

Advertising Requirements Guidelines

These Guidelines are issued pursuant to Subsidiary Legislation 513.01 of 2012 (LN 376 of 2012) ENERGY PERFORMANCE OF BUILDINGS REGULATIONS Article 13 wherein the Building Regulation Office (BRO), shall in time intervals, publish guidelines as to how the details of the Energy Performance Rating of a Building in Malta are to be conveyed in the sale of property and rental adverts.

PRELIMINARY FINAL DRAFT

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1. Fundamental Regulation Requirements

S.L. 513.01 of 2012 Article 13 (3):

"The owner of a building shall ensure that when buildings or building units are constructed, sold or rented out, the EPC or a copy thereof is shown to the prospective new tenant or buyer and handed over to the buyer or new tenant on the date of entering the promise of sale or rent agreement at the latest."

S.L. 513.01 of 2012 Article 13 (4):

"As a derogation from sub-regulations (1) and (3), where a building is sold or rented out prior to construction, the seller shall provide a design rating EPC for the building, and which in such case shall be handed over to the buyer or tenant, at the latest once the building has been constructed, and no alterations from the energy performance characteristics of the building specified in the certificate have been made. If alterations which change the energy performance characteristics of the building have been made during construction, a new EPC has to be provided to the buyer or tenant."

S.L. 513.01 of 2012 Article 13 (5):

"The owner or his agent shall ensure that where buildings, building units and building units in a building having an EPC are offered for sale or for rent, the energy performance indicator of the EPC of the building or the building unit, as the case may be, is stated in the advertisements in commercial media."

S.L. 513.01 of 2012 Article 13 (6):

"Notwithstanding the provisions of sub-regulations (1), (2), (3) and (4), the procurement of an EPC shall not apply to the following categories of buildings:

- (a) a building classified as scheduled property (Grade One) or (Grade Two) by the Malta Environment and Planning Authority under article 81 of the Environment and Development Planning Act;
- (b) a building, the construction of which is subject to the Control of Fireworks and other Explosives Regulations;
- (c) a building constructed for Enemalta Corporation, the Water Services Corporation or any other similar entity, and used as a generation, transmission or distribution station;
- (d) a building, or parts of a building, housing solely industrial or agricultural processes or livestock husbandry which require adherence to specific sectoral regulations;
- (e) temporary buildings with a planned time of use of two years or less;
- (f) glasshouses used solely for agricultural purposes;
- (g) stand-alone buildings with a total useful floor area of less than 50m²;
- (h) a building constructed for use by the Armed Forces of Malta in connection with their military requirements; and
- (i) a building used as a place of worship."

For definitions and more detailed regulatory requirements, refer to S.L. 513.01 of 2012.

2. Application Guidelines

These guidelines are to be implemented for all sale/rent of properties by any means, including by the following advertising methods:

- Newspapers (Display/ Text Advertisements)
- Magazines (Display/ Text Advertisements)
- Brochures/leaflets/posters
- Billboards/ Display Boards
- Radio
- Television
- Internet
- Direct Mail (Printed and/or Electronic)
- Tablet/ Mobile App
- Estate Agent Listings

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3. Guidelines for Advertising Requirements

Advertising requirements for dwellings and non-dwellings are to follow guidance as per 3.1. and 3.2.

In cases where a property is exempt from an EPC in accordance with S.L. 513.01 Article 13 (6), the advert is to quote the appropriate legal exemption,

eg: "exempt as per Art. 13(6)(a) (Scheduled Property)"

or

List in writing "EPC exempt" in the advert, after informing in writing the Building Regulation Office (BRO), making specific reference to the advert in question yet to be published, justifying the exemption making reference to the relevant Legal Notice. The owner is to be responsible for the correctness of the exemption statement. The BRO retains the right to verify such exemption.

The BRO has no obligation to issue any acknowledgement with respect to any letter notifying that the building is exempt from an EPC.

