The contracts were concluded to implement several projects (such as enhancing data centre capacity, cloud security

	Name of the evidence	Short description
	SMARTnet Services for Mater Dei Data Centre ii. C014/21 Supply, Installation, Commissioning and Maintenance of Closed Control Air-Conditioning Systems at Mater Dei Data Centre iii. C015/21 Supply, Installation and Commissioning of Data Cabinets and Cabling at Mater Dei Data Centre iv. C025/21 Provision of Hyperconverged Infrastructure (HCI) Solution, Training, Maintenance and Support Services v. C058/20 Framework for the Provision of Wireless Equipment, NAC Tool and Services vi. C025/20 Provision of Internet Bandwidth Services vii. C121/19 Provision of Cisco Networking Equipment viii. C024/21 Provision of Microsoft Licenses (Perpetual and Subscription) and Related Services ix. C069/22 Contract for the Implementation of a Privileged Access Management Solution and the Provision of Maintenance and Support Services x. C012/22 Provision of Servers and related Maintenance and Support services	monitoring, privileged account management) contributing to increasing the uptime of the digital backbone.

3. Analysis:

The justification and substantiating evidence provided by the Maltese authorities cover all constitutive elements of the target.

Percentage of uptime (total time that service is up, divided by the total number of hours during that period, excluding scheduled downtime) of the digital backbone (Government Network referred to as MAGNET and MITA Corporate Data Centres) measured by Malta Information Technology Agency (MITA).

MITA continuously monitors the uptime of the government's critical digital backbone infrastructure and services (evidence 2), using a comprehensive network management system that integrates a variety of monitoring toolsets. The government's digital backbone includes MAGNET and MITA Corporate Data Centres. The daily reports, which are circulated to all MITA management and Executive Committee, serve as the basis for deriving the quarterly and yearly figures which are included in MITA's yearly Service Availability Monitoring Reports (evidence 2).

The digital backbone uptime assessment is based on the following six measurements (evidence 2 and evidence 3):

- Uptime of the Core Network;
- Uptime of the Magnet III network;
- Uptime of the MITA Data Centre (TIER III);
- Uptime of the Dedicated Internet Bandwidth;
- Uptime of the Azure Hybrid Cloud Platform;
- Uptime of the VM Hosting.

The uptime percentage is calculated using the formula set out in the target description: Uptime Percentage = (Total Uptime Hours / Total Hours in the Period excluding scheduled downtime) * 100 (evidence 2).

Based on the extracts from MITA Service Availability Monitoring Report 2023 (evidence 2), for the period from 1 January 2023 to 31 December 2023, the average yearly uptime percentage achieved for the government digital backbone was of 99.8%, as measured based on the six above-mentioned criteria. This is in line with the target and represents an increase compared to the baseline of 99.7%, recorded in 2020, as measured based on the six above-mentioned criteria (evidence 3).

Furthermore, in line with the description of the measure, **the investment shall consist of procuring within the digital backbone various digital solutions and components to further improve the backbone's overall security, resilience and capacity (for example, by improving the capacity and resilience of data centres, implementing tools for cloud security monitoring, data classification, privileged account management, implementing a Security Operations Centre and investing in tools and other infrastructure for cybersecurity).**

Malta procured various digital solutions and components, for example IT hardware and services, with the objective of improving the security, resilience, capacity, hosting, network access and bandwidth of the government digital backbone. For example, Malta improved the capacity and resiliency of the Mater Dei data centre, increased the capacity of the hosting platform, enhanced bandwidth, and implemented tools for cloud security monitoring, data classification and privileged account management (table below and evidence 4). The relevant projects contributed to increasing the uptime of the digital backbone to 99.8% in 2023 and to further improving the backbone's overall security, resilience and capacity.

Notably, the table below outlines the areas and projects pursued by MITA for the attainment of target 3.5, as evidenced by the signed contracts (evidence 4):

AREA OF WORK ARISING FROM THE CID MEASURE		CORRESPONDING COMPLETED MITA PROJECTS		
Area of Work	Content	MITA Area of Work	MITA Project	Contract Ref / Notes
1. Data Centre Capacity and Resilience	Investment in data centre infrastructure. Improving the capacity and resilience of data centres.	1.Enhancing the Data Centre Capacity	1.1 Improving the resiliency of the Data Centre (Mater Dei)	<ul style="list-style-type: none"> • C018/22 Provision of Cisco Equipment and SMARTnet Services for Mater Dei Data Centre • C014/21 Supply, Installation, Commissioning and Maintenance of Closed Control Air-Conditioning Systems at Mater Dei Data Centre • C015/21 Supply, Installation and Commissioning of Data Cabinets and Cabling at Mater Dei Data Centre

AREA OF WORK ARISING FROM THE CID MEASURE		CORRESPONDING COMPLETED MITA PROJECTS		
Area of Work	Content	MITA Area of Work	MITA Project	Contract Ref / Notes
			1.2 Hosting Platform Capacity and Resilience	<ul style="list-style-type: none"> C025/21 Provision of Hyperconverged Infrastructure (HCI) Solution, Training, Maintenance and Support Services
			1.3 Network Access Controls	<ul style="list-style-type: none"> C058/20 Framework for the Provision of Wireless Equipment, NAC Tool and Services
			1.4 Bandwidth Enhancement	<ul style="list-style-type: none"> C025/20 Provision of Internet Bandwidth Services
			1.5 Enhancement to Government Network	<ul style="list-style-type: none"> C121/19 Provision of Cisco Networking Equipment
2. Cloud Security Monitoring Tools	Procurement and implementation of cloud security tools	2. Tools to Facilitate the use of the Modern Digital Backbone	2.1 Cloud Security Monitoring	<ul style="list-style-type: none"> C024/21 Provision of Microsoft Licenses (Perpetual and Subscription) and Related Services
3. Data Classification	Investment in data management (and classification) tools	2. Tools to Facilitate the use of the Modern Digital Backbone	2.2 Data Classification Tools	<ul style="list-style-type: none"> C024/21 Provision of Microsoft Licenses (Perpetual and Subscription) and Related Services
4. Privileged Account Management	Investment in security infrastructure (including the Operations Centre)	2. Tools to Facilitate the use of the Modern Digital Backbone	2.3 Privileged Account Management Services	<ul style="list-style-type: none"> C069/22 Contract for the Implementation of a Privileged Access Management Solution and the Provision of Maintenance and Support Services
		2. Tools to Facilitate the use of the Modern Digital Backbone	2.3.1 Privileged Account Management Hardware	<ul style="list-style-type: none"> C012/22 Provision of Servers and related Maintenance and Support services

4. Commission Preliminary Assessment: Satisfactorily fulfilled

Number and name of the Milestone: 4.2 Bespoke tool for workforce planning

Related Measure: C4.R1 Develop and implement a health policy framework aimed at making the health system more sustainable and resilient, with a particular focus on health prevention and a strong workforce

Qualitative Indicator: Bespoke tool for workforce planning in place and made available for use

Time: Q2 2023

1. Context:

The objective of this reform is to foster resilience in the health sector by ensuring a strong and sustainable workforce, and to enhance disease prevention related to children's health.

Milestone 4.2 requires the development of a bespoke tool for workforce planning, including for human resources budgeting, vacancies management and hiring facilitation.

Milestone 4.2 is the second milestone in the reform. It was preceded by milestone 4.1 related to a study on barriers and facilitators for better integration and wellbeing of the foreign workforce, and milestone 4.5 related to measuring obesity prevalence in children. It is followed by milestones 4.3 and 4.4 related respectively to measures to improve the integration and wellbeing of the foreign workforce and the recorded improvement, and milestone 4.6 related to the implementation of a neonatal hearing screening programme. The reform has a final expected date for implementation on 31 December 2025.

2. Evidence provided:

	Name of the evidence.	Short description
1	Summary Document	Summary document duly justifying how the milestone (including all its constitutive elements) was satisfactorily fulfilled.
2	Circular MHA 10/20 of Ministry for Health and Active Ageing	Official circular of Ministry for Health and Active Ageing of 11 March, 2025, confirming and announcing that the Bespoke Tool for Workforce Planning is available for use
3	Copy of the Tool	A copy of the bespoke tool for workforce planning (Excel document)
4	Manual for the Tool	Instructions manual regarding the tool's functionality.

3. Analysis:

The justification and substantiating evidence provided by the Maltese authorities cover all constitutive elements of the milestone. **Tool for health workforce planning including features related to human resources, budgeting, vacancies management and hiring facilitation, is developed and made available for use.**

Furthermore, in line with the description of the measure, **the reform shall consist of the development of a bespoke tool for workforce planning. The tool shall include features related to human resources, budgeting, vacancies management and hiring facilitation.**

The People Management Division has introduced since Q2/2023 a Bespoke Tool for Workforce Planning, designed jointly with the World Health Organisation (WHO). The Official Circular of Ministry for Health and Active Ageing of 11 March 2025 (evidence 2, page 1) shows that the bespoke tool for workforce planning has been developed and has been made available for use by service leaders within the Ministry.

The People Management Division provides the users of the bespoke tool with support regarding its functionalities, required inputs and parameters, and assists in interpreting the outputs and visual data generated (evidence 2, page 1). An email address has been set up at which the Departments may contact this Division with any related queries. (evidence 2, page 1)

The Workforce Planning Tool is developed for the health sector and implements a bespoke Excel model with parameters adapted for health workforce planning and forecasting in Malta (evidence 4, page 1). It includes the required features designed to enhance health workforce planning (evidence 3, worksheet tab “HR Forecasting”), budgeting and vacancies management (evidence 3, worksheet tab “Budgeting + Vacancies + Hiring”), as detailed below:

Human Resources (evidence 3, tab “HR forecasting”):

- The tool is a stock and flow model divided into 2 sections representing supply and demand for human resources. The data in the first sheet labelled “HR Forecasting” can be used for evidence-based forecasting where it takes in several inputs and outputs based on objective criteria and then also includes variables which enable forecasting such as the demographical data, planned projects that may affect a particular specialty etc. (evidence 4, page 3).
- Once all the required data is inputted, the tool instantly provides a graph visualising the human resources requirements in the period selected. The tool also provides the possibility for the user to explore several options which may be considered to achieve the required human resourcing numbers in that specific period (evidence 4, page 6).

Budgeting (evidence 3 – tab “Budgeting + Vacancies + Hiring”):

- The second sheet of this tool labelled “Budgeting + Vacancies + Hiring” covers budgeting, vacancies management and hiring facilitation. The tool facilitates financial planning and forecasting by developing annual budgets, performing cost allocation. It also supports expense tracking by monitoring actual versus budgeted expenses. The first tab of the tool provides the information required to transpose onto the second tab which assists in budget forecasting.

Vacancies Management and Hiring Facilitation (evidence3 - tab “HR forecasting”):

- The tool provides the real time scenario of the future vacancy requirements. Any changes to one of the variables provide an instant update to the required vacancies. Given the fluidity of Health Care services, this is essential to close the gap between demand and supply in a timely manner (evidence 4, pp. 5-6).

The tool is accompanied by an instruction manual (evidence 4).

