

**KODIČI TAL-ETIKA**  
**u**  
**LINJI GWIDA TA' PRATTIKA**

**TAL-**

**BORD TAL-WARRANT TAR-**  
**RESTAWRATURI (BWR)**

Novembru 2019

## INTRODUZZJONI

L-għan tal-Kodiċi tal-Etika u Linji Gwida ta' Prattika huwa sabiex jistabbilixxi l-istandards professjonali mistennija mill-konservatur-restawraturi li għandhom warrant maħruġ mill-Bord tal-Warrant tar-Restawraturi (BWR) ta' Malta taħt l-Att dwar il-Patrimonju Kulturali (Kapitolu 445 tal-Liġijiet ta' Malta).

Dan il-Kodiċi huwa bbażat fuq x'jagħmel il-professjoni ta' isem tajjeb u rispettabbli, jiġifieri: onestà mal-klijenti, ma' min iħaddem, mal-impjegati u l-kollegi; jagħti parir tajjeb u ġust; li jkun konxju tal-limitazzjonijiet tiegħu; iwettaq xogħol ta' konservazzjoni tal-ogħla standards possibbli u ma jagħmilx ħsara lill-oġġetti\*; iżomm b'mod ġust tax-xogħol. Minn dan jista' jidher li Kodiċi tal-Etika u Linji Gwida ta' Prattika jista' jingabar fil-qosor li jittratta lill-persuni kollha b'onestà, b'mod ugwali u attraenti; iżomm l-ikbar rispettt għall-oġġetti, irrispettivament mill-valur jew ir-rarità tagħhom, u li jfittex sabiex iżid l-għarfien u l-fehim tiegħu dwar il-professjoni.

*\*asterisk jintuża fl-ewwel użu ta' kelma li hija definita fil-Glossarju u/jew fl-Att dwar il-Patrimonju Kulturali (Kapitolu 445 tal-Liġijiet ta' Malta).*

## LINJI GWIDA ĠENERALI

Dan il-Kodiċi jiddefinixxi x'inhu mistenni mill-imġieba professjonali ta' detenturi ta' warrant (inkluż detenturi ta' warrant temporanji). L-iskop ta' dan il-Kodiċi huwa sabiex jiżgura li persuni li għandhom il-warrant ma jaġixxux b'mod abużiv jew negligenti jew b'tali mod li huwa inkompatibbli mad-dekor, mad-dinjità jew l-unur tal-professjoni tagħhom, jew b'tali manjiera li b'mod serju tista' tnaqqas il-fiduċja mogħtija lilhom, jew li jikkawżaw ħsara lill-oġġetti li huma fdati lilhom.

Il-Kodiċi tal-Etika u Linji Gwida ta' Prattika b'hekk jinkorporaw il-prinċipji u l-obbligi li għandhom jirregolaw l-imġieba ta' kull detentur ta' warrant li jipprattika l-konservazzjoni\* fil-Gżejjer Maltin. Id-detentur ta' warrant għandu josserva l-istandards u l-liġijiet lokali aċċettati, iżomm id-dinjità u l-unur tal-professjoni u jaċċetta d-dixxiplini tagħha imposti minnha stess.

L-irwol fundamentali ta' kull persuna li taħdem fil-qasam tal-konservazzjoni huwa l-ħarsien tal-proprjetà kulturali għall-benefiċċju ta' generazzjonijiet preżenti u futuri iżda mingħajr ma jintesa l-irwol jew l-iskop tal-proprjetà kulturali. Il-Kodiċi tal-Etika u Linji Gwida ta' Prattika għandu l-għan li jissalvagwardja il-proprjetà kulturali kollha irrispettivament miż-żmien, l-istat ta' tlestija, valur monetarju jew klijent\*.

Oġġetti maħtura bħala proprjetà kulturali huma fdati fil-kura tal-konservatur-restawratur\* li għandu r-responsabbiltà mhux biss lejn il-proprjetà kulturali iżda wkoll lejn il-klijent, il-pubbliku u l-posterità. Il-kura u t-trattament\* ta' materjal kulturali hija r-responsabbiltà kongunta tal-klijent u l-konservatur-restawratur li jridu jibbilanċjaw ir-reqwiżiti tal-ħarsien kontra l-ħtieġa li jużaw, jifhmu u/jew japprezzaw l-oġġetti.

Il-Kodiċi tal-Etika jistabbilixxi ċertu prinċipji bażiċi li huma maħsuba biex jiżguraw li d-detentur ta' warrant iżomm l-ogħla standards tal-prattika professjonali. Jekk jinqala' każ fejn huwa maħsub li detentur ta' warrant ma laħaqx l-istandards mixtieqa, proċeduri għal azzjoni

dixxiplinarja għandhom jiġi meqjusa mill-BWR u għandha tittieħed azzjoni skont il-liġi kif stabbilit fl-Att dwar il-Patrimonju Kulturali (Kapitolu 445 tal-Liġijiet ta' Malta).

Detentur ta' warrant jikser dan il-Kodiċi tal-Etika u Linji Gwida tal-Prattika jekk huwa jgħib ruħu b'mod abużiv jew negligenti jew b'tali mod kontra d-dekor, id-dinjità jew l-unur tal-professjoni tiegħu, jew b'tali mod li tista' serjament taffettwa l-fiduċja mogħtija lil professjoni.

## **KODIĊI TAL-ETIKA TAL-BORD TAL-WARRANT TAR-RESTAWRATORI**

1. Detentur ta' warrant għandu, fit-tweqqif tal-professjoni tiegħu, kemm bl-azzjonijiet tiegħu stess u bl-azzjonijiet ta' dawk li jaġixxu f'ismu, jissalvagwardja l-valuri li ġejjin:

- a. l-integrità u l-indipendenza tad-detentur ta' warrant;
- b. id-dmir tad-detentur ta' warrant li jaġixxi fl-aħjar interessi tal-klijent u tal-oġġett li jinsab taħt il-kura tiegħu;
- ċ. l-isem tajjeb tal-professjoni; u
- d. l-istandard propju tax-xogħol tad-detentur ta' warrant.

2. Detentur ta' warrant għandu jfittex biex jikseb l-oġġla standards possibbli, skont l-għarfien preżenti, fl-aspetti kollha ta' konservazzjoni\*. Dan jinkludi, iżda mhux limitat għal: eżaminazzjoni\*; trattament, konservazzjoni preventiva\*; riċerka; dokumentazzjoni\*; taħriġ u parir dwar il-konservazzjoni. Għalkemm iċ-ċirkostanzi jistgħu jillimitaw il-firxa u t-tip ta' trattament, il-kwalità tat-trattament ma għandhiex tkun kompromessa, irrispettivament mill-valur monetarju tal-oġġett.

3. F'dak kollu li huwa fdat lilu, detentur ta' warrant għandu d-dmir li:

- a. jamministra kif suppost bħala bonus paterfamilias; u
- b. jagħti kont xieraq meta jkun meħtieġ.

4. Detentur ta' warrant għandu jqis ir-rilevanza ta' konservazzjoni preventiva bħala l-mezz ta' promozzjoni għall-benesseri fit-tul tal-proprjetà kulturali u għandu jiehu kont tal-konservazzjoni preventiva qabel u wara t-tweqqif tat-trattament fuq il-proprjetà kulturali.