3.1. Dwellings

In all advertisements for dwellings, the following information from a valid EPC carried out by a certified assessor is to be included in the advert itself:

- Energy Use, indicating the energy in kWh/m²yr

Example:

Energy Use: 210 kWh/m²yr

3.2. Non-Dwellings

In all advertisements for non-dwellings, the following information from a valid EPC carried out by a certified assessor is to be included in the advert itself:

- Energy Use, indicating the energy in kWh/m²yr
- Energy Band

Example:

Energy Use: 693 kWh/m²yr

Energy Band : C

4. Specific Guidelines by Medium

4.1. Newspaper/ Magazine Display Advertisements

This is when the advert comprises both a pictorial display and a text description of the property.

Data required to be displayed as per Part 3 is to be carried out as follows:

Placing: In a separate area on the advert or within the text description of the property.

Colour: Colour must be in contrast with the background so as to be easily legible.

Minimum Font Size: Must not be in a smaller font size than either the other text describing the property or the price of the property.

4.2. Newspaper/ Magazine Text Advertisements

This is when the advert comprises only a text description of the property.

Data required to be displayed as per Part 3 is to be carried out as follows:

Placing: Within the text description of the property.

Colour: Colour must be the same as for the rest of the text describing the property.

Minimum Font Size: Must be not less in font size than the other text describing the property.

4.3. Brochure/ Leaflet/ Poster Advertisements

Data required to be displayed as per Part 3 is to be carried out as follows:

- Placing: In a prominent location on the front page of the leaflet/ brochure.
- Colour: Colour must be in contrast with the background so as to be easily legible.
- Minimum Font Size: Must be the same font size as for other description text presented in the leaflet/ brochure.

4.4. Billboards/ Display Board Advertisements

Data required to be displayed as per Part 3 is to be carried out as follows:

- Placing: In a prominent location.
- Colour: Colour must be in contrast with the background so as to be easily legible and must be the same colour of the other describing text.
- Minimum Font Size: Must be the same font size as for other description text and must be clearly legible from the intended designed distance of the advertisement.

4.5. Radio Advertisements

Data required to be displayed as per Part 3 is to be carried out as follows:

Placing: Must be aired during the description of the property. It must not be aired in such a manner as to disguise this data, or in such a way as to detract attention/ create confusion.

4.6. Television Advertisements

Data required to be displayed as per Part 3 is to be carried out as follows:

Placing: In a prominent location and for enough duration as to permit legibility by the viewer.

Colour: Colour must be in contrast with the background so as to be easily legible.

Minimum Font Size: To be of same font size as the price or contact number text.

4.7. Internet

Data required to be displayed as per Part 3 is to be carried out as follows:

Placing: Within the text description of the property. This is to apply for both the property index page where an entire list of properties is shown, as well as on a more detailed individual page of a particular property.

Colour: Colour must be the same as for the rest of the text describing the property.

Minimum Font Size: Must be the same font size as for other description text of the property.

Note: In the case where photographs of the property are being provided, **instead** of the above requirements, the advertisement should include in a clearly legible manner, a **picture** showing:

(for dwellings) - the **two indicator scales** of the EPC showing the **Energy Use** and the **Carbon Dioxide Emissions**.

(for non-dwellings) - the **Building Primary Energy Use**, the **Building CO₂ Emissions** and the **Energy Band**.

4.8. Direct Mail

Data required to be displayed as per Part 3, both for printed and/or electronic mail, is to be carried out as follows:

Placing: Within the text description/ price of the property.

Colour: Colour must be the same as for the rest of the text describing the property.

Minimum Font Size: Must be the same font size as for the other description text of the property.

4.9. Tablet/ Mobile App

Data required to be displayed as per Part 3 is to be carried out as follows:

Placing: Within the text description of the property. This is to apply for both the property index page where an entire list of properties is shown, as well as on an individual more detailed page of a particular property.

Colour: Colour must be the same as for the rest of the text describing the property.

Minimum Font Size: Must be the same font size as for the other description text of the property.

4.10. Estate Agent Listings

Data required to be displayed as per Part 3 is to be carried out as follows:

Placing: Is to be presented in separate columns in the listing describing the properties.

Colour: Colour must be the same as for the rest of the text in the listing.

Minimum Font Size: Must be the same font size as for the other text in the listing.