4. Commission Preliminary Assessment: Satisfactorily fulfilled

Number and name of the Target: 4.6 Implementation of neonatal hearing screening programme

Related Measure: C4.R1 Develop and implement a health policy framework aimed at making the health system more sustainable and resilient, with a particular focus on health prevention and a strong workforce

Quantitative Indicator: % (percentage)

Baseline: 40

Target: 85

Time: Q4 2023

1. Context:

The reform aims to foster resilience in the health sector by ensuring a strong and sustainable workforce, and to enhance disease prevention related to children's health. It includes the development of a bespoke tool for workforce planning, measures to improve the wellbeing and integration of foreign health workers, the assessment of the situation of obesity in children, and a neonatal hearing screening programme.

Target 4.6 requires the roll out a neonatal hearing screening programme to identify babies with hearing problems early in life, whereby at least 85% of babies born during 2023 are screened.

Target 4.6 is the third target of the reform, and it follows the completion of milestone 4.1 regarding the completion of a study on barriers and facilitators for better integration and wellbeing of the foreign workforce and milestone 4.5 regarding a report on obesity prevalence amongst 4-5 year olds in the Maltese population. It will be followed by milestone 4.2 on the development of a bespoke tool for workforce planning, milestone 4.3 regarding the report on the implementation of measures for the better integration of foreign workforce within the public sector and comparing wellbeing post-intervention compared to the initial assessment, and target 4.4 related to improvement of the reported wellbeing of foreign workers. The reform shall be implemented by 31 December 2025.

2. Evidence provided:

	Name of the evidence.	Short description
1	Summary document	Summary document justifying how the target (including the relevant elements of the target) was satisfactorily fulfilled.
2	Report: Newborn Hearing Screening Programme	The report issued by the competent authority on screening service coverage, also showing that at least 85% of babies born during the previous year were screened.
3	Complete list of all newborns screened	An Excel file with an anonymised list of 3989 newborns screened in 2023, which includes the child's unique identifier, date of birth, date of test and outcome of test.

	Name of the evidence.	Short description
4	60 official extracts from the database of screened babies	60 extracts from the hospital's patient record system with the screening test results for an individual child provided in the context of sampling.

3. Analysis:

The justification and substantiating evidence provided by the Maltese authorities cover all constitutive elements of the target.

The programme shall identify hearing problems in early years (New-born Hearing Screening Programme). The programme shall consist of the identification of those babies who are at risk for hearing impairment, in order to achieve early identification and rehabilitation. For the achievement of the target, at least 85% of babies born in 2023 shall be screened.

Furthermore, in line with the description of the measure, **the reform shall also [...] roll out a neonatal hearing screening programme to identify babies with hearing problems early in life.**

The report on the newborn hearing screening programme, called “**New-born Hearing Screening Programme**” for the year 2023 (evidence 2), provides a detailed account of the methodology adopted for the hearing screening services offered to new-born babies carried out at Mater Dei Hospital (MDH) and Gozo General Hospital (GGH). Before being discharged from the hospital, parents were informed of the availability of the screening in the framework of the programme and their consent was sought for the baby to undergo screening in view of identifying hearing problems in early years (evidence 2, page 2). The programme also covered babies born on weekends and public holidays who were invited for screening of their babies after having been discharged from hospital (evidence 2, page 3). Two primary hearing tests were performed (evidence 2, page 3) namely (i) the automatic auditory brainstem response (aABR) using clicks and tones to stimulate the auditory nerve, and (ii) the otoacoustic emissions test (OAE) measuring the faint sounds produced by the inner ear when stimulated.

The programme utilised standardised screening protocols, and infants who failed the initial screen were issued follow-up appointments at the outpatient clinic of MDH or GGH (evidence 2, page 3). Babies identified as at risk in their second screening were referred for further diagnostic assessment (evidence 2, page 3).

According to Eurostat, there were 4,462 Live Births in Malta in 2023 (<https://ec.europa.eu/eurostat/databrowser/view/tps00204/default/table?lang=en>).

According to the evidence provided, Malta completed hearing screenings of 3,989 newborns (89.4% of children born in 2023), thus exceeding the goal of Target 4.6 (3,793 or 85% of children born in 2023) by 196 (evidence 3).

In total, 153 infants were referred for follow-up assessments, with 9 eventually receiving a hearing device (evidence 2, page 7).

Location	Pass	At risk	Total	At risk %
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Location	Pass	At risk	Total	At risk %
GGH: Gozo NHSP	198	2	200	1%
MDH: NPICU	314	25	339	7.37%
MDH: OBS 1	1,215	41	1,256	3.26%
MDH: OBS 3	1,053	73	1,126	6.48%
MDH/GGH: Well Baby Weekends	1,056	12	1,068	1.12%
Grand Total	3,836	153	3,989	3.84%

. Among the screened newborns in the sample 6 were identified as at risk.

Following the selection of a random sample of 60 units, Malta submitted copies of official extracts from the hospital's patient record system (evidence 4) showing for each child the hearing test results, the child's ID, date of birth (all in 2023), and the date and results of the test. The evidence provided for a sample of 60 units confirmed that the requirements of the target have been met.

Among the screened newborns in the sample 6 were identified as at risk.

4. Commission Preliminary Assessment: Satisfactorily fulfilled.

Number and name of the Milestone: 4.9 Contracted services for the construction of a Blood, Tissue and Cell Centre

Related Measure: C4.I1 Establishment of a Blood, Tissue and Cell Centre for Malta

Qualitative Indicator: Contract signed for the construction of a Blood, Tissue and Cell Centre

Time: Q1 2023

1. Context:

The objective of this investment is to alleviate the dependency of Malta on other countries for the provision of blood, tissue and cell therapies needed in medical interventions and treatments, with a view to reducing the need for long-term therapies, lowering health costs and improve social well-being by offering services locally.

The investment consists of the establishment of a Blood, Tissue and Cell Centre, including the design and construction of the building and the procurement of medical equipment and medical furniture.

Milestone 4.9 requires that, following public procurement, a contract is signed for the construction of a Blood, Tissue and Cell Centre.

Milestone 4.9 is the first milestone of the investment. It is followed by milestone 4.10 related to the completion of the facility. The investment has a final expected date of implementation on 31 December 2025.

2. Evidence provided:

	Name of the evidence.	Short description
1	Summary document	Summary document duly justifying how the milestone (including all its constitutive elements) was satisfactorily fulfilled.
2	A copy of Tender CT3017/2021 "Design & Build Of The New Establishment Of Blood Tissues And Cells Using Environmentally Friendly Construction Materials And Products"	A copy of the Tender CT3017/2021 "Design & Build Of The New Establishment Of Blood Tissues And Cells Using Environmentally Friendly Construction Materials And Products", providing technical specifications and notification of awards related to the selection of contractors to carry out the works.
3	A copy of the signed contract CT3017/2021 "Design & Build Of The New Establishment Of Blood Tissues And Cells Using Environmentally Friendly Construction Materials And Products.	A copy of the contract CT3017/2021 "Design & Build Of The New Establishment Of Blood Tissues And Cells Using Environmentally Friendly Construction Materials And Products"

3. Analysis:

The justification and substantiating evidence provided by the Maltese authorities cover all constitutive elements of the milestone.

Following public procurement, contract signed for the construction of a Blood, Tissue and Cell Centre.

Table 1 below details the public procurement procedure followed for the award of the contract.

Table 1: Publication of the Call for Tenders, Technical Specifications, and Notification of Awards

Document Type	Date Published	Reference Number	Description
Call for Tenders	16 June 2021	CT 3017/2021	Invitation to submit proposals for the construction.
Technical Specifications	16 June 2021	CT 3017/2021	Detailed requirements and standards for the project
Notification of Awards	14 March 2022	CT 3017/2021	Announcement of contract award to BBCEM Joint Venture

The tender CT 3017/2021 “Design & Build Of The New Establishment Of Blood Tissues And Cells Using Environmentally Friendly Construction Materials And Products” was published online via the electronic public procurement system (ePPS) and the Official Journal of the European Union on 16th June 2021, with a closing date of 21st October 2021.

The key components of the tender included (evidence 2):

1. Project Description.
2. Scope of Work.
3. Technical Specifications.
4. Design Criteria.
5. Contract Terms.
6. Submission Requirements.
7. Evaluation Criteria.

The contract was signed on 7 April 2022. The subject of this contract is the design and build of the New Establishment for Blood Tissues and Cells, all other related works and provision of related services (evidence 3, page 3).

Furthermore, in line with the description of the measure, **the investment [...] shall include the design and construction of the building [...].**

The signed contract CT3017/2021 is for the complete design, construction, finishing, commissioning and qualification of the New Establishment for Blood, Tissue and Cells Centre (EBTC) located within San Gwann Industrial Estate (evidence 3, page 137).

Furthermore, in line with the description of the measure, **it is expected that this measure does not do significant harm to environmental objectives within the meaning of Article 17 of Regulation (EU) 2020/852, taking into account the description of the measure and the mitigating steps set out in the RRP in accordance with the Do No Significant Harm Technical Guidance (2021/C58/01).** In particular, the measure requires the economic operators carrying out the construction works to ensure that at least 70% (by weight) of the non-hazardous construction and demolition waste

(excluding naturally occurring material referred to in category 17 05 04 in the European List of Waste established by Decision 2000/532/EC of 3 May 2000 replacing Decision 94/3/EC establishing a list of wastes pursuant to Article 1(a) of Council Directive 75/442/EEC on waste and Council Decision 94/904/EC establishing a list of hazardous waste pursuant to Article 1(4) of Council Directive 91/689/EEC on hazardous waste (notified under document no. C(2000) 1147)) generated on the construction site shall be prepared for re-use, recycling and other material recovery, including backfilling operations using waste to substitute other materials, in accordance with the waste hierarchy, Article 11.2 (b) of Directive 2008/98/EC on waste and the EU Construction and Demolition Waste Management Protocol.

The relevant points on the DNSH requirements (evidence 2 and 3):

- In the Environmental Plan in the Technical Offer for the tender CT3017/2021 (evidence 3, page 5944), the contractor binds himself with any waste management processes that will be employed on site and to adhere to the requirements of the Waste Management Regulations (S.L. 549.63, Legal Notice 184 of 2011, published and came into force on 1 June 2011), (evidence 3, page 5960). The subsidiary legislation S.L.549.63 brings into effect the provisions of Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste. This legislation stipulates that the target for “preparing for re-use, recycling and other material recovery, including backfilling operations using waste to substitute other materials, of non-hazardous construction and demolition waste excluding naturally occurring material defined in category 17 05 04 in the list of waste shall be increased to a minimum of 70% by weight”.
- Waste management procedures were also addressed in Sections 3.1.1.12 (evidence 3, pages 263-264), Section 3.1.7.8 (evidence 3, pages 4129-4151) of the contract, which emphasize waste reduction, recycling, and reuse practices.
- Furthermore, the contractor is binding himself in complying with EU and national waste legislation, including the Landfill Directive (99/31/EEC) transposed in Malta by LN1SS, Framework Directive 75/442/EEC (as amended by Directive 91/156/EEC), and Directive 91/689/EEC (evidence 3, pages 5970-5972).
- The soil sample analyses conducted by eConsulting Malta at the Ex-Trimate Factory Site confirmed that the excavated materials fall under category 17 05 04 (naturally occurring material), which exempts them from the 70% reuse and recycling condition under the DNSH guidelines (evidence 3, page 5183).
- For non-hazardous construction waste materials beyond the excavated soil, the contract sections outline detailed procedures for waste minimization, recycling, and reuse. This concerns the following waste streams where at least 85% (by weight) of the total waste generated by the process or the processes shall be recovered according to the terms and definition established by Council Directive 2008/98/EC, amending Directives 91/156/EC and 75/442/EEC on waste:
 - ceramic tiles, (evidence 3, page 2119);
 - cut natural stone (evidence 3, 2133);
 - terazzo material (evidence 3, page 2149).