5. Detentur ta' warrant għandu jfittex li jħares il-proprjetà kulturali għall-benefiċċju ta' generazzjonijiet futuri u għandu jagħmel kull sforz biex iżomm bilanċ bejn il-ħarsien tal-proprjetà kulturali u l-ħtieġa li jużaha, jifhimha u japprezzaha.

6. L-azzjonijiet ta' detentur ta' warrant għandhom ikunu gvernati minn rispett lejn, għarfien tal-, proprjetà kulturali inkluż il-kuntest fiżiku, storiku, kulturali, soċjali, xjentifiku, tekniku, reliġjuż u estetiku tagħha.

7. Detentur ta' warrant għandu jagħraf il-limiti tal-abbiltajiet tiegħu, ta' dawk li huwa responsabbli għalihom, u l-limitazzjonijiet tal-faċilitajiet disponibbli, meta jkun qiegħed ifassal u jimplementa miżuri ta' konservazzjoni. Id-detentur ta' warrant għandu jillimita l-attivitajiet tiegħu għall-qasam ta' speċjalizzazzjoni tiegħu u jaħdem fil-parametri tal-warrant mogħti lilu.

8. Detentur ta' warrant għandu jittratta kull relazzjoni professjonali b'onestà u rispett, jagħraf id-drittijiet u l-opportunitajiet tal-individwi kollha fil-professjoni u jirrispetta l-professjoni kollha kemm hi.

9. Detentur ta' warrant għandu jagħxi b'onestà u integrità f'kull relazzjoni professjonali, jagħraf id-drittijiet tal-kollegi kollha u jirrispetta l-professjoni kollha kemm hi.

10. Detentur ta' warrant għandu jarrikkixxi l-għarfien tiegħu u jzomm ruħu aġġornat dwar żviluppi attwali permezz ta' studju kontinwu, u komunikazzjoni ma' konservaturi u speċjalisti oħrajn bil-għan li jtejjeb il-kwalità tax-xogħol professjonali. Detentur ta' warrant għandu r-responsabbiltà li jfittex biex jikkontribwixxi għat- tkabbir u progress tiegħu, l-assistenti mħaddma jew ingaġġati minnu jew li huma taħt id-direzzjoni tiegħu u l-professjoni għall-ogħla standards billi jkompli jiżviluppa l-għarfien, billi jaqsam din l-informazzjoni u esperjenza, u billi jipprovdi u jippromwovi opportunitajiet edukattivi.

11. Detentur ta' warrant għandu jfittex li jippromwovi kuxjenza u fehim aħjar tal-konservazzjoni permezz ta' komunikazzjoni xierqa ma' professjonisti alleati u l-pubbliku.

12. Involvement fil-kummerċ ta' proprjetà kulturali mhuwiex kompatibbli mal-attivitajiet tad-detentur ta' warrant.

13. Detentur ta' warrant għandu obbligu li jippromwovi l-aderenza ma' u fehim tal-Kodiċi tal-Etika.

## **LINJI GWIDA TA' PRATTIKA TAL-BORD TAL-WARRANT TAR-RESTAWRaturi**

### **1.0 OBBLIGAZZJONIJIET ĠENERALI**

Kull detentur ta' warrant għandu jaħdem għall-ogħla standards ta' prattika u integrità.

#### *1.1 Dokumentazzjoni*

Kull detentur ta' warrant għandu l-obbligu li jiddokumenta x-xogħol billi jniżżel kull dettall essenzjali tal-konservazzjoni ta' oġġett billi juża kliem u immaġini kif xieraq. Rekords ta' eżaminazzjoni, trattament u evalwazzjoni ta' trattamenti għandhom jinżammu mal-oġġett, bħala intrinsiċi għall-kura u l-ħarsien tiegħu; huma għandhom jinżammu b'mod permanenti kemm prattikabbli, u jkunu disponibbli għall-aċċess xieraq. Id-detentur ta' warrant għandu jhalli kopja tar-rekords rilevanti u dikjarazzjonijiet tal-metodu, li jappartjenu għall-konservazzjoni mas-Sovrintendenza tal-Patrimonju Kulturali skont id-dispożizzjonijiet tal-Att dwar il-Patrimonju Kulturali (Kapitolu 445 tal-Liġijiet ta' Malta).

#### *1.2 Dritt tal-Awtur*

Il-liġi dwar id-drittijiet tal-awtur għandha tiġi mħarsa. Id-dokumentazzjoni li giet maħluqa mid-detentur ta' warrant hija l-proprjetà intellettuali tad-detentur ta' warrant sakemm ma jkunx impjegat jew jaħdem taħt kuntratt u x-xogħol twettaq matul l-impjeg tiegħu; u soġġett għat-termini tal-kuntratt\* ta' impjeg.

#### *1.3 Drittijiet tal-Proprjetà Intellettuali*

Kull detentur ta' warrant għandu jagħraf id-drittijiet morali mogħtija lid-dokumentazzjoni u xogħol ieħor tal-kitba; jiġifieri, ebda xogħol ma jista' jiġi mibdul, ħlief mill-awtur jew bil-kunsens tiegħu.

#### 1.4 Fdalijiet Umani u Materjal ta' Sinifikat Reliġjuż jew Ritwali

Kull detentur ta' warrant għandu juri rispett lejn fdalijiet umani u proprjetà kulturali li għandhom sinifikat reliġjuż jew ritwali. Hu għandu jkun konxju ta' xi htigijiet speċjali, kemm jekk legali jew soċjali, ta' tali materjal.

#### 1.5 Tneħħija u Harsien

Id-detentur ta' warrant ma għandux ineħhi materjal minn patrimonju kulturali sakemm dan ma jkunx magħmul għal investigazzjoni xjentifika, jew huwa indispensabbli għall-ħarsien tal-oġġett jew li tfixxkel sostanzjalment il-valur storiku u estetiku tal-patrimonju kulturali u biss wara l-kisba tal-permess mingħand is-Sovrintendenza tal-Patrimonju Kulturali. Materjali li huma mneħħija għandhom jiġu konservati, jekk possibbli, u l-proċedura dokumentata kollha. Ebda materjali originali ma għandhom jitneħhew mingħajr ġustifikazzjoni ċara u wiesgħa.

#### 1.6 Riproduzzjoni u Harsien

Meta l-użu soċjali, reliġjuż jew użu ieħor tal-patrimonju kulturali huwa inkompatibbli mal-ħarsien tiegħu, id-detentur ta' warrant għandu jiddiskuti mas-sid jew il-kustodju legali, jekk li ssir ir-riproduzzjoni tal-oġġett tkunx soluzzjoni intermedjarja xierqa. Id-detentur ta' warrant għandu jirrakkomanda r-riproduzzjoni xierqa tal-proċeduri sabiex ma ssirx ħsara lill-originali.

### 2.0 RELAZZJONIJIET MAL-KLIJENT

#### 2.1 KIF GĦANDHOM JINKISBU U JIĠU SEGWITI ISTRUZZJONIJIET

2.1.1 Huwa fundamentali għar-relazzjoni li teżisti bejn id-detentur ta' warrant u l-klijent li detentur ta' warrant għandu jkun kapaċi jagħti parir oġġettiv u sinċier lill-klijent mingħajr ebda pressjoni kuntrarja jew mingħajr interessi estranji li jistgħu jkissru jew idgħajfu l-indipendenza professjonali tad-detentur ta' warrant jew il-fiducia tal-klijent fih.

