

Test of Reasonableness Board (TORB)

As per the Equal Opportunities (Persons with Disability) Act I of 2000 Cap. 413 of the Laws of Malta

31st January 2020

Our Ref: JanTORB_05

Mr. Stephen Lawrence Brincat
'Madonnina'
Triq Dun Salvatore Magri
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AC083/19 – Paola – Case opened by the Investigations unit within CRPD following a report received about lack of access at the Kristu Sultan Band Club.

On Friday 24th January 2020, the Test of Reasonableness Board (TORB) discussed a request for exemption received on the above indicated matter. Perit Roderick Spiteri, Mr. Stephen Lawrence Brincat, Mr. Jason Caruana and Mr. Neville Camilleri were present on behalf of the applicant.

CRPD received complaints in regards to lack of access for all at the Band Club for the following reasons:

- (i) Passenger Lift is being kept locked;
- (ii) Sanitary facilities have been replaced with smaller ones not accessible for all;
- (iii) The bar at first floor is only accessible through a set of 3 steps.

CRPD Technical Officer was commissioned to inspect the Band Club. Feedback received following site-inspection was that the Band Club is fully accessible save for the bar/ hall/ meeting room at First Floor Level as it is only accessible through a temporary wooden ramp which is not according to AADG 2011. A hall with the exact same use which is accessible for all is however provided at Second Floor Level.

Permit approval consists of a platform lift to the bar/ hall at First Floor Level. Exemption from the installation of the platform lift was requested in view of financial restraints. A ramp according to AADG 2011 can also not be installed as it would take up majority of circulation space and obstruct the doorway to the accessible sanitary facilities opposite the hall.

Taking all arguments in consideration, the TORB concluded that the applicant should consider the installation of a permanent ramp with the best gradient possible so as not to obstruct the accessible sanitary facilities opposite the Hall/ Meeting Room Area at First Floor Level. Otherwise, applicants should consider the implementation of a demountable ramp to be placed upon request (with adequate signage and bell/ buzzer) which dimensions and gradient as according to AADG 2011. Case will be reconsidered for exemption once the above are provided.



Mr. Joseph Bugeja
Vice-Chairperson
Test of Reasonableness Board