4. Commission Preliminary Assessment: Satisfactory Fulfilled

Number and name of the Milestone: 4.12 Magnetic Resonance Linear Accelerator equipment operational and open to users

Related Measure: C4.I2 Enhancing the resilience of the health system through digitalisation and new technologies

Qualitative Indicator: Magnetic Resonance Linear Accelerator equipment fully operational and open to users

Time: Q2 2023

1. Context:

This investment aims to speed up the digital transition of Malta's health care system to improve the quality of patient care. This involves the installation and operationalisation of the Magnetic Resonance Linear Accelerator at Sir Anthony Mamo Oncology Centre.

Milestone 4.12 requires that a Magnetic Resonance Linear Accelerator is operational and used for the treatment of patients at Sir Anthony Mamo Oncology Centre.

Milestone 4.12 is the third milestone of the investment, and it follows the completion of milestone 4.11 related to contracts signed for the procurement of Magnetic Resonance Linear Accelerator, milestone 4.13 related to contracts signed for the digital pathology services at the histopathology department at Mater Dei hospital and by milestone 4.14 related to the digital pathology services provided at the histopathology department at Mater Dei hospital.

The investment has a final expected date for implementation on 30 June 2025.

2. Evidence provided:

	Name of the evidence.	Short description
1	Summary Document	Summary document duly justifying how the milestone (including all its constitutive elements) was satisfactorily fulfilled.
2	Certificate of Operationalisation and Utilisation of Equipment	Certificate of Operationalisation and Utilisation of Equipment dated 3 December 2024 and signed by the Court Appointed Administrator for the Contractor and a representative for the Contracting Authority
3	Record of Patient Treatments	An official extract from the MOSAIQ patient information system containing redacted Official Record of Patient Treatments delivered between July and November 2024 at Sir Anthony Mamo Oncology Centre (SAMOC)

3. Analysis:

The justification and substantiating evidence provided by the Maltese authorities cover all constitutive elements of the milestone.

The Magnetic Resonance Linear Accelerator is operational and used for the treatment of patients at Sir Anthony Mamo Oncology Centre.

According to the Certificate of Operationalisation and Utilisation of Equipment dated 3 December 2024 and signed by the Court Appointed Administrator for the Contractor and a representative for the Contracting Authority (evidence 2), the Magnetic Resonance Linac system (hereinafter referred to as “MR Linac system”) is operational and was authorised for clinical use in July 2024 at Sir Anthony Mamo Oncology Centre (evidence 2, page 1).

The MR Linac acceptance testing and commissioning were satisfactorily completed and authorisation from the Radiation Protection Commission (hereinafter referred to as “RPC”) for the use of this radiological equipment was achieved. Declarations of safety conformity requirements regarding fire, mechanical and electrical safety of the design and build aspects was also provided by the authorities (as annexes to evidence 2). These were the requirements to allow the Contracting Authority to proceed with the clinical launch, which implies the treatment of the patients.

An official extract from the MOSAIQ oncology workflow and patient information system of Sir Anthony Mamo Oncology Centre (SAMOC), obtained on 15/11/2024, containing the redacted Official Record of Patient Treatments delivered between July and November 2024 at SAMOC, states that there were in total at least 307 patient treatments performed using the MR Linac System Unity1 (evidence 3). This shows that the Magnetic Resonance Linear Accelerator has been in operation since July 2024 and was used for the treatment of patients at SAMOC as of July 2024.

4. Commission Preliminary Assessment: Satisfactorily fulfilled

Number and name of the Target: 5.2 Teachers trained in the Reading Recovery (RR) Programme

Related Measure: C5.R1 Strengthen early school leaving prevention measures, with a focus on skills acquisition

Quantitative Indicator: Number

Baseline: 0

Target: 58

Time: Q4 2023

1. Context:

The objective of this reform is to strengthen early school leaving intervention and prevention measures contributing towards decreasing the currently high early school leaving rate.

The reform includes the provision of a literacy support programme (*Reading Recovery (RR) programme*) for students. The programme aims to enable children in need to reach age-expected levels in basic reading. Teachers shall receive respective training.

The reform further entails the implementation of measures outlined in the Basic Skills Strategy, as well as the introduction of an early school leavers tracking system, the Data Warehouse project.

Target 5.2 concerns the training of 58 teachers in the Reading Recovery (RR) programme as testified by certificates.

Target 5.2 is the first step of the implementation of the reform. It will be followed by target 5.1 related to the number of students trained in the Reading Recovery (RR) programme, milestone 5.3 related to the implementation of measures outlined in the Basic Skills Strategy, as well as milestone 5.4, related to the introduction of an early school leavers tracking system, the Data Warehouse project.

The reform has a final expected date for implementation on 31 December 2024.

2. Evidence provided:

	Name of the evidence	Short description
1	Summary Document	Summary document duly justifying how the requirements of the target (including all its constitutive elements, as set out in the description of the target and of the corresponding measure in the CID annex) have been satisfactorily fulfilled.
2	Training certificates	Signed training certificates for 58 teachers trained in the Reading Recovery (RR) programme issued by the accrediting institution, the University College London (UCL)
3	Standards & Guidelines	Standards and guidelines for the implementation of the Reading Recovery (RR) programme in Europe

3. Analysis:

The justification and substantiating evidence provided by the Maltese authorities cover all constitutive elements of the target.

58 teachers shall be trained in the Reading Recovery (RR) Programme as testified by certificates.

Furthermore, in line with the description of the measure, **teachers shall receive respective training.**

The training certificates (see evidence 2) issued by the accrediting institution, the University College London (UCL), and signed by the National Lead, Reading Recovery Europe, UCL's Faculty of Education and Society and the responsible Reading Recovery teacher leader(s) in Malta, show that 58 teachers have been trained in the Reading Recovery (RR) programme.

The Standards and guidelines for the implementation of the Reading Recovery (RR) programme in Europe issued by the European Centre for Reading Recovery at the Institute of Education of the University of London (see evidence 3) outline the minimum requirements for an effective implementation of the literacy support programme, including for the respective teacher trainings. Reading Recovery teacher leaders train and support Reading Recovery teachers, ensuring that at school level the programme operates as designed (see evidence 3 p.8 and the following pages).

4. Commission Preliminary Assessment: Satisfactorily fulfilled

Number and name of the Milestone: 5.5 Implementation of elements included in the Roadmap on developing a guidance system, capacity building for adult learning professionals and establishing guidance networks

Related Measure: C5.R2 Strengthening skills development and recognition, with a particular focus on low-skilled adults

Qualitative Indicator: Elements included in the Roadmap on developing a guidance system, capacity building for adult learning professionals and establishing guidance networks are implemented

Time: Q2 2023

1. Context:

The objective of this reform is to expand upskilling and reskilling opportunities for all adults regardless of their employment status, including the low-skilled whose participation in lifelong learning is particularly low.

Milestone 5.5 concerns the implementation of two (2) elements included in the Roadmap on developing an adult learning guidance system, including capacity building for adult learning professionals and establishing guidance networks: (i) designing a national hub, where any adult may ask for guidance for the trajectory towards upskilling and reskilling; and (ii) offering the possibility of having career and learning guidance in adult learning centres.

Milestone 5.5 is the second milestone of the reform, and it follows the completion of milestone 5.6 regarding the launch of the e-college platform. It will be followed by target 5.7, related to the number of learners attracted towards the use of the new e-college platform.

The reform has a final expected date for implementation on 31 December 2024.

2. Evidence provided:

	Name of the evidence	Short description
1	Summary document	Summary document duly justifying how the requirements of the milestone (including all its constitutive elements, as set out in the description of the milestone and of the corresponding measure in the CID annex) have been satisfactorily fulfilled.
2	Roadmap	Roadmap on developing a guidance system, including capacity building for adult learning professionals and establishing guidance networks of 16 September 2022
3	Circular	Copy of the circular DRLLE 02/2022 of 23 November 2022 by the Directorate of Curriculum, Lifelong Learning and Employability (DCLE) at the Ministry for Education, Sports, Youth, Research and Innovation (MEYR) notifying (i) the designation of a national hub, where any adult may ask for guidance for the trajectory towards upskilling and reskilling; and

	Name of the evidence	Short description
		(ii) the offer of having career and learning guidance in adult learning centres
4	Circular distribution email	Email from the DCLE Secretariat to the Education Division of the MEYR distributing the circular DRLLE 02/2022 on 23 November 2022

3. Analysis:

The justification and substantiating evidence provided by the Maltese authorities cover all constitutive elements of the milestone.

Implementation of elements included in the Roadmap on developing a guidance system, capacity building for adult learning professionals and establishing guidance networks.

The following elements included in the Roadmap on developing a guidance system, including capacity building for adult learning professionals and establishing guidance networks shall be implemented: (i) The designation of a national hub, where any adult may ask for guidance for the trajectory towards upskilling and reskilling; (ii) Offer the possibility of having career and learning guidance in adult learning centres.

Furthermore, in line with the description of the measure, **an adult learning guidance unit shall be set up to provide guidance services to adults seeking the best educational trajectory to match their upskilling and reskilling needs.**

The Roadmap on developing a guidance system, including capacity building for adult learning professionals and establishing guidance networks of 16 September 2022 includes the two (2) elements of (i) designating a national hub, where any adult may ask for guidance for the trajectory towards upskilling and reskilling; and (ii) offering the possibility of having career and learning guidance in adult learning centres (see evidence 2, measure 2).

The copy of the circular DRLLE 02/2022 of 23 November 2022 by the Directorate of Curriculum, Lifelong Learning and Employability (DCLE) at the Ministry for Education, Sports, Youth, Research and Innovation (MEYR) notifies Directors General, Chief Information Officers (CIO), Directors, Heads of College Network, Heads of Entities, Heads of State Schools, Head of Secretariats, and MEYR Employees of (i) the designation of a national hub, where any adult may ask for guidance for the trajectory towards upskilling and reskilling; and (ii) the offer of having career and learning guidance in adult learning centres (see evidence 3). The email from the DCLE Secretariat to the Registry (Education Division) at MEYR shows further that the circular DRLLE 02/2022 was distributed to Directors General, Chief Information Officers (CIO), Directors, Heads of College Network, Heads of Entities, Heads of State Schools, Head of Secretariats, and MEYR Employees on 23 November 2022 (see evidence 4).

As indicated in the circular DRLLE 02/2022 (see evidence 3), the following elements included in the Roadmap on developing a guidance system, including capacity building for adult learning professionals and establishing guidance networks have been implemented: (i) The designation of a national hub, where any adult may ask for guidance for the trajectory towards upskilling and

reskilling; (ii) Offer the possibility of having career and learning guidance in adult learning centres. The Msida Lifelong Learning Centre has been designated to operate as the National Adult Learning Hub. Further, the adult learning guidance unit was set up at the National Adult Learning Hub in Msida to provide guidance services to adults seeking the best educational trajectory to match their upskilling and reskilling needs. Learners can meet with members of the Guidance Unit either by appointment or walk-ins during selected times. Members of the adult learning guidance unit are also available at adult learning centres in Malta and Gozo on established days to assist learners.