2.1.2 Detentur ta' warrant, meta jiġi avviċinat jew mogħti struzzjoni biex jagħti servizz jew jipproċedi fir-rigward ta' xogħol professjonali li d-detentur ta' warrant kien ingaġġat qabel, ma għandux jipproċedi bix-xogħol qabel ma l-ewwel detentur ta' warrant joħroġ ittra ta' rilaxx li taċċerta li l-ewwel detentur ta' warrant kien debitament rimunerat tas-servizz mogħti.

#### 2.2 DMIRIJIET DOVUTI LILL-KLIJENT WAQT LAQGĦA

##### 2.2.1 *Komunikazzjoni*

Kull detentur ta' warrant irid jikkomunika bi sħiħ, b'mod ċar u regolari mal-klijent sabiex ikun hemm għarfien sħiħ tar-responsabbiltajiet, proċeduri, deċiżjonijiet kongunti u aspettattivi realistiki. Komunikazzjonijiet bil-kitba jridu jiġi provduti meta jsiru bidliet dwar kondizzjonijiet li ġew miftiehma qabel.

2.2.2 Bla ħsara għad-dispożizzjonijiet tat-Taqsima 2.2.4, detentur ta' warrant li jkun aċċetta tgħarrif jew struzzjonijiet biex jagħti servizz huwa marbut li jwettaq dawk l-istruzzjonijiet b'diligenza u jrid jeżerċita kull kura u kapaċità possibbli. Detentur ta' warrant ma għandux jaġixxi jew ikompli jaġixxi f'ċirkostanzi fejn il-klijent ma jkunx jista' jiġi moqdi b'kompetenza u/jew diligenza.

2.2.3 Kull detentur ta' warrant għandu jaġixxi biss bil-kunsens tal-klijent, u jitlob struzzjoni bil-miktub. Il-klijent irid ikun infurmat bi kwalunkwe ċirkostanzi li titbiegħed mill-kuntratt. Notifika bil-miktub għandha tkun magħmula qabel isiru tali tibdiliet.

2.2.4 Kull detentur ta' warrant għandu jirrifjuta kwalunkwe talba biex jaġixxi b'mod li juri li huwa kuntrarju tat-termini jew l-ispirtu tal-Kodiċi tal-Etika u Linji Gwida ta' Prattika.

2.2.5 Peress li l-ebda individwu ma jista' jkollu għarfien espert f'kull aspett tal-konservazzjoni, jista' jkun xieraq li jikkonsulta mal-kollegi jew, f'ċertu istanzi, li jirreferi lill-klijent għand professjonist li għandu aktar esperjenza jew huwa mghammar aħjar sabiex jikseb ix-xogħol meħtieġ. Jekk il-klijent jitlob tieni opinjoni, din it-talba trid tiġi rispettata.

2.2.6 Huwa obbligu impliċitu fit-tgħarrif li detentur ta' warrant għandu d-dmir li josserva l-Kodiċi tal-Etika u Linji Gwida ta' Prattika.

2.2.7 Detentur ta' warrant għandu d-dmir li jikkonforma ma' talbiet raġonevoli mill-klijent għal informazzjoni dwar il-kompitu.

### 2.3 DRITTJIET PROFESSIONALI

2.3.1 Drittijiet mitluba minn kull detentur ta' warrant għandhom ikunu proporzjonati mas-servizzi mogħtija u ma għandhomx ikunu influwenzati mill-abbiltà li jhallas tal-klijent jew mill-valur tal-oġġett.

2.3.2 Detentur ta' warrant ma għandhomx xjentement iżomm inqas tax-xogħol tiegħu sabiex jikseb kuntratt.

2.3.3 Detentur ta' warrant jista', mill-bidu tat-tgħarrif u fi żmien raġonevoli qabel it-terminazzjoni tal-istess, jitlob lill-klijent biex jagħmel hlas jew hlasijiet (kontra riċevuta ffirmata) minhabba d-drittijiet, spejjeż u żborż li jkunu garrbu.

2.3.4 Id-drittijiet ta' detentur ta' warrant għandhom ikunu raġonevoli u jistgħu jiġu stabbiliti mid-detentur ta' warrant jew bi ftehim bejn id-detentur ta' warrant u l-klijent. Il-fatturi li jridu jiġu kkunsidrati fid-determinazzjoni ta' dritt raġonevoli (jekk miftiehem jew xort' oħra) jista' jinkludu dan li ġej:

- a. iż-żmien meħtieġ, in-novità u d-diffikultajiet tal-kwistjonijiet involuti, u r-rekwiżit tad-dedikazzjoni sabiex iwettaq is-servizz kif suppost;
- b. ir-responsabbiltà meħuda;
- ċ. il-limitazzjonijiet ta' żmien meħtieġa mill-klijent jew iċ-ċirkostanzi;
- d. in-natura u t-tul tar-relazzjoni professjonali mal-klijent;
- e. l-esperjenza u r-reputazzjoni u l-abbiltà tad-detentur ta' warrant li qiegħed iwettaq is-servizz.

Fi kwalunkwe każ, id-detentur ta' warrant għandu jaġti lill-klijent indikazzjoni approssimattiva bil-miktub tad-drittijiet għas-servizzi liema indikazzjoni għandha tiġi mogħtija mal-ingaġġ.

## 2.4 KUNFLITTI TA' INTERESS

2.4.1 Detentur ta' warrant ma għandux jaġixxi fejn l-interess tiegħu jkun f'kunflitt mal-interessi tal-klijent. L-interessi personali jew il-gwadan ta' detentur ta' warrant qatt ma jrid jaqbeż il-kunsiderazzjonijiet professjonali.

2.4.2 Kull detentur ta' warrant irid jiżgura li riċerka privata u pubblikazzjoni, jew kollaborazzjoni mal-media ma jkunux f'kunflitt ma', jew jaqbzu fuq ir-responsabbiltà professjonali tiegħu. Detentur ta' warrant ma jistax jirreklama s-servizzi tiegħu.

2.4.3 Detentur ta' warrant li jieħu xogħol freelance fil-qamas ta' konservazzjoni meta jkun impjegat ma' istituzzjoni, studio, workshop jew impjieg simili ma għandux jinneogzja f'isem min iħaddem u jrid jagħmilha ċara jekk huwiex qiegħed jaġixxi f'isem min iħaddem jew f'ismu. Hu għandu jieħu xogħol biss bil-permess ta' min iħaddem jew tar-rappreżentant tiegħu.

## 2.5 KUNFIDENZJALITÀ

2.5.1 Hlief kif provdut fil-Kodiċi tal-Etika u Linji Gwida ta' Prattika, u kif mitlub mil-Liġi, detentur ta' warrant għandu d-dmir li jzomm b'mod kunfidenzjali l-affarijiet tal-klijenti u biex jiżgura li l-persunal tiegħu jagħmlu l-istess. Informazzjoni li toħroġ minn eżaminazzjoni, investigazzjoni xjentifika, jew trattament ta' proprjetà kulturali ma għandhiex tiġi pubblikata mingħajr permess bil-miktub tal-klijent.

2.5.2 Id-dmir li tinzamm kunfidenzjali l-informazzjoni dwar klijent u l-affarijiet tiegħu, japplika irrispettivament mis-sors tal-informazzjoni. Ebda detentur ta' warrant ma għandu, mingħajr il-kunsens tal-klijent, jiżvela informazzjoni li tikkonċerna lil dak il-klijent sakemm ma jkunx legalment mitlub jagħmel hekk jew biex jikkonforma ma' kwalunkwe waħda minn dawn il-linji gwida.

