

## **Decision Notice 008/2011/ED**

**Decision of the 25<sup>th</sup> July 2011 issued in virtue of the Malta Resources Authority Act (Cap. 423 laws of Malta) and the Petroleum for the Inland (Wholesale) Fuel Market Regulations (S.L. 423.28) to Shield Security Consultants Ltd of Triq il-Mimosa Gwardamanga**

### **Section I**

Whereas the Malta Resources Authority, thereafter referred to as the Authority, has received an application from Shield Security Consultants Ltd of Triq il-Mimosa Gwardamanga, thereafter referred to as the Applicant, to be considered as a 'Competent Person' as defined in S.L. 423.28 'Petroleum for the Inland (Wholesale) Fuel Market Regulations, 2007', thereafter referred to as the Regulations;

Whereas the Regulations define a 'Competent Person' as:

*"competent person" means a person approved by the Authority who holds a warrant to practice the profession of an engineer under the Engineering Profession Act, or an equivalent professional qualification as provided under the Mutual Recognition of Qualifications Act, and who has suitable training, sufficient knowledge, experience and skill as approved by the Authority to:*

- (a) carry out assessment inspections of an authorised facility;*
- (b) supervise material alterations on an authorised facility;*
- (c) certify in writing that an authorised facility is being operated as prescribed in any authorisation conditions and, or guidelines; and*
- (d) carry out other work of a technical nature that is complimentary or ancillary to the above;*

The MRA has taken note of this request and has investigated the matters related to it.

Now, therefore, for the reasons stated in Section II of this Decision, the MRA hereby determines as follows:

*The Authority cannot consider Shield Security Consultants Ltd as a Competent Person as defined by S.L. 423.28 'Petroleum for the Inland (Wholesale) Fuel Market Regulations, 2007, as the applicant, being a company, is not in possession of the required qualifications*

### **Section II**

At the time of application, the personnel at Shield Security Consultants Ltd consisted of the following:

1. Mr. John Schembri (Director) having an MSc in Security and Risk Management from the University of Leicester;
2. Mr. Edmond Vella having a Diploma in Social Studies from the University of Malta;

3. Mr. Denis Chircop who has a Degree in Security and Risk Management from the University of Leicester;
4. Ing Patrick John Mifsud who is a warranted engineer, having a B.Sc. IT (University of Malta) and an M.Sc. Information Security (University of London);

Although the Regulations define a person as:

*"person" includes an individual, an undertaking, a body or other association of persons, whether such body or association is a juridical person or not;*

the Authority concludes that neither Shield Security Consultants Ltd as a company, nor any of its employees individually, meet all the necessary pre-requisites to be considered as a Competent Person as defined by the Regulations i.e. having BOTH

1. the Engineering Warrant, and
2. the required *'suitable training, sufficient knowledge, experience and skill as approved by the Authority'*

Hence this application is being refused.

Dr Reuben Balzan  
Chairman  
Malta Resources Authority