4. Commission Preliminary Assessment: Satisfactorily fulfilled

Number and name of the Target: 6.19 Increase the number of staff at the Asset Recovery Bureau

Related Measure: C6.R5 Reform the Asset Recovery Bureau

Quantitative Indicator: Number

Baseline: 0

Target: 27

Time: Q4 2023

1. Context:

The objective of this measure is to increase the powers and capacity of the Asset Recovery Bureau in order to strengthen the role of law enforcement authorities in the fight against money laundering and financial crime.

Target 6.19 concerns the recruitment of 27 officers in the Asset Recovery Bureau to strengthen the capacity of the office.

Target 6.19 is the second target of this reform. It follows the completion of milestone 6.20 related to the entry into force of the Proceeds of Crime Act (Act No. V of 2021), which includes legislative amendments to reinforce the independence of the Asset Recovery Bureau from the government and to require the Bureau to establish relations with equivalent institutions outside Malta. It will be followed by target 6.19a that relates to the recruitment of seven additional officers in the Asset Recovery Bureau.

The reform shall be completed by 31 December 2025.

2. Evidence provided:

	Name of the evidence	Short description
1	Summary Document	Summary document duly justifying how the milestone (including all its constitutive elements) was satisfactorily fulfilled.
2	Extract from the database of Malta's Public Employment Service agency (Jobsplus)	Extract from the database of Malta's Public Employment Service agency (Jobsplus) showing: (i) the people in employment at the Asset Recovery Bureau; (ii) the starting date of their employment; (iii) their designation, which shall prove that staff includes research officers, managerial level officials as well as administrative and support staff; (iv) their employment type (full time or part-time).

3. Analysis:

The justification and substantiating evidence provided by the Maltese authorities cover all constitutive elements of the target.

A total of 27 officers (full-time equivalent) shall be recruited within the Asset Recovery Bureau, including research officers, managerial level officials as well as administrative and support staff.

Furthermore, in line with the description of the measure, **the reform shall also strengthen the capacity of the Bureau by hiring additional staff.**

The extract from the database of Malta's Public Employment Service agency, Jobsplus (evidence 2), confirms that a total of 27 full-time equivalent (hereinafter referred to as "FTE") FTE officers have been recruited within the Asset Recovery Bureau during the eligibility period of the Recovery and Resilience Facility (RRF), commencing in February 2020 with the most recent person recruited on 5 November 2024.

This is substantiated by a detailed list of employees provided in evidence 2, which includes each officer's unique ID card No. (partly redacted), employment type (full-time), and employment commencement date ("Eng. Date").

Furthermore, evidence 2 outlines the official designation of each employee ("Designation"), demonstrating that the 27 recruits consist of research officers, managerial-level officials, as well as administrative and support staff, thereby aligning with the defined scope and composition of the target.

Extracts of the database of Malta's Public Employment Service agency (Jobsplus) proves with certainty the number of people in employment at any given time. All calls for employment and the recruitments for the Asset Recovery Bureau were made in line with the provisions of the Employment and Training Services Act (Chapter 594 of the Laws of Malta), which stipulates that all employment contracts notifications were sent to the national employment agency "Jobsplus" in accordance with Article 36 of the same Act: *"Any employer, who employs another person whole-time, part-time or otherwise under a definite or indefinite contract or on probation shall notify Jobsplus of such employment by any means which may be established by Jobsplus from time to time."* Moreover, Jobsplus Agency is also notified of any contract termination in accordance with the provisions of Article 40 which states that: *"when a contract of employment is terminated the employer shall, within four days from the date of termination, notify Jobsplus by any means as may be established from time to time, of the date of termination. Jobsplus shall then issue an acknowledgement therefore as soon as possible."*

Based on the evidence (evidence 2) and the above assessment, it is considered that the target strengthened the capacity of the Bureau by hiring additional staff, as per the measure description.

4. Commission Preliminary Assessment: Satisfactory fulfilled.

Number and name of the Milestone: 6.25 Completed implementation of the action plan of the National anti-money laundering/combating terrorist financing/targeted financial sanctions (AML/CFT/TFS) strategy and action plan for 2021 – 2023

Related Measure: C6.R8 Strengthening Malta’s anti-money laundering/combating terrorists financing/targeted financial sanctions (AML/CFT/TFS)

Qualitative Indicator: Online publication of the final report demonstrating that the action plan of the national AML/CMT/TFS strategy and action plan for 2021-2023 has been fully implemented.

Time: Q4 2023

1. Context:

The reform aims to ensure a sustainable, proactive, responsive and effective anti-money laundering framework that may respond to ever changing money-laundering and terrorist financing risks. It consists of the implementation of the national anti-money laundering/combating terrorist financing/target financial sanctions (AML/CFT/TFS) strategy and action plan for 2021-2023 and of all of its actions, the provision of adequate training and outreach for the relevant members of National Coordination Committee (NCC), as well as Malta’s removal from the increased monitoring process of the Financial Action Task Force (FATF).

Milestone 6.25 requires that all the actions under the seven Policy Goals defined in the national AML/CMT/TFS strategy and action plan for 2021-2023 have been implemented.

Milestone 6.25 is the second milestone of the reform, and it follows the completion of target 6.26 related to AML/CFT trainings. It will be followed by milestone 6.27, related to Malta’s removal from the increased monitoring process of the Financial Action Task Force (FATF).

The reform has a final expected date for implementation on 31 December 2023.

2. Evidence provided:

	Name of the evidence.	Short description
1	Summary Document	Summary document duly justifying how the milestone (including all the constitutive elements) was satisfactorily fulfilled.
2	A copy of the National AML/CFT/TFS Strategy 2021 – 2023 Implementation Report and a link to the Report: https://www.ncc.gov.mt/wp-content/uploads/2024/12/ImplementationReport_2021_2023.pdf	The Report evaluates Malta’s execution of its national anti-money laundering/combating terrorist

	Name of the evidence.	Short description
		financing/targeted financial sanctions (AML/CFT/TFS) strategy and action plan, highlighting progress across seven strategic policy goals.
3	A copy of the National AML/CFT Strategy and Action Plan 2021-2023 and a link: https://www.ncc.gov.mt/wp-content/uploads/2023/03/National-AML_CFT-Strategy-Action-Plan-2021-2023.pdf	The Strategy and Action Plan outlines seven strategic policy goals to strengthen Malta's capacity to prevent and combat money laundering, terrorist financing, and proliferation financing.

3. Analysis:

The justification and substantiating evidence provided by the Malta authorities cover all constitutive elements of the milestone.

All the actions under the seven Policy Goals defined in the national AML/CMT/TFS strategy and action plan for 2021-2023 (including a new iteration of the national risk assessment) have been fully implemented. This shall be demonstrated in a final report published by the National Coordinating Committee on Combating Money Laundering and Funding of Terrorism (NCC) [...]

The National Anti-Money Laundering (hereinafter referred to as "AML")/ Counter-Terrorism Financing (hereinafter referred to as "CFT")/ Targeted Financial Sanctions (hereinafter referred to as "TFS") Strategy Implementation Report 2021–2023, was published by the National Coordinating Committee on Combating Money Laundering and Funding of Terrorism (hereinafter referred to as "NCC") Secretariat on DD/MM/YY and presents the implementation of the required actions under the AML, CFT and TFS Strategy for 2021-2023. The Maltese authorities provided a copy of the Report which was published on the website of the NCC (evidence 2) and a copy of the Strategy and Action Plan also published on the website of the NCC (evidence 3). Both these websites were checked by the Commission services on 15 May 2025.

The Strategy and Action Plan (evidence 3) sets out 79 concrete actions under the seven Policy Goals (evidence 3, pages 6-27), while the National AML/CFT/TFS Strategy Implementation Report 2021–2023 (evidence 2, page 3) explicitly confirms that "all the action points have been successfully implemented." The analysis below presents the implementation of each of the seven policy goals, as follows:

Policy Goal I: Legislative Framework *(From Strategy, pp. 6–7; Implementation Report, pp. 4–8)*

This policy goal required the following concrete policy actions, which were implemented as explained below:

1. **Legislative Sub-Committee Established** – Chaired by the State Advocate and including representatives from ministries, regulatory and enforcement bodies. It held five meetings to identify legislative gaps and contributed to the 2023 National Risk Assessment (Implementation Report, p. 4).
2. **Restriction on the Use of Cash** – Implemented in March 2021 through Legal Notice 81 of 2021, which prohibits cash transactions of €10,000 or more in high-value sectors. Violators are subject to fines of at least 40% of the excess amount (p. 5).
3. **Transposition of Directive 2019/1153** – Completed via amendments to the Criminal Code, Prevention of Money Laundering Act, and the creation of the Central Bank Account Register (p. 5–6).
4. **Transposition of Directive 2018/1673** – Fully transposed in 2021 through Act XV of 2021. It updated the Prevention of Money Laundering Act to include stronger penalties and provisions for aggravating circumstances (p. 6).
5. **Sanctions Enforcement Alignment** – The Sanctions Monitoring Board, together with the Joint Economic and Financial Sanctions Implementation Task Force, issued multiple updated guidance notes in response to international developments, particularly sanctions on Russia (pp. 6–7).
6. **Import Control System 2 (ICS2)** – Introduced in line with European Commission deadlines. Phased implementation began in March 2021 for postal consignments and continued through 2025 for maritime and road traffic. Malta fulfilled all required steps (pp. 7–8).

Policy Goal II: Risk-Based AML and CFT Prioritisation (*From Strategy, pp. 8–10; Implementation Report, pp. 9–12*)

This policy goal required the following concrete policy actions, which were implemented as explained below:

1. **Updated National Risk Assessment** – Conducted in 2021–2023 with participation from all key authorities and private sector representatives. The new National Risk Assessment was published in January 2024 (p. 9).
2. **Sub-Committee on Electronic Payments** – Established to promote the shift away from cash and cheques. Developed plans for electronic wage payments, digital identity, national wallet, and electronic real estate platforms (p. 9).
3. **Regulation of Cheques** – Addressed through Central Bank of Malta Directive 19, which entered into force in January 2022. It restricts cheque usage due to their vulnerability to abuse (p. 10).
4. **Tax-Related Risk Committee** – Set up in August 2021 to collect data and assess risks related to tax evasion. Malta published a separate risk assessment on tax crimes in November 2021 (pp. 10–11).
5. **Virtual Asset Risk Sub-Committee** – Created in February 2021 and chaired by the Malta Financial Services Authority. Eight meetings held. Led to a detailed risk assessment, which informed the National Risk Assessment and contributed to international reporting by the Council of Europe (p. 11).
6. **Beneficial Ownership Risk Understanding** – Malta Business Registry developed a five-pillar risk scoring tool for legal entities, assessing structure complexity, nationality of owners, filing obligations, and penalties. This tool guided the 2023 supervisory plan (pp. 11–12).
7. **Update of National Action Plan** – Adjusted to reflect the findings of the National Risk Assessment through consultations with all authorities (p. 12).
8. **Outreach on the National Risk Assessment** – Outreach events were held for both public and private stakeholders, including banks, notaries, lawyers, and accountants, with further sessions continuing after publication (p. 12).