2.5.3 Detentur ta' warrant ma jistax jagħmel ebda qligħ permezz tal-użu ta' informazzjoni kunfidenzjali miksuba fl-eżerċizzju tal-professjoni tiegħu għall-finijiet tiegħu jew għall-finijiet ta' partijiet terzi.

## 2.6 RELAZZJONIJIET MA' PARTIJIET TERZI

2.6.1 Detenturi ta' warrant ma għandhomx jaġixxu, kemm jekk fil-professjoni jew mod ieħor, fi kwalunkwe mod li hija qarrieqa jew kuntrarja għall-eżerċizzju xieraq tal-professjoni bħala detenturi ta' warrant. Anqas detenturi ta' warrant ma għandhom jużaw il-pożizzjoni tagħhom bħala detenturi ta' warrant biex jieħdu vantaġġ ingust kemm jekk għalihom jew għal persuna oħra.

### 2.6.2 *Pubblicità*

Sabiex tinzamm id-dinjità, l-oġhla standard professjonali u l-kredibilità tal-professjoni, id-detentur ta' warrant għandu jimpjega biss forom xierqa u informattivi ta' pubblicità fir-rigward tax-xogħol tiegħu sabiex jevita t-tixrid ta' informazzjoni mhux xierqa, qarrieqa, illegali jew mhux awtorizzata.

2.6.3 Kull detentur ta' warrant irid jiżgura li kwalunkwe pubblicità li għaliha jista' jinżamm responsabbli, hija eżatta, sempliċi, onestà u li x'aktarx ma tikkawżax reat pubbliku.

2.6.4 Ebda detentur ta' warrant ma għandu jkollu l-ħsieb li jirrappreżenta lill-BWR sakemm ma jkunx espressament awtorizzat biex jagħmel hekk.

## 2.7 RELAZZJONIJIET MA' DETENTURI TA' WARRANT/PERSUNI OĦRA TA' SENGĦA

2.7.1 Detentur ta' warrant għandu jaġixxi lejn detenturi ta' warrant oħra b'kortesija, bona fide u b'mod miftuħ.

2.7.2 Detentur ta' warrant għandu d-dmir li jirrapporta lill-Bord, permezz ta' dokument bil-kitba u ffirmat, kwalunkwe ksur ta' mgieba professjonali da parti ta' detentur ta' warrant ieħor.

## 2.8 DETENTURI TA' WARRANT F'IMPJIEG

2.8.1 Detentur ta' warrant f'impjieg huwa marbut bin-normi ta' mgieba professjonali bl-istess mod bħal detentur ta' warrant fi Prattika Privata.

## 3.0 IL-PROĊESS TA' KONSERVAZZJONI

### 3.1 EŻAMINAZZJONI

#### 3.1.1 *Eżaminazzjoni*

Ma għandha ssir ebda konservazzjoni jew intervent qabel ma jsir eżaminazzjoni xieraq u mingħajr evalwazzjoni tat-trattamenti proposti, tal-kundizzjoni tal-proprjetà kulturali u tal-irwol u l-użu futur tagħha. Il-klijent irid ikun avżat bil-miktub dwar it-trattament li għandu jitwettaq qabel ma jsir dak it-trattament u jrid jiddikjara, bil-miktub, li jaqbel.

#### 3.1.2 *Kampjunar*

Il-permess tal-klijent għandu jingħata qabel ma jitwettaq kwalunkwe eżaminazzjoni jew testijiet li jistgħu jikkawżaw bidla lill-proprjetà kulturali u qabel ma kwalunkwe materjal jitneħħa għat-testjar jew analisi. Il-minimu ta' materjal neċessarju għandu jitneħħa, jinżamm rekord ta' tneħħija, u l-materjal jinżamm bħala parti mir-rekord ta' eżaminazzjoni. Metodi tat-testjar mhux invażivi għandhom dejjem ikunu użati qabel ma jsir kwalunkwe kampjunar. Meta jkun possibbli, kampjunar għandu jsir f'kollaborazzjoni ma' xjenzat.

#### 3.1.3 *Konsultazzjoni*

Detentur ta' warrant irid ikun kapaċi u lest li jaħdem fi gruppi multi-dixxiplinarji. Meta jkun neċessarju jew xieraq, id-detentur ta' warrant għandu jikkonsulta ma' storiċi, xjenzati, arkeologi, kuraturi, periti, inġiniera, u/jew speċjalisti oħra u għandu jippartecipa magħhom fi skambju sħiħ ta' informazzjoni.

#### 3.1.4 *Investigazzjoni Xjentifika*

Kull detentur ta' warrant għandu jsegwi l-istandards xjentifiċi aċċettati ta' konservazzjoni u protokollu ta' riċerka u testjar u għandu jaħdem ma' xjenzati oħra kif meħtieġ.

### 3.2 KONSERVAZZJONI PREVENTIVA

3.2.1 Detentur ta' warrant għandu jirrikonoxxi l-importanza kritika tal-konservazzjoni preventiva bħala l-aktar mezz effettiv għal promozzjoni ta' preservazzjoni fit-tul tal-proprjetà kulturali. Detentur ta' warrant irid jipprovdi, bil-miktub, linji gwida lill-klijent għal użu



kontinwu, kura u manutenzjoni, jirrakkomanda kondizzjonijiet ambjentali xierqa għal hażna u u l-wiri, u jinkoraġġixxi proċeduri xierqa għall-immaniġjar, l-ippakkjar u t-trasport.

### 3.3 DOKUMENTAZZJONI

#### 3.3.1 *Dokumentazzjoni*

Detentur ta' warrant għandu l-obbligu u jipproduċi u jzomm rekords eżatti, sħaħ u permanenti tal-eżaminazzjoni, kampjunar, investigazzjoni xjentifika u trattament. Meta jkun xieraq, ir-rekords għandhom ikunu kemm bil-miktub u anki grafiċi. L-għanijiet ta' din id-dokumentazzjoni huma:

- biex jistabilixxi l-materjali, it-teknoloġija, u l-kundizzjoni tal-proprjetà kulturali;
- biex jippreserva rekord tal-oġġett qabel it-trattament u t-trattament li jkun sar kif ukoll tal-kundizzjoni finali tal-oġġett trattat;
- biex jgħin fil-kura tal-proprjetà kulturali billi jipprovdi informazzjoni ta' għajjnuna għal trattament futur u billi żżid mal-għarfien tal-professjoni;
- biex jgħin lis-sid, il-kustodju jew l-aġent awtorizzat u s-soċjetà sħiħa fl-apprezzament u l-użu tal-proprjetà kulturali billi jzid il-fehim estetiku, kunċettwali, u karatteristiċi fiżiċi tal-oġġett;
- biex jgħin fil-konservazzjoni professjonali billi jipprovdi referenza li tista' tassisti fl-iżvilupp kontinwu tal-għarfien u billi jforni rekords li jistgħu jgħinu biex jiġu evitati nuqqas ta' ftehim jew diżgwid bla bżonn.

#### 3.3.2 *Dokumentazzjoni relatati ma' eżaminazzjoni*

Qabel kwalunkwe intervent, id-detentur ta' warrant irid jagħmel eżaminazzjoni bir-reqqa tal-proprjetà kulturali u joħloq rekords xierqa. Dawn ir-rekords u r-rapporti li joħorġu minnhom iridu jidentifikaw il-proprjetà kulturali u jinkludu d-data tal-eżaminazzjoni u l-isem tal-eżaminatur, u l-metodoloġija użata. Huma għandhom jinkludu wkoll, kif xieraq, deskrizzjoni tal-istruttura, materjali, kundizzjoni, u l-istorja pertinenti, kif ukoll (sa fejn ikun jista' jiġi interpretat) l-istorja ta' qabel tal-oġġett.

#### 3.3.3 *Pjan ta' Trattament*

Wara l-eżaminazzjoni u qabel it-trattament, id-detentur ta' warrant irid jipprepara bil-miktub pjan fejn jiddeskrivi l-kors ta' trattament. Dan il-pjan irid jinkludi wkoll il-ġustifikazzjoni għat-trattament u l-għanijiet tiegħu, approċċi alternattivi, jekk huwa fattibbli, u riskji potenzjali. Meta xieraq, dan il-pjan għandu jiġi sottomess bħala proposta lis-sid, kustodju, jew aġent awtorizzat. Dan irid ikun parti mid-dokumentazzjoni sottomessa lis-Sovrintendenza tal-Patrimonju Kulturali.

#### 3.3.4 *Dokumentazzjoni relatata ma' Trattament*

Waqt it-trattament, id-detentur ta' warrant irid iżomm dokumentazzjoni datata li tinkludi rekord jew deskrizzjoni tat-tekniki jew proċeduri involuti, materjali użati u l-kompożizzjoni tagħhom u konċentrazzjonijiet ta' soluzzjonijiet użati u l-modi ta' applikazzjoni, kwalunkwe materjal (e.ż. verniċi jew kaviġi) imneħħi, in-natura u l-estent tal-alterazzjonijiet, u kwalunkwe informazzjoni addizzjonali żvelata jew aċċettata. Rapport imhejji minn dawn ir-rekords għandu jiġbor fil-qosor din l-informazzjoni u jipprovdi, kif meħtieġ, rakkomandazzjonijiet għal kura sussegwenti. Din l-informazzjoni għandha tagħmel parti mid-dokumentazzjoni sottomessa lis-Sovrintendenza tal-Patrimonju Kulturali.

### 3.3.5 *Harsien tad-Dokumentazzjoni*

Id-dokumentazzjoni hija ta' valur għall-istorja tal-proprjetà kulturali u għandha tkun prodotta u miżmuma kemm jista' jkun b'mod permanenti. Kopji ta' rapporti tal-eżaminazzjoni u t-trattament iridu jiġi mogħtija lis-sid, kustodju, jew aġent awtorizzat, li għandu jingħata parir dwar l-importanza li d-dokumentazzjoni tinzamm mal-proprjetà kulturali. Kopja trid tiġi depożitata lis-Sovrintendenza tal-Patrimonju Kulturali skont l-Att dwar il-Patrimonju Kulturali (Kapitolu 445 tal-Liġijiet ta' Malta).

## 3.4 TRATTAMENT TA' KONSERVAZZJONI

### 3.4.1 *Ħtieġa ta' Trattament*

Kull detentur ta' warrant ma għandux jagħmel ebda trattament lill-proprjetà kulturali qabel ma l-ewwel jevalwa u jstabilixxi l-ħtieġa u l-adeqwatezza ta' tali intervent. Huwa għandu jkollu għanijiet u skopijiet ċari għal konservazzjoni u/jew restawr u/jew intervent ieħor. Meta nuqqas ta' intervent iservi l-aħjar biex jippromwovi l-preservazzjoni tal-proprjetà kulturali, jista' jkun xieraq li jiġi rakkomandat li ma jitwettaq ebda trattament; miżuri preventivi jistgħu mbagħad jiġu rakkomandati.

### 3.4.2 *Estent tat-Trattament*

Kull detentur ta' warrant ma għandux jagħmel kwalunkwe trattament li huwa aktar estensiv minn dak meħtieġ. Ebda trattament ma jista' jiġi mwettaq meta mhemmx bżonn ta' intervent. Kwalunkwe intervent essenzjali ma jistax jithalla barra.

### 3.4.3 *Materjali u Metodi*

Kull detentur ta' warrant għandu jagħżel metodi u materjali li, fl-aħjar għarfien attwali, li ma jaffettwawx hazin il-proprjetà kulturali jew l-eżaminazzjoni, investigazzjoni xjentifika, trattament, funzjonità jew il-longevità futura tagħha. Ebda metodu jew materjal ma għandu jintuża qabel ma jiġu stabbiliti xi reazzjonijiet probabli bejn il-materjal u l-proprjetà kulturali jew effetti negattivi tal-proċess. Kull meta jkun possibbli, il-prinċipji tar-riversibilità u tal-irtirar lura jridu jiġu rispettati.

### 3.4.4 *Alterazzjonijiet u Tneħħija ta' Materjal*

L-ebda aspett tal-proprjetà kulturali ma għandu jinbidel u anqas ma għandu jitneħħa materjal minnha mingħajr ġustifikazzjoni.

### 3.4.5 *Restawr\* u Rikostruzzjoni\**

Kwalunkwe intervent biex jagħmel tajjeb għal telf irid jiġi dokumentat b'mod ċar. Għandu jkun identifikat b'metodi ta' eżaminazzjoni disponibbli b'mod komuni. Dan ir-restawr għandu jkollu l-għan li jkun reversibbli u ma għandux jimmodifika b'mod permanenti l-karatteristiċi estetici u/jew fiżiċi u/jew materjali tal-proprjetà kulturali hlief għal raġunijiet definiti b'mod ċar u strutturali jew fiżiċi żejda u bil-kunsens tal-klijent.

### 3.4.6 *Taħriġ u Responsabbiltà Kontinwa*

Id-detentur ta' warrant għandu, fil-limiti tal-għarfien, kompetenza, ħin u mezzi tekniċi tiegħu, jipparteċipa fit-taħriġ tal-apprendisti u l-assistenti tiegħu stess. Huwa jrid iżomm spirtu ta' rispett u integrità lejn dawn il-kollegi. Id-detentur ta' warrant għandu jagħmel minn tal-inqas għoxrin siegħa ta' żvilupp kontinwu fis-sena.

### 3.5 SITWAZZJONIJIET TA' EMERĠENZA

3.5 Meta emerġenza thedded il-proprjetà kulturali, detentur ta' warrant għandu jieħu l-azzjonijiet raġonevoli immedjati kollha sabiex jippreserva l-proprjetà kulturali. Dokumentazzjoni trid titwettag, tinzamm u sottomessa lis-Sovrintendenza tal-Patrimonju Kulturali, anki jekk mhux minnufih.

## 4.0 IL-KONSERVATUR U L-PROFESSJONI

### 4.1 *Saħħa u Sigurtà*

Detentur ta' warrant irid jaderixxi mal-legiżlazzjoni kollha dwar is-saħħa u s-sigurtà.

### 4.2 *Sigurtà*

Kull detentur ta' warrant għandu jieħu l-miżuri raġonevoli kollha biex jiżgura s-sigurtà tal-proprjetà kulturali fil-kura tiegħu. Il-kondizzjonijiet tax-xogħol u tal-ħażna għandhom ikunu ddisinjati biex jissalvagwardjaw il-proprjetà kulturali.