Policy Goal III: Coordination of National and International Activities (*From Strategy, pp. 11–14; Implementation Report, pp. 13–20*)

This policy goal required the following concrete policy actions, which were implemented as explained below:

1. **Training Coordination Committee** – Delivered 59 training sessions across sectors. Covered tax crimes, beneficial ownership, and terrorist financing. Over 1,000 participants engaged (pp. 13–14).
2. **Committee on Statistics** – Chaired by the National Statistics Office. Developed standardised templates for collecting data on money laundering, terrorism financing, and proliferation financing (p. 14).
3. **International Coordination Committee** – Ensured uniform national positions in forums such as the Financial Action Task Force, MONEYVAL, and the European Banking Authority (p. 14).
4. **Police and Financial Intelligence Analysis Unit Liaison** – Appointed a liaison officer. Enabled direct access to the Central Bank Account Register and improved feedback on suspicious transaction reports (p. 15).
5. **Training for Financial Crimes Investigation Department** – Delivered in partnership with the tax authority. Covered carousel fraud and anti-money laundering techniques (pp. 15–16).
6. **Asset Recovery Cooperation** – Memoranda of Understanding signed between the Attorney General, Malta Police Force, and the Asset Recovery Bureau. Full-time police officer seconded to the Bureau (p. 16).
7. **Financial Crime Task Force** – Identified and prosecuted complex money laundering cases. Met regularly to address strategic issues (p. 17).
8. **Inter-Agency Committee on Terrorism Financing** – Functioning monthly since 2021 with participation from police, customs, security services, and prosecutors (p. 17).
9. **Tax Recovery from Proceeds of Crime** – Pilot project developed to apply tax collection policies to confiscated assets. Supported by inter-agency workshops (pp. 17–18).
10. **Cross-Border Cash Monitoring** – Customs system upgraded to share live data with the police and Financial Intelligence Analysis Unit. Profiling alerts introduced (p. 18).
11. **Malta Security Services Coordination** – Granted access to relevant databases and included in inter-agency working groups, despite no change yet to Chapter 391 of the law (p. 18).
12. **Finalisation of Memoranda of Understanding** – Agreements signed among multiple agencies, including for corporate service provider supervision, sanctions enforcement, and border management (p. 19).
13. **Public-Private Partnership Platforms (FINREP)** – Expanded to include AML clinics, consultant forums, and sectoral working groups (pp. 19–20).
14. **Sanctions Evasion Subgroup** – Created and led by the Sanctions Monitoring Board. Met frequently in response to sanctions against Russia (p. 20).
15. **Access to Beneficial Ownership Register** – All supervisory and law enforcement bodies, as well as subject persons, granted direct access via application programming interface (p. 20).

Policy Goal IV: Preventing Criminal Entry and Improving Transparency (*From Strategy, pp. 15–18; Implementation Report, pp. 21–29*)

This policy goal required the following concrete policy actions, which were implemented as explained below:

1. **Legal Amendments on Sanctions** – Implemented following rulings from the Constitutional Court of Appeal to ensure fines comply with human rights protections (p. 21).

2. **Risk-Based Supervision Practices** – The Financial Intelligence Analysis Unit, Malta Financial Services Authority, and Malta Business Registry conducted more targeted and thematic examinations (p. 22).
3. **Simplified Due Diligence for Low-Risk Gaming Operators** – Applied based on findings from the National Risk Assessment and sectoral assessments (p. 23).
4. **Use of Strategic Analysis** – Supervisors began applying suspicious transaction reports and trend data in their examination plans (p. 24).
5. **Increased Focus on High-Risk Professions** – Enhanced joint supervision of company service providers, notaries, lawyers, and estate agents (p. 25).
6. **More Accurate Beneficial Ownership Information** – Conducted specialised examinations to verify the data retained by regulated entities (p. 26).
7. **Implementation of Risk-Based Registry** – Malta Business Registry began assigning risk scores to legal entities to support targeted supervision (p. 27).

Policy Goal V: Detection, Investigation and Prosecution of Money Laundering (*From Strategy, pp. 19–22; Implementation Report, pp. 30–37*)

This policy goal required the following concrete policy actions, which were implemented as explained below:

1. **Staffing and Capacity in Financial Crimes Department** – Expanded significantly and supported with sector-specific training (p. 30).
2. **Prosecutorial Coordination** – Attorney General’s Office enhanced its guidelines and prioritised high-value cases (pp. 31–32).
3. **Judicial Training** – Sessions delivered on magisterial inquiries and complex transnational cases (p. 35).
4. **Mutual Legal Assistance** – Authorities improved timeliness and responsiveness in handling international requests (pp. 36–37).

Policy Goal VI: Asset Recovery and Confiscation (*From Strategy, pp. 23–24; Implementation Report, pp. 38–41*)

This policy goal required the following concrete policy actions, which were implemented as explained below:

- **Enhanced Role for the Asset Recovery Bureau** – Staffed with permanent law enforcement personnel and supported with new tools (p. 38).
 1. **Tax Authority Support** – Malta Tax and Customs Administration assigned liaison officers and provided analytical assistance (p. 39).
 2. **Training and Workshops** – Inter-agency sessions focused on best practices for identifying and managing criminal assets (p. 40).
 3. **Legal Reforms and Proceeds of Crime Bill** – Proposed to further support non-conviction-based confiscation and asset tracing (p. 41).

Policy Goal VII: Terrorism Financing and Sanctions Evasion (*From Strategy, pp. 25–26; Implementation Report, pp. 42–44*)

This policy goal required the following concrete policy actions, which were implemented as explained below:

1. **Functioning of Inter-Agency Committee on Terrorism Financing** – Monthly meetings continued with full participation of relevant authorities (p. 42).
2. **Risk-Based Supervision of Non-Profit Organisations** – Implemented by the Office of the Commissioner for Voluntary Organisations (p. 43).
3. **Specialised Training on Terrorism Financing** – Delivered to all competent authorities, including police, prosecutors, and regulators (p. 43).
4. **Updated Sanctions Guidance** – Issued by the Sanctions Monitoring Board in response to ongoing geopolitical developments (pp. 43–44).

[...] following consultation with the main stakeholders. The main stakeholders shall include the Ministries responsible for Finance and Justice, the Asset Recovery Bureau, the Central Bank of Malta, the Commissioner for Revenue, Financial Intelligence Analysis Unit (FIAU), Malta Financial Services Authority (MFSA), Malta Gaming Authority (MGA), Malta Police Force and the Attorney General.

On stakeholder consultation, evidence 2 (page 3) states that along with the NCC, the stakeholders in the Strategy and Action Plan and its implementation were the following:

- Financial Intelligence Analysis Unit (FIAU)
- Malta Financial Services Authority (MFSA)
- Malta Gaming Authority (MGA)
- Malta Business Registry (MBR)
- Malta Tax and Customs Administration (MTCA)
- Sanctions Monitoring Board (SMB)
- Malta Police Force (MPF)
- Office of the Attorney General (AGO)
- Office of the State Advocate (OSA)
- Malta Security Service (MSS)
- Asset Recovery Bureau (ARB)
- Office of the Commissioner for Voluntary Organisations (OCVO)
- Central Bank of Malta (CBM)
- National Statistics Office (NSO)
- Ministry for Finance and Employment (MFE)
- Malta Digital Innovation Authority (MDIA)
- Ministry for Justice (MfJ)

Evidence 2 further details specific cases of stakeholder consultations that took place whilst implementing the Strategy and Action Plan, for instance:

- Policy Goal II Action 1: Establishment of a committee that centres around the objective of updating the NRA, page 9;
- Policy Goal II Action 7: Drawing Update the national action plan as a result of the findings of the updated NRA, page 12;
- Policy Goal II Action 8 Outreach for the results of the 2023 NRA, page 12;
- Policy Goal III Action 14: Specialized subgroup for sanctions evasion and listing, page 20;
- Policy Goal IV Action 7: More effective risk-based register, page 24;
- Policy Goal VI Action 1: Structuring the ARB in line with the Proceeds of Crime Act, page 38;
- Policy Goal VII Action 1: Aligning ICOFT (Inter-Agency Committee on Financing of Terrorism) activities with the TF risk assessment, page 41;

- Policy Goal VII Action 13: Proactively initiate potential TFS listings based on domestic investigations, page 49.

4. Commission Preliminary Assessment: Satisfactory fulfilled.

Number and name of the Milestone: 6.27 Lifting of the increased monitoring process by FATF

Related Measure: C6.R8 Strengthening Malta's anti-money laundering/combating terrorists financing/targeted financial sanctions (AML/CFT/TFS)

Qualitative Indicator: FATF's written conclusion that Malta is no longer subject to the FATF's increased monitoring process

Time: Q4 2023

1. Context:

The reform aims to ensure a sustainable, proactive, responsive and effective anti-money laundering framework that may respond to ever changing money-laundering and terrorist financing risks. It consists of the implementation of the national anti-money laundering/combating terrorist financing/targeted financial sanctions (AML/CFT/TFS) strategy and action plan for 2021-2023 and of all of its actions, the provision of adequate training and outreach for the relevant members of National Coordination Committee (NCC), as well as Malta's removal from the increased monitoring process of the Financial Action Task Force (FATF).

Milestone 6.27 requires FATF's written conclusion that Malta is no longer subject to the FATF's increased monitoring process.

Milestone 6.27 is the third and last milestone of the reform, and it follows the completion of target 6.26 and milestone 6.25, related to the completed implementation of the action plan of the National anti-money laundering/combating terrorist financing/targeted financial sanctions (AML/CFT/TFS) strategy and action plan for 2021 – 2023, and to trainings on the subject.

2. Evidence provided:

	Name of the evidence.	Short description
1	Summary document	Summary document duly justifying how the milestone (including all its constitutive elements) was satisfactorily fulfilled.
2	A copy of FATF's listing of Malta as jurisdiction under increased monitoring and Action Plan for Malta, and a link: https://www.fatf-gafi.org/en/publications/High-risk-and-other-monitored-jurisdictions/Increased-monitoring-june-2021.html#malta	A report from the FATF plenary meeting of 21-25 June 2021 in virtual format, whereby FATF lists Malta as a country with deficiency in its anti-money laundering and counter-terrorist financing framework that has committed to addressing these issues under FATF supervision.
3	A copy of FATF's de-listing of Malta as jurisdictions under increased monitoring- June 2022 and a link: https://www.fatf-gafi.org/en/publications/High-risk-and-other-monitored-jurisdictions/Increased-monitoring-june-2022.html#malta	A report from the FATF plenary meeting of 14-17 June 2022 in Berlin, whereby FATF concluded that Malta is no longer subject to FATF's increased monitoring process.

	Name of the evidence.	Short description
	gafi.org/en/publications/High-risk-and-other-monitored-jurisdictions/Increased-monitoring-june-2022.html	
4	Outcomes FATF Plenary, 14-17 June 2022	Report from the Outcomes of the FATF Plenary of 14-17 June 2022
5	Implementation of the FATF Action Plan for Malta	A document by the Maltese authorities detailing the FATF Action Plan for Malta and how Malta implemented the action items

3. Analysis:

The justification and substantiating evidence provided by the Maltese authorities cover all constitutive elements of the milestone.

Lifting of the increased monitoring process by FATF

The Financial Action Task Force (FATF) has provided an evaluation of Malta's AML framework in June 2021 and issued an action plan. The milestone requires FATF's written conclusion that Malta is no longer subject to the FATF's increased monitoring process. This is also in line with the description of the measure, which requires FATF's written conclusion that Malta is no longer subject to FATF's increased monitoring process.

This is also in line with the description of the measure, which requires FATF's written conclusion that Malta is no longer subject to FATF's increased monitoring process.

In the plenary meeting of 21-25 June 2021, the Financial Action Task Force (hereinafter referred to as "FATF") placed Malta under increased monitoring, commonly known as the "grey list," due to identified deficiencies at the time in its anti-money laundering and counter-terrorist financing (hereinafter referred to as "AML/CFT") framework (evidence 1). In the same plenary meeting, the FATF issued an action plan for Malta (evidence 1) to address the identified deficiencies, which once implemented, would allow the FATF to remove Malta from the said list and ultimately, the FATF's increased monitoring process would be lifted for Malta.

Following the FATF Plenary of 14 – 17 June 2022 in Berlin, the Financial Action Task Force officially removed Malta from its "grey list" and enhanced monitoring process, as detailed in both the FATF webpage 'Jurisdictions under Increased Monitoring - June 2022' (evidence 3) and the 'Outcomes from FATF Plenary, 14-17 June 2022' (evidence 4) thus lifting the increased monitoring.

The decision was based on what FATF described as "significant progress" in strengthening the country's anti-money laundering and counter-terrorist financing (AML/CFT) framework. In evidence 3, the FATF stated: *"The FATF welcomes Malta's significant progress in improving its AML/CFT regime. Malta has strengthened the effectiveness of its AML/CFT regime to meet the commitments in its action plan regarding the strategic deficiencies that the FATF identified in June 2021. [...] Malta is therefore no longer subject to the FATF's increased monitoring process"* (Evidence 3, pages 14-15).

Moreover, under evidence 4, Malta is clearly included under the heading 'Jurisdiction No Longer Subject to Increased Monitoring by the FATF' (page 4). Under this heading, the report details how *"The FATF congratulated Malta for the significant progress it has made in addressing the strategic AML/CFT deficiencies previously identified by the FATF and included in its action plan. Malta will no longer be subject to the FATF's increased monitoring process. This comes after the country received an on-site visit."* (page 4).

The Maltese authorities provided an outline of the FATF's action plan and how Malta addressed them, detailed in evidence 5. Evidence 4 outlines that the FATF action plan for Malta adopted in June 2021 focused on addressing strategic deficiencies in Immediate Outcome 5 (Legal Persons and Arrangements) and Immediate Outcome 6 (Financial Intelligence). Malta implemented comprehensive measures to ensure the accuracy of beneficial ownership (BO) information, including a thematic risk assessment, enhanced supervision by the Malta Business Registry (MBR), and the imposition of effective, proportionate, and dissuasive sanctions. The MBR strengthened its BO register with improved accessibility and data-sharing protocols. Gatekeeper compliance was reinforced through increased enforcement and use of tools like CASPAR and CBAR. For financial intelligence, a national strategy was adopted to combat tax crimes and related money laundering, involving risk assessments, improved inter-agency coordination, targeted outreach, and enhanced operational procedures. These measures culminated in FATF acknowledging Malta's significant progress and its removal from the list of jurisdictions under increased monitoring in June 2022.

4. Commission Preliminary Assessment: Satisfactorily fulfilled

Number and name of the Target: 6.33 Recruitment and training of staff by tax authorities to specialise on application of transfer pricing rules.

Related Measure: C6.R10 Specific Transfer Pricing Legislation

Quantitative Indicator: Number

Baseline: 2

Target: 8

Time: Q2 2023

1. Context:

The objective of the measure is to prevent loss of public revenues through international tax arbitrage. It introduces rules on transfer pricing relating to the arms-length principle and advanced pricing agreements. It also provides that adequate staff at the tax authorities is tasked and trained to work on the application of transfer pricing rules and that training events are also organised for other involved parties (for example tax practitioners and company representatives)

Target 6.33 is the fourth target of the reform and relates to the tasking of six additional officials to work on transfer pricing and that all eight officials working on the application of transfer pricing rules are trained to work with the Office of the Commissioner for Revenue. It follows the completion of milestone 6.30, milestone 6.31 and milestone 6.32 related to the introduction of transfer pricing legislation in Malta. It will be followed by target 6.34, related to training of involved parties (for example private tax practitioners and company representatives). The reform has a final expected date for implementation on 31 December 2023.

2. Evidence provided:

	Name of the evidence.	Short description
1	Summary Document	Summary document duly justifying how the milestone (including all its constitutive elements) was satisfactorily fulfilled.
2	The Internal Memo signed by the Commissioner of Revenue instructing the deployment of trainees to transfer pricing duties (Annex D)	A memo signed by the Commissioner of Revenue, dated 3 May 2023, instructing the deployment of trainees to transfer pricing duties.
3	The Memo signed by the Commissioner of Tax and Customs clarifying redeployment dates to transfer pricing duties (Annex F)	A memo signed by the Commissioner of Tax and Customs, dated 16 April 2025, clarifying the date the trainees were tasked to work on transfer pricing duties.
4	Certificate of Completion (Annex B)	8 anonymised individual certificates of completion,

	Name of the evidence.	Short description
		indicating the content and duration of the training and proving that the training programme has been completed. These are uniquely identified by their seal No.(1-8).
5	A copy of the Commissioner for Tax and Customs Act (Cap. 517) and link: https://legislation.mt/eli/cap/517/20230718/eng	To make provision for the constitution of the office of Commissioner for Tax and Customs

3. Analysis:

The justification and substantiating evidence provided by the Maltese authorities cover all constitutive elements of the target.

Tasking and training of staff by tax authorities to specialise on application of transfer pricing rules

Additional six officials are tasked to work on transfer pricing.

Additional six officials were tasked to work on transfer pricing, as confirmed by evidence 2 and evidence 3.

In evidence 2, dated 3 May 2023, the Commissioner for Revenue lists eight staff members that have followed transfer pricing training and directs the directors of the 'Compliance and Investigations Department' and the 'Corporate and International Taxation Department' to assign those that have not yet been allocated duties on transfer-pricing to be so with immediate effects. In addition, in evidence 3, dated 16 April 2025, the Commissioner for Tax and Customs specifies the timeline of this task, confirming that six of these eight officials undertook transfer pricing responsibilities between 1 October 2020 and 3 May 2023. Evidence 3 also identifies the updated names of the two departments involved within the Office for Tax and Customs.

As background, under Article 3A of the Commissioner for Tax and Customs Act (Cap. 517), the roles of the Commissioner for Revenue, for the Inland Revenue, VAT, and Customs have been unified under the title 'Commissioner for Tax and Customs' (evidence 5). This position now leads all revenue departments in Malta, and any reference to the former titles in law or official acts is legally deemed to refer to the Commissioner for Tax and Customs. **All eight officials working on the application of transfer pricing rules are trained to work with the Office of the Commissioner for Revenue.**

All eight officials tasked with transfer pricing functions have received formal training to work within the Office of the Commissioner for Revenue (now the 'Commissioner for Tax and Customs', as per the explanation above). This is substantiated by individual training certificates issued by the Malta Institute of Taxation, which is a Maltese tax authority, in collaboration with the University of Leiden on 26 April 2023 (evidence 4).

It is envisaged that training shall take the form of courses whereby each officer shall receive a minimum of 80 hours of training on transfer pricing.

Each of the eight officials (seal Nos. 1-8) completed 81 hours of course-based training on transfer pricing, as documented in evidence 4.

In addition, Malta provided the following evidence further confirming the training and the task of the officials: eight forms of undertaking, each signed by an official, whereby each official accepted the sponsorship for the training and committed to serve within the Office of the Commissioner for Revenue for a minimum of two years following their training (evidence 5).

4. Commission Preliminary Assessment: Satisfactory fulfilled.

Number and name of the Target: 6.34 Training events for tax practitioners and company representatives

Related Measure: C6.R10 Specific Transfer Pricing Legislation

Quantitative Indicator: Number

Baseline: 0

Target: 2

Time: Q4 2023

1. Context:

The reform aims to prevent loss of public revenues through international tax arbitrage. The reform consists of the entry into force of rules on transfer pricing relating to the arms-length principle and advanced pricing agreements. Training of involved parties is also foreseen before the rules become applicable.

Target 6.34 requires the provision of at least two training events, spanning a total of 12 hours, with a total target audience of at least 250 tax practitioners and company representatives.

Target 6.34 is the fifth and final target of the reform. It follows the completion of milestone 6.30, milestone 6.31, milestone 6.32 and target 6.33, related to the introduction of Transfer Pricing legislation in Malta, and the subsequent recruitment and training of dedicated staff to work on the implementation of this legislation.

2. Evidence provided:

	Name of the evidence	Short description
1	Summary document	Summary document duly justifying how the milestone (including all its constitutive elements) was satisfactorily fulfilled.
2	MIA_Training_Information	Copy of the Training registration webpage with training details, accessible at: https://www.miamalta.org/event-5455669
3	MIA_Email_Invitation	Email invitation issued to target professionals including tax practitioners and company representatives.
4	Training content and schedule, by the Malta Tax and Customs Administration	Document by the Malta Tax and Customs Administration describing, the type of training provided and schedule, including a brief description of its content.
5	MIA_Database	Screenshots of the database of the registered participants
6	Invite outreach on social media	Facebook outreach reel, available at: https://www.facebook.com/share/r/1mRrXdtnQBvsoPhw/?mibextid=UalRPS

3. Analysis:

The justification and substantiating evidence provided by the Malta authorities cover all constitutive elements of the target.

Training events for tax practitioners and company representatives.

At least two training events shall be provided spanning a total of 12 hours and shall cover topics such as, but not limited to, the scope, Advance Pricing Agreements and transfer pricing methods.

The training registration webpage, as per evidence 2, details a series of three online training events which took place on 30 October 2023, 13 November 2023, and 20 November 2023. These events were organised by the Malta Tax and Customs Administration in collaboration with industry actors, namely the Malta Institute of Accountants (MIA), the Malta Institute of Taxation (MIT), Institute of Financial Services Practitioners (IFSP), the Malta Institute of Management (MIM), and the Chamber of Advocates.

The training was formally entitled: "M23109 - Three MTCA Events on Legal Notice 284 of 2022 - The Introduction of transfer pricing legislation in Malta - (Online)", as it focused on Legal Notice 284 of 2022, which introduces transfer pricing legislation in Malta effective from 1 January 2024.

The training registration webpage (evidence 2) details that each of the three trainings amounted to 4 hours, thus **totalling 12 hours**.