### 4.3 *Kuntratti*

Detentur ta' warrant jista' jidhol fi ftehim kuntrattwali ma' individwi, istituzzjonijiet, negozji, jew aġenziji tal-gvern sakemm tali ftehim ma jkunux f'kunflitt mal-prinċipji tal-Kodiċi tal-Etika u Linji Gwida ta' Prattika.

### 4.4 *Assigurazzjoni*

Kull detentur ta' warrant huwa mhegġeġ biex iġorr jew jiżgura li huwa kopert minn assigurazzjoni adegwata.

### 4.5 *Ligijiet u Regolamenti*

Kull detentur ta' warrant għandu jkun familjari mal-ligijiet u r-regolamenti relatati max-xogħol tiegħu, bħal dawk li jikkoncernaw: il-proprjetà kulturali; is-saħħa u s-sigurtà; l-impjeg; l-assigurazzjoni; regolamenti dwar il-bini; id-drittijiet tal-artisti u l-patrimonju tagħhom; materjal sagru u reliġjuż; oġġetti skavati; fdalijiet umani; u proprjetà misruqa jew illeċita.

### 4.6 *Dizonestà*

Kull detentur ta' warrant jista' jkun soġġett għal proċeduri dixxiplinarji mill-BWR skont l-Att dwar il-Patrimonju Kulturali (Kapitolu 445 tal-Ligijiet ta' Malta) inkluż is-sospensjoni jew irrevoka tal-warrant jew it-tneħħija taċ-ċertifikat ta' prattika, jekk huwa jinstab ħati ta' dizonestà, tmexxija ħażina jew negliġenza gravi, jew kwalunkwe reat ieħor li jinvolti dizonestà fil-kors tal-attivitajiet professjonali tiegħu.

### 4.7 *Materjal Illeċitu*

Meta detentur ta' warrant jaf jew għandu suspett raġonevoli li huwa qiegħed jintalab biex jaħdem fuq proprjetà misruqa, proprjetà kulturali li giet esportata illegalment mill-pajjiż ta' oriġini tagħha, jew importata illegalment għewwa Malta jew miksuba illeglament, huwa d-dmir tiegħu li jirrapporta dan lis-Sovrintendenza tal-Patrimonju Kulturali u lill-Pulizija.

### 4.8 *Qsim ta' Informazzjoni*

4.8.1 Kull detentur ta' warrant għandu jkun lest li jaqsam l-informazzjoni kollha, permezz tal-pubblikazzjoni fejn possibbli, dwar l-effikaċja u l-użu ta' trattamenti jew proċeduri u ta' informazzjoni miksuba minn riċerka, eżaminazzjoni jew trattament. L-iżvelar ta' din l-informazzjoni ma għandhiex tkun f'kunflitt mal-kapaċità tad-detentur ta' warrant li jibbenifika

mill-proċess bħalma huwa l-bejgħ ta' materjal u l-proċessi privattivi. Il-kunfidenzjalità tal-informazzjoni tal-klijent għandha tiġi rispettata l-hin kollu.

4.8.2 Fil-każijiet kollha, is-sorsi għandhom jiġu rikonoxxuti.

4.8.3 Kull detentur ta' warrant ma għandux xjentement ikun parti mit-tixrid ta' informazzjoni falza jew qarrieqa.

#### 4.9 *Kumment Avvers*

4.9.1 Detentur ta' warrant jista' jintalab jaġhti xhieda fi proċeduri legali, regulatorji jew amministrattivi li jikkonċernaw allegazzjonijiet ta' Prattika mhux etika. Il-kummenti kollha għandhom jiġu kkunsidrati bir-reqqa u ssostanzjati bil-fatti u għarfien personali.

4.9.2 Allegazzjonijiet dwar imġieba mhux professjonali minn detentur ta' warrant għandhom ikunu rrapportati bil-miktub u ffirmati lill-BWR. Il-korrispondenza kollha rigward allegat Prattika mhux etika għandha tinzamm bl-akbar kunfidenzjalità.

#### 4.10 *Referenzi u Rakkommandazzjonijiet*

4.10.1 Detentur ta' warrant ma għandux jirrakkomanda jew jipprovdi referenza personali għal persuna jew persuni mingħajr ma jkollu għarfien personali tat-taħriġ, l-esperjenza, l-abbiltajiet u l-kompetenza ta' dak l-individwu jew grupp. Kwalunkwe referenza għax-xogħol trid tkun ibbażata fuq fatti u għarfien personali.

4.10.2 Detentur ta' warrant ma għandux jaġħmel volontarjament ġudizzju jew kummenti kontra x-xogħol ta' professjonist ieħor ħlief fejn in-nuqqas ta' żvelar jirrizulta fi ħsara lill-proprjetà kulturali. Il-kummenti kollha għandhom ikunu bbażati fuq fatti u għarfien personali. Fil-każ li jkun hemm bżonn ta' dawn il-kummenti, l-aħjar huwa li l-ewwel tiġi diskussa l-kwistjoni mal-persuna konċernata.

#### 4.11 *Impjeg*

Kull detentur ta' warrant li jimpjega konservatur-restawraturi għandu jhegġiġhom biex jaġixxu bħala detenturi ta' warrant professjonali kompetenti u għandu jipprovdi opportunità għal studju u żvilupp kontinwu.

## GLOSSARJU TA' TERMINI

Uħud mill-kliem fil-Kodiċi tal-Etika u Linji Gwida ta' Prattika ġew użati fl-iktar sens wiesgħa tagħhom u għandhom jinqraw hekk.

*Detentur ta' warrant:* hija persuna li tkun ingħatat warrant skont it-Taqsima IV tal-Att dwar il-Patrimonju Kulturali (Kapitolu 445 tal-Liġijiet ta' Malta)

*Dokumentazzjoni:* ir-rekords kollha, test u immaġini, miġbura waqt l-eżaminazzjoni u t-trattament tal-proprjetà kulturali, fejn applikabbli, tinkludi rekord tal-eżaminazzjoni u l-analisi xjnetifika, proposta ta' trattament, stima tal-hin u l-ispejjeż; il-kunsens tal-klijent, rekord u sommarju tat-trattament. Rakkommandazzjonijiet għal użu futur, hażna u wirja.

*Eżaminazzjoni:* tikkonċerna li tiġi stabbilita informazzjoni dwar il-kompożizzjoni, karatteristiċi u struttura tal-proprjetà kulturali, il-kundizzjoni tagħha u l-istorja; identifikazzjoni, l-estent u n-natura tad-deterjorazzjoni, tibdil u telf; evalwazzjoni tal-kawżi

tad-deterjorazzjoni; l-identifikazzjoni tat-tip u l-estent tat-trattament meħtieġ. Eżaminazzjoni tinkludi l-istudju ta' dokumentazzjoni rilevanti.

*Harsien:* l-azzjonijiet kollha biex jittardjaw id-deterjorazzjoni ta' jew sabiex jipprevjenu ħsara lill-proprjetà kulturali. Tinvolvi l-kontroll tal-ambjent u l-kondizzjonijiet tal-użu u tista' tinkludi trattament sabiex l-oġġett, kemm jista' jkun, jinżamm fi stat li ma jinbidilx. Fil-każ ta' materjali tal-arkivju, immaġini u ħoss li jiċċaqalqu, din tista' tinkludi it-trasferiment ta' mezzi oħra.