The CID specifies that the training events must cover topics including, but not limited to, "the scope". In light of the contextual interpretation of this requirement from the Council Implementing Decision, it is interpreted that "the scope" refers to the scope of the transfer pricing legislation, as the measure (Reform C6-R10) relates to Transfer Pricing legislation. The training registration webpage (evidence 2) details that the training sessions covers topics such as, but not limited to, the "scope of transfer pricing legislation", which in line with the contextual interpretation above. On this basis, it is considered that this constitutive element of the target is satisfactorily fulfilled.

Furthermore, the training registration webpage (evidence 2) also detailed that the training sessions covers topics such as, but not limited to, Advance Pricing Agreements (hereinafter referred to as 'APAs'), and transfer pricing methods. The "Specific topics to be covered during the EVENTS" section explicitly lists: *'Transfer Pricing Methods' and 'Preventing & Solving disputes (Advanced Pricing Arrangements, relevant instruments & process involved)'*. Additionally, the event schedule includes a session entitled *"LN284 of 2022 – Focus on specific aspects & their application – eg scope, grandfathering, associatedness thresholds, etc,"* indicating a detailed discussion on the scope of the legislation. This is further proven and detailed in the Training Description of the Malta Tax and Customs Administration (evidence 4, Annex B), which provides a detailed overview of the trainings.

A total target audience of at least 250 tax practitioners and company representatives are invited for these events.

The trainings were promoted on the MIA website via the training registration webpage (evidence 2) and social media (evidence 6). These approaches were complemented by MIA direct email marketing, as shown by evidence 3. The training events were targeted to tax practitioners and company representatives as seen in evidence 2 whereby the Course Description clearly identifies "tax practitioners" and "company representatives" under the "Target Audience" and "Background information" headings respectively.

The Commission services conducted an on-the-spot check on 27 February 2025 to verify that the registration database of the Malta Institute of Accountants demonstrates that a total target audience of at least 250 tax practitioners and company representatives were invited for these training events. This check was completed successfully, confirming that 362 tax practitioners and

company representatives registered in total, thus confirming that more than 250 were invited to these trainings.

Furthermore, in line with the description of the measure, **training of involved parties (for example tax practitioners and company representatives) shall also be carried out before the rules become applicable.**

The above-mentioned training events took place over October to November 2023, as described above and indicated in evidence 2. This confirms that the training events were carried out before the Transfer Pricing rules become applicable in Malta, and therefore before 1 January 2024.

4. Commission Preliminary Assessment: Satisfactorily fulfilled

Number and name of the Target: 6.39 Expenditure incurred for the digitalisation of the justice system

Related Measure: C6.I1 Digitalisation in the justice system

Quantitative Indicator: Expenditure of EUR 2 000 000 in line with contractual obligations

Time: Q4 2023

1. Context:

The objective of this measure is to achieve a more efficient administration of justice. The investment aims to implement a number of secure digital solutions and tools to support justice sector users and it consists of two parts (a) mapping and redesign of processes towards end-to-end digital processes, project management, legal and overall consultancy and cost-benefit analysis support; and (b) a number of digital solutions for the justice system.

Target 6.39 concerns the expenditure of EUR 2 000 000 towards the investment.

Target 6.39 is the second target of the investment, following the completion of milestone 6.38 related to changes to the legal code to enable civil proceedings to be held via live video conferencing facilities and criminal judicial acts to be filed electronically. It will be followed by the final milestone of the investment, 6.40, related to the launch of IT tools and systems. The investment has a final expected date for implementation by 30 June 2026.

2. Evidence provided:

	Name of the evidence	Short description
1	Summary note	Summary document duly justifying how the milestone requirements (including all its constitutive elements) have been satisfactorily fulfilled
	(a) Mapping of Processes & Redesign of Processes towards end-to-end Digital Processes, Project Management, Legal and overall Consultancy and CBA Support	
2	CT 3039_2022 signed contract agreement (1).pdf	Contract signed 20 May 2024 for "Tender for the Mapping, Re-Engineering and Documenting the Business Processes of the Justice Entities within MFJ"
3	Signed invoice SI121708 final (1).pdf	Invoice signed 5 June 2024
4	Payment reference 005EU0165240610001AA0100001	Payment date 10 June 2024
	(b) a number of digital solutions for the justice system	
	iii) Courts of Justice Agency: Laptops and working stations for increased mobility of users	
5	CT 5046 2021 Signed Contract Agreement	Framework contract dated 23 May 2021 23/05/2021 for "Supply & Delivery of Peripherals"
6	Purchase Order 40179568.pdf	PO dated 17 October 2023
7	Invoice 82273.pdf	Signed 3 November 2023

	Name of the evidence	Short description
8	Payment reference 005EU0165231116001AA0100004	Payment date 16 November 2023
9	Purchase Order 40181214.pdf	Dated 1 November 2023
10	Invoice 82277.pdf	Invoice signed 3 November 2023
11	Payment reference 005EU0165231116001AA0100004	Payment date 16 November 2023
12	Purchase Order 40179217.pdf	Invoice signed 17 October 2023
13	Invoice 82310.pdf	Invoice signed 3 November 2023
14	Payment reference 005EU0165231116001AA0100004	Payment date 16 November 2023
	(iv) Courts of Justice Agency: Virtual Sittings Solution	
15	SPD52023006.pdf	Contract signed 5 May 2023 for “the supply, delivery and installation of Document Cameras for CSA”
16	INV-V-0076.pdf	Invoice dated 9 June 2023
17	Payment reference 005EU0165230801001AA0100001	Payment date 1 August 2023
18	CT3001_2023.pdf	Contract signed 15 November 2023 for “the Supply, Delivery, and Installation of Audio System for the Court Halls”
19	Invoice 041050.pdf	Pre-financing invoice signed 23 November 2023
20	Payment reference 005EU0165231212001AA0100008	Payment date 12 December 2023
21	invoice - Audio Tender Interim Payment 1.pdf	Invoice signed 30 October 2024
22	Certification_of_Second_Claim_V3_signed.pdf	Certificate dated 29 October 2024
23	Payment reference 005EU0165241206001AA0100001	Payment date 9 December 2024
24	LPO100036405.pdf	Screenshot of transaction
	(v) Courts of Justice Agency: Wi-Fi	
25	C058_20-CON-FrameworkForTheProvisionOfWirelessEquipment.pdf	Framework Contract signed 1 March 2021 for “Procurement of Wireless Equipment through MITA Framework for MFJ and Entities”
26	C058_20-CON-FrameworkForTheProvisionOfWirelessEquipment (Other).pdf	
27	PO 40165384	Purchase order dated 3 July 2023
28	Invoice INV042113.pdf	Invoice signed 19 July 2023
29	Payment reference 005EU0165230804001AA0100001	Payment date 4 August 2023
30	PO 40170727	Purchase order dated 11 August 2023
31	INV042358.pdf	Invoice signed 30 August 2023/8/2023
32	Payment reference 005EU0165230918001AA0100003	Payment date 20 September 2023

	Name of the evidence	Short description
33	PO 000489	Purchase order dated 20 October 2022
34	INV041648.pdf	Invoice signed 29 August 2023
35	Payment reference 005EU0165230925001AA0100002	Payment date 25 September 2023
36	PO 40179218	Purchase order dated 17 October 2023
37	INV042796.pdf	Invoice signed 3 November 2023
38	Payment reference 005EU0165231116001AA0100005	Payment date 16 November 2023
39	PO 40189579	Purchase order dated 18 January 2024
40	INV043388.pdf	Invoice signed 29 February 2024
41	Payment reference 005EU0165240307001AA0100001	Payment date 7 March 2024
42	PO 40193922	Purchase order signed 13 February 2024
43	INV043648.pdf	Invoice signed 15 April 2024
44	Payment reference 005EU0165240418001AA0100002	Payment date 18 April 2024
45	PO 40127367	Purchase order dated 14 September 2022
46	INV041645- Invoice Wireless Equipment.pdf	Invoice signed 8 May 2023
47	Payment reference 005EU0165230804001AA0100001	Payment date 4 August 2023
	(x) Legal Aid Case Management System	
48	SPD52022026.pdf	Contract signed 16 November 2022 for “Tender for the Digitization Project of Legal Aid Malta Agency”
49	Pre-Finance Invoice - Seasus Ltd - IN 22 000115.pdf	Invoice signed 11 December 2022
50	Payment reference 005EU0165221219001AA0100005	Payment date 19 December 2022
51	Interim Payment 2 Invoice - Seasus Ltd - IN 24 00013.pdf	Invoice signed 29 February 2024
52	Payment reference 005EU0165240307002AA0100002	Payment date 8 March 2024
53	Interim Payment 3 Invoice - Seasus Ltd - IN 24 000050.pdf	Invoice signed 5 April 2024
54	Payment reference 005EU0165240610002AA0100001	Payment date 11 June 2024
55	IN-24-000085 Enhancements	Invoice signed 28 August 2024
56	Payment reference 005EU0165240926001AA0100001	Payment date 26 September 2024
57	SPD52022058.pdf	Contract signed 11 July 2023 for “Tender for the Freedom of Information System”
58	Signed Contract (DPIC.Deloitte).pdf	
59	118917 Pre Financing Invoice.pdf	Signed 17 July 2023
60	Payment reference 005EU0165230728001AA0100001	Payment date 28 July 2023
	(xv) conference and training rooms equipment and software	
61	SPD52022053.pdf	Contract signed 30 November 2022 for

	Name of the evidence	Short description
		"the Supply, Delivery, and Installation of Video Conference Sets to the Ministry of Justice"
62	Invoice IN 411576.pdf	Invoice signed 30 November 2022
63	Payment reference 005EU0165221219001AA0100004	Payment date 19 December 2022
64	Invoice IN 412620.pdf	Invoice signed 30 March 2023
65	Payment reference 005EU0165230512001AA0100001	Payment date 12 May 2023
66	Trolleys contract 001-2023.pdf	Contract signed 10 July 2023 for "The Provision, Delivery, and Installation of Video Conferencing Trolleys"
67	invoice-180206-674e96ffc24b3.pdf	Invoice signed 25 August 2023
68	Payment reference 005EU0165230907001AA0100001	Payment date 7 September 2023
	(xvi) Experimentation and Specialisation Initiatives complimenting VC additional equipment and possible scanning related matters	
69	Addendum 1 - SPD5-2021-023.pdf	Contract signed 3 September 2021 for "The Supply, Delivery & Installation of Energy Efficient Scanning for CSA (Reimbursement)"
70	Addendum 3 - SPD5-2021-023.pdf	
71	Addendum 4 - SPD5-2021-023.pdf	
72	Contract Agreement - Volatila signed.pdf	
73	20241009_C6-I1_2.pdf	Reimbursement of scanning equipment tender for CSA dated 7 November 2023
74	Payment reference 005EU0165231120001AA0100001	Payment date 20 November 2023
	Electronic Commerce Act that provides that a government purchase order transmitted via email to a supplier constitutes a valid transaction	
75	Copy of the Electronic Commerce Act and a link: https://legislation.mt/eli/cap/426/eng	The Electronic Commerce Act (relevant articles include 3,5,9,10) provides that a government purchase order transmitted by email to a supplier may constitute a valid transaction, unless another law or internal government procurement policy explicitly requires a physical document

3. Analysis:

The justification and substantiating evidence provided by the Maltes authorities cover all constitutive elements of the target.

At least EUR 2 000 000 has been paid out in line with contractual obligations in relation to the digitalisation of the justice system.

Furthermore, in line with the description of the measure, the investment shall then consist of two parts (a) mapping and redesign of processes towards end-to-end digital processes, project management, legal and overall consultancy and cost-benefit analysis support - this covers the horizontal requirements to support the investment including supporting software as well as

outsourcing services to guarantee that adequate resources, skills and expertise are ensured; and (b) a number of digital solutions for the justice system. The latter shall include (i) digital case journey integration and interoperability solution, (ii) judicial portal with dashboards, (iii) Courts of Justice Agency: laptops and working stations for increased mobility of users, (iv) Courts of Justice Agency: virtual sittings solution, (v) Courts of Justice Agency: Wi-Fi, (vi) certificates of conducts through a National Criminal Records Information System, (vii) Department of Justice victim support platform integrations with national stakeholders, (viii) 'I Belong' e-learning centre (Human Rights Directorate), (ix) Attorney General and State Advocate case management systems, (x) legal aid case management system, (xi) freedom of information system, (xii) asset recovery system, (xiii) Notary to the Government termination of mandates solution, (xiv) integrated closed circuit television and security system with advanced features, (xv) conference and training rooms equipment and software, (xvi) experimentation and specialisation initiatives complimenting video-conferencing additional equipment and possible scanning related matters.

The table below lists the expenditure incurred, and paid out, by the Maltese authorities in line with contracts (also mapped below):

Name of tender	Evidence name		Amount EUR	In evidence list	Sub-element of measure description
	<i>Contract</i>	<i>Purchase Orders, Invoices, payment confirmation</i>			
Tender for the Mapping, Re-Engineering and Documenting the Business Processes of the Justice Entities within MFJ	CT 3039_2022 signed contract agreement			Item 2	(a) Mapping of Processes & Redesign of Processes towards end-to-end Digital Processes, Project Management, Legal and overall Consultancy and CBA Support
	As stated on pg 3, para 2, of the contract, <i>"The subject of this tender is the mapping, re-engineering, and documenting the business process of identified Justice entities, within the Ministry of Justice"</i>				
	The invoice provided corresponds to contract reference no: CT3039/2022	Signed invoice SI121708 final (1)	570,000.00	Item 3	
		Payment reference 005EU0165240610001AA010000 1		Item 4	

Name of tender	Evidence name		Amount EUR	In evidence list	Sub-element of measure description
	Contract	Purchase Orders, Invoices, payment confirmation			
Supply & Delivery of Peripherals	CT 5046 2021 Signed Contract Agreement			Item 5	(b)(iii) Courts of Justice Agency: Laptops and working stations for increased mobility of users
	As stated on pg 3, para 2, of the contract, “The subject of this framework is for the Supply and Delivery of Various IT Equipment as per the list hereunder...”				
	The below items, listed in the contract, correspond to the items in the invoices and purchase orders.				
	“Energy Efficient 27inch LED Monitor”	PO 40179568	2,909.85	Item 6	
		Invoice 82273			Item 7
		Payment reference 005EU0165231116001AA0100004			Item 8
		PO 40181214	2,327.88	Item 9	
Invoice 82277		Item 10			
Payment reference 005EU0165231116001AA0100004		Item 11			
	PO 40179217	18,078.40	Item 12		
	Invoice 82310			Item 13	
	Payment reference 005EU0165231116001AA0100004			Item 14	
Tender for the supply, delivery and installation	SPD52023006			Item 15	(b) (iv) Courts of Justice Agency: Virtual
	As stated on pg 2, para 2, “The subject of this contract is the				

Name of tender	Evidence name		Amount EUR	In evidence list	Sub-element of measure description
	<i>Contract</i>	<i>Purchase Orders, Invoices, payment confirmation</i>			
of Document Cameras for CSA	<i>supply, delivery, installation of document cameras including full-service maintenance agreement for the Courts Services Agency."</i>				Sittings Solution
	The invoice provided refers to the contractual obligations, and the contract reference no: SPD5/2023/006	Invoice: INV-V-0076	13,440.00	Item 16	
		Payment reference 005EU0165230801001AA010000 1		Item 17	
Tender for the Supply, Delivery, and Installation of Audio System for the Court Halls	CT3001_2023			Item 18	(b) (iv) Courts of Justice Agency: Virtual Sittings Solution
	As stated on pg 7, para 2, the contract concerns the "Provision and Installation of a New Energy Efficient Audio system for the Courts Services Agency including preventive maintenance"				
	The invoices provided refers to the contractual obligations and the contract reference no: CT3001/2023.	Invoice 041050	725,070.9 2	Item 19	
		Payment reference 005EU0165231212001AA010000 8		Item 20	
		Audio Tender Interim Payment 1 and Certification_of_Second_Claim_V 3_signed	221,743.4 2	Items 21-22	

Name of tender	Evidence name		Amount EUR	In evidence list	Sub-element of measure description
	<i>Contract</i>	<i>Purchase Orders, Invoices, payment confirmation</i>			
	Other evidence provided includes a certification by a project consultant that the second claim is in line with the terms in the contract.	Payment reference 005EU0165241206001AA010000 1		Item 23	
Procurement of Wireless Equipment through MITA Framework for MFJ and Entities	C058_20-CON-FrameworkForTheProvisionOf WirelessEquipment And C058_20-CON-FrameworkForTheProvisionOf WirelessEquipment (Other)			Item 25-26	(b)(v) Courts of Justice Agency: Wi-Fi
	As stated on pg 3, para 2.1, the framework contract concerns “The procurement by the Purchaser of wireless access points and site wireless controllers...”				
	The provided invoices and purchase orders correspond to the technical equipment to fulfil the contractual	PO 40165384	3,610.40	Item 27	
		INV042113		Item 28	
		Payment reference 005EU0165230804001AA010000 1		Item 29	
		PO 40170727	3,976.42	Item 30	
		INV042358		Item 31	
		Payment reference		Item 32	

Name of tender	Evidence name		Amount EUR	In evidence list	Sub-element of measure description
	<i>Contract</i>	<i>Purchase Orders, Invoices, payment confirmation</i>			
	obligations.	005EU0165230918001AA0100003			
		PO 000489	1,399.99	Item 33	
		INV041648		Item 34	
		Payment reference 005EU0165230925001AA0100002		Item 35	
		PO 40179218	4,732.52	Item 36	
		INV042796		Item 37	
		Payment reference 005EU0165231116001AA0100005		Item 38	
		PO 40189579	4,929.04	Item 39	
		INV043388		Item 40	
		Payment reference 005EU0165240307001AA0100001		Item 41	
		PO 40193922	3,672.74	Item 42	
		INV043648		Item 43	
		Payment reference 005EU0165240418001AA0100002		Item 44	
		PO 40127367	43,966.52	Item 45	
		INV041645		Item 46	
		Payment reference 005EU0165230804001AA0100001		Item 47	
Tender for the Digitization Project of Legal Aid Malta Agency	SPD52022026			Item 48	(b) (x) Legal Aid Case Management System
	As stated on pg 2, para 2, the contract concerns <i>“the digitization of Legal Aid Agency Malta”</i> .				
	The invoices provided refer to the contractual obligations and	Pre-Finance Invoice - Seasus Ltd - IN 22 000115	58,650.00	Item 49	
		Payment reference 005EU0165221219001AA0100005		Item 50	

Name of tender	Evidence name		Amount EUR	In evidence list	Sub-element of measure description
	<i>Contract</i>	<i>Purchase Orders, Invoices, payment confirmation</i>			
	the contract reference no: SPD5/2022/026	Interim Payment 2 Invoice - Seasus Ltd - IN 24 00013	19,550.00	Item 51	
		Payment reference 005EU0165240307002AA0100002		Item 52	
		Interim Payment 3 Invoice - Seasus Ltd - IN 24 000050	19,550.00	Item 53	
		Payment reference 005EU0165240610002AA0100001		Item 54	
		IN-24-000085 Enhancements	1,235.00	Item 55	
		Payment reference 005EU0165240926001AA0100001		Item 56	
Tender for the Freedom of Information System	Contract: SPD52022058 And Signed Contract (DPIC.Deloitte)			Items 57-58	(b) (xi) Freedom of Information System
	As stated on pg 2, para 2, the contract concerns "the redevelopment of the Freedom of Information (FOI) system".				
	The provided invoice refers to the contractual obligations, and the contract reference no: SPD5/2022/058	118917 Pre Financing Invoice Payment reference 005EU0165230728001AA0100001	142,980.00	Item 59	
Tender for the Supply, Delivery, and Installation of Video Conference Sets to	SPD52022053			Item 61	(xv) conference and training rooms equipment and software
	As stated on page 2, para 2, the contract concerns "the Supply and Delivery of Video				

Name of tender	Evidence name		Amount EUR	In evidence list	Sub-element of measure description
	<i>Contract</i>	<i>Purchase Orders, Invoices, payment confirmation</i>			
the Ministry of Justice	<i>Conference Set to the Ministry of Justice”.</i>				
	The invoices provided refer to the contractual obligations, and contract reference no: SPD5/2022/053	Invoice IN 411576	35,055.95	Item 62	
		Payment reference 005EU0165221219001AA0100004		Item 63	
		Invoice IN 412620	23,370.63	Item 64	
		Payment reference 005EU0165230512001AA0100001		Item 65	
Tender for the Provision, Delivery, and Installation of Video Conferencing Trolleys	Trolleys contract 001-2023			Item 66	(xv) conference and training rooms equipment and software
	As stated on page 1, para 2, the contract concerns “the provision, delivery, and installation of video conferencing trolleys” .				
	The provided invoice corresponds to the technical equipment to fulfil the contractual obligations, and contract reference no: 001/2023.	invoice-180206-674e96ffc24b3	2,957.60	Item 67	
		Payment reference 005EU0165230907001AA0100001		Item 68	
The Supply, Delivery & Installation of Energy Efficient Scanning for CSA (Reimburs	Addendum 1 - SPD5-2021-023.pdf And Addendum 3 - SPD5-2021-023 And Addendum 4 - SPD5-2021-023			Items 69-72	(xvi) Experimentation and Specialisation Initiatives complementing VC additional equipment

Name of tender	Evidence name		Amount EUR	In evidence list	Sub-element of measure description
	<i>Contract</i>	<i>Purchase Orders, Invoices, payment confirmation</i>			
ement)	<i>And Contract Agreement - Volatila signed</i>				and possible scanning related matters
	As stated on pg 2, para 2, the contract concerns <i>“the supply, delivery and installation of scanning equipment including the provision and installation of scanning software for the Court Services Agency.”</i>				
	The invoices refer to the contractual obligations, and to the contract reference no: SPD5/2021/023	20241009_C6-I1_2	92,482.50	Item 73	
		Payment reference 005EU0165231120001AA0100001		Item 74	
			Total: 2,015,689.78		

The table above indicates that over EUR 2 000 000 has been paid out in line with contractual obligations in relation to the digitalisation of the justice system thus rendering the target satisfactorily fulfilled. Since T 6.39 is an intermediary target of this investment, some sub-elements of this investment will be subject to the assessment in the final milestone M 6.40 that will assess the completion of the investment notably the completion of digital case journey integration and interoperability solution, judicial portal, and ‘I Belong’ e-learning centre.

4. Commission Preliminary Assessment: Satisfactory fulfilled