*Klijent:* tirreferi għal persuna li għandha s-sjieda legali tal-proprjetà kulturali jew il-persuna li teżerċita l-kustodja professjonali fuq il-proprjetà kulturali. Għalhekk, sensiela wiesgħa ta' nies huma inkluzi bħala sidien, aġenti, kustodji, kuraturi, periti, *surveyors*, arkeologi, u dawk li jżommu kemm jekk ġejjin minn mużewijiet, istituzzjonijiet jew mis-settur privat.

*Konservazzjoni:* għandha l-istess tifsira kif mogħtija lilha fl-Att dwar il-Patrimonju Kulturali (Kapitolu 445 tal-Liġijiet ta' Malta).

*Konservazzjoni preventiva:* l-azzjonijiet kollha meħuda sabiex tittardja id-deterjorazzjoni u tiġi evitata ħsara lill-proprjetà kulturali permezz tal-għoti tal-aħjar kundizzjonijiet ta' ħażna, wirja, użu u immaniġjar u trasport tal-oġġett.

*Konservatur-restawratur:* għandha l-istess tifsira kif mogħtija lilha fl-Att dwar il-Patrimonju Kulturali (Kapitolu 445 tal-Liġijiet ta' Malta).

*Kuntratt:* ftehim, kemm jekk verbali jew bil-miktub. Kuntratti bil-miktub huma rakkomandati peress li jgħinu biex jiġi nuqqas ta' ftehim. Dawn jistgħu jiġu sostitwiti b'tgħarrif dettaljat bil-miktub jekk meħtieġ.

*Ogġett:* l-użu tal- klijem "ogġett", u "proprjetà kulturali" għandhom ikunu jfissru wkoll bini u/jew siti arkeoloġiċi, kif tista' titlob is-sitwazzjoni.

*Patrimonju kulturali:* għandha l-istess tifsira kif mogħtija lilha fl-Att dwar il-Patrimonju Kulturali (Kapitolu 445 tal-Liġijiet ta' Malta).

*Proprjetà kulturali:* għandha l-istess tifsira kif mogħtija lilha fl-Att dwar il-Patrimonju Kulturali (Kapitolu 445 tal-Liġijiet ta' Malta).

*Restawr:* għandha l-istess tifsira kif mogħtija lilha l-Att dwar il-Patrimonju Kulturali (Kapitolu 445 tal-Liġijiet ta' Malta).

*Rikostruzzjoni:* l-azzjonijiet kollha meħuda sabiex jinholqu mill-ġdid, kollu jew parti minnu, l-elementi nieqsa tal-proprjetà kulturali, ibbażata fuq evidenza storika, letterarja, grafika, stampi, orali, arkeoloġika jew xjentifika. L-għan tagħha huwa sabiex tippromwovi fehim dwar l-oġġett u tista' tkun ibbażata fuq ftit jew ebda materjal oriġinali. Għall-finijiet ta' dan id-dokument, rikostruzzjoni bħall-bini mill-ġdid ta' materjal miksur huwa inkluz fit-termini *konservazzjoni jew trattament*.

*Trattament:* primarjament jikkonsisti f'azzjoni diretta mwettqa fuq il-proprjetà kulturali bil-għan li tittardja deterjorazzjoni ulterjuri jew li tiġi mgħejjuna interpretazzjoni fiżika.

**CODE OF ETHICS**  
**and**  
**GUIDELINES OF PRACTICE**

**OF THE**  
**BORD TAL-WARRANT TAR-RESTAWRATURI**  
**(BWR)**

November 2019

## **INTRODUCTION**

The purpose of the Code of Ethics and Guidelines of Practice is to set out the professional standards expected of conservator-restorers who are in receipt of a warrant issued by the Bord tal-Warrant tar-Restawraturi (BWR) of Malta under the Cultural Heritage Act (Chapter 445 of the Laws of Malta).

This Code is based on what makes the profession creditable and respectable, namely: honesty in dealings with clients, employers, employees and colleagues; giving good and fair advice; being aware of ones' limitations; carrying out conservation work to the highest possible standards and not damaging objects\*; charging fairly for work. From this it can be seen that a Code of Ethics and a Guidelines of Practice can be distilled down to treating all persons equally, honestly and pleasantly; maintaining the utmost respect for the objects, whatever their value or rarity, and striving to increase knowledge and understanding of the profession.

*\* an asterisk is used at the first use of a word that is defined in the Glossary and/or in the Cultural Heritage Act (Chapter 445 of the Laws of Malta).*

## **GENERAL GUIDELINES**

This Code defines the requirements of professional conduct for warrant holders (including temporary warrant holders). The purpose of this Code is to ensure warranted persons do not act abusively or negligently or in a manner repugnant to the decorum, dignity or honour of their profession or in such manner as could seriously affect the trust conferred on them, or cause harm to the objects which are entrusted to them.

The Code of Ethics and Guidelines of Practice thus embody the principles and obligations which must govern the behaviour of every warrant holder practising conservation\* in the Maltese Islands. The warrant holder must observe accepted standards and local laws, uphold the dignity and honour of the profession and accept its self-imposed disciplines.

The fundamental role of each such person working in the field of conservation is the preservation\* of cultural property\* for the benefit of present and future generations but without losing sight of the role or purpose of the cultural property. The Code of Ethics and Guidelines of Practice aim to safeguard all cultural property regardless of the age, state of completeness, monetary value or client\*.

Objects designated as cultural property are entrusted to the care of the conservator-restorer\* who has a responsibility not only to the cultural property but also to the client, the public and posterity. The care and treatment\* of cultural material is the shared responsibility of the client and the conservator-restorer who have to balance the requirements for preservation against the need to use, understand and/or appreciate the items.

The Code of Ethics sets out certain basic principles which are intended to ensure that the warrant holder maintains the highest standards of professional practice. Should a case arise where a warrant holder is believed to have fallen short of the standards desired, procedures

for disciplinary action shall be considered by the BWR and action shall be taken in terms of law as per Cultural Heritage Act (Chapter 445 of the Laws of Malta)

A warrant holder shall be in breach of this Code of Ethics and Guidelines of Practice if he/she conducts himself abusively or negligently or in a manner repugnant to his decorum, dignity or honour of his profession, or in such manner as could seriously affect the trust conferred on him/her by his profession.

## **CODE OF ETHICS OF THE BORD TAL-WARRANT TAR-RESTAWRATUR I**

1. A warrant holder shall, in the exercise of his profession safeguard both in his own actions and in the actions of those who act on his behalf, the following values:
  - a. the warrant holder's independence and integrity;
  - b. the warrant holder's duty to act in the best interests of the client and the object under his care;
  - c. the good repute of the profession; and
  - d. the warrant holder's proper standard of work.
2. A warrant holder shall strive to achieve the highest possible standards, according to current knowledge, in all aspects of conservation\*. This includes, but is not limited to: examination\*; treatment; preventive conservation\*; research; documentation\*; training and conservation advice. Although circumstances may limit the extent and type of treatment, the quality of treatment must not be compromised, regardless of the monetary value of the object.
3. In all that is entrusted to him, a warrant holder has the duty to:
  - a. properly administer as a bonus paterfamilias; and
  - b. give due account when so required.
4. A warrant holder shall consider the relevance of preventive conservation as a means of promoting the long-term welfare of cultural property and must take into account preventive conservation before and after carrying out treatment on the cultural property.
5. A warrant holder must strive to preserve cultural property for the benefit of future generations and he/she must make every effort to maintain a balance between the preservation of cultural property and the need to use, understand and appreciate it.
6. The actions of a warrant holder must be governed by a respect for, and knowledge of, the cultural property including its physical, historic, cultural, social, scientific, technical, religious and aesthetic context.
7. A warrant holder must recognise the limits of his abilities, of those for whom he is responsible, and the limits of available facilities, when devising and implementing conservation measures. The warrant holder must limit his activity to his area of specialisation and work within the parameters of the warrant granted to him.
8. A warrant holder shall treat all professional relationships with honesty and respect, recognise the rights and opportunities of all individuals in the profession and respect the profession as a whole.
9. A warrant holder shall act with honesty and integrity in all professional relationships, recognise the rights of all colleagues and respect the profession as a whole.



10. A warrant holder must enrich his knowledge and keep abreast of current developments through continued study, and communication with conservators and other specialists with the aim of improving the quality of professional work. A warrant holder has the responsibility to endeavour to contribute to the growth and progression of themselves, assistants employed or engaged by them or under his direction and the profession to the highest standards by continuing to develop knowledge, by sharing this information and experience, and by providing or promoting educational opportunities.
11. A warrant holder shall seek to promote an awareness and better understanding of conservation through appropriate communication with allied professions and the public.
12. Involvement in the commerce of cultural property is not compatible with the activities of the warrant holder.
13. A warrant holder has an obligation to promote adherence to and understanding of the Code of Ethics.

## **GUIDELINES OF PRACTICE OF THE BORD TAL-WARRANT TAR-RESTAWRATUR**

### **1.0 GENERAL OBLIGATIONS**

Each warrant holder must work to the highest standards of practice and integrity.

#### *1.1 Documentation*

Each warrant holder has an obligation to document work by recording all essential details of the conservation of an object using text and images as appropriate. Records of examination, treatment and evaluation of treatments must be kept with the object, as intrinsic to its care and preservation; they must be kept in as permanent a manner as practical, and be available for appropriate access. The warrant holder must deposit a copy of relevant records and method statements, pertaining to conservation with the Superintendence of Cultural Heritage in accordance with the provisions of the Cultural Heritage Act (Chapter 445 of the Laws of Malta).

#### *1.2 Copyright*

Copyright law must be complied with. The documentation which was created by the warrant holder is the intellectual property of the warrant holder unless he is an employee or working under contract and the work was carried out in the course of his employment; and subject to the terms of the contract\* of employment.

### *1.3 Intellectual Property Rights*

Each warrant holder must recognise the moral rights accorded to documentation and other written work; that is, no work may be changed, except by the author or with his consent.

### *1.4 Human Remains and Material of Religious or Ritual Significance*

Each warrant holder must show respect for human remains and cultural property which have a ritual or religious significance. He must be cognisant of any special requirements, whether legal or social, of such material.

### *1.5 Removal and Preservation*

The warrant holder shall not remove material from cultural heritage unless this is done for scientific investigation, or is indispensable for the preservation of the object or it substantially interferes with the historic and aesthetic value of the cultural heritage and only after obtaining the permission of the Superintendent of Cultural Heritage. Materials that are removed should be conserved, if possible, and the procedure fully documented. No original materials must be removed without clear and ample justification.

### *1.6 Reproduction and Preservation*

When the social, religious, or other use of cultural heritage is incompatible with its preservation, the warrant holder shall discuss with the owner or legal custodian, whether making a reproduction of the object would be an appropriate intermediate solution. The warrant holder shall recommend proper reproduction procedures in order not to damage the original.

## 2.0 RELATIONSHIP WITH THE CLIENT

### 2.1 OBTAINING AND FOLLOWING INSTRUCTIONS

2.1.1 It is fundamental to the relationship which exists between the warrant holder and the client that a warrant holder should be able to give objective and frank advice to the client free from any external or adverse pressures or interests which would destroy or weaken the warrant holder's professional independence or the fiduciary relationship with the client.

2.1.2 A warrant holder, on being approached or instructed to render a service or proceed with professional work regarding which another warrant holder was previously engaged, shall not proceed with the work before the first warrant holder issues a letter of release ascertaining that the first warrant holder has been duly remunerated for the service rendered.

### 2.2 DUTIES OWED TO THE CLIENT DURING A BRIEF

#### *2.2.1 Communication*

Each warrant holder must communicate fully, clearly and regularly with the client so that there is a thorough understanding of responsibilities, procedures, shared decisions and realistic expectations. Written communications must be provided when changes in previously agreed conditions occur.

2.2.2 Saving the provisions of Section 2.2.4, a warrant holder who has accepted a brief or instructions to render a service is bound to carry out those instructions with diligence and

must exercise all possible care and skill. A warrant holder must not act or continue to act in circumstances where the client cannot be served with competence and/or diligence.

2.2.3 Each warrant holder must act only with the consent of the client, and request written instruction. The client must be informed of any circumstances that necessitate significant departure from the contract. Written notification should be made before such changes are made.

2.2.4 Each warrant holder shall refuse any request to act in a way he demonstrates to be contrary to the terms and spirit of the Code of Ethics and Guidelines of Practice.

2.2.5 Since no individual can possess expertise in every aspect of conservation, it may be appropriate to consult with colleagues or, in some instances, to refer the client to a professional who is more experienced or better equipped to accomplish the required work. If the client requests a second opinion, this request must be respected.

2.2.6 It is an implied term of the brief that a warrant holder is under a duty to observe the Code of Ethics and Guidelines of Practice

2.2.7 A warrant holder is under a duty to comply with reasonable requests from the client for information concerning the task in hand.

## 2.3 PROFESSIONAL FEES

2.3.1 Fees charged by each warrant holder shall be commensurate with services rendered and shall not be influenced by the client's ability to pay or by the value of the object.

2.3.2 A warrant holder shall not knowingly under price his work in order to gain a contract.

2.3.3 A warrant holder may, at the outset of the brief and at reasonable times prior to the termination of the same, require the client to make a payment or payments (against a signed receipt) on account of fees, costs and disbursements to be incurred.

2.3.4 A warrant holder's fees shall be reasonable and may be established by the warrant holder himself or by agreement between the warrant holder and the client. The factors to be considered in determining the reasonableness of a fee (whether agreed or otherwise) may include the following:

- a. the time required, the novelty and difficulty of the issues involved, and the dedication requisite to perform the service properly;
- b. the responsibility undertaken;
- c. the time limitations required by the client or the circumstances;
- d. the nature and length of the professional relationship with the client;
- e. the experience and reputation and ability of the warrant holder performing the services.

In any event, the warrant holder shall give the client an approximate written indication of the fees for the services which indication shall be given on engagement.

## 2.4 CONFLICTS OF INTEREST

2.4.1. A warrant holder must not act where his interests conflict with the interests of the client. The personal interests or gain of the warrant holder must never supersede professional considerations.

2.4.2 Each warrant holder must ensure that private research and publication, or collaboration with the media do not conflict with, or encroach upon, his professional responsibilities. A warrant holder may not advertise his services.

2.4.3 A warrant holder taking freelance work in the field of conservation when employed by an institution, studio, workshop or similar employment must not trade in the name of the employer and must make it clear whether he/she is acting on behalf of the employer or on behalf of him/herself. He/she shall take on work only with written permission from the employer or his representative.

## 2.5 CONFIDENTIALITY

2.5.1 Except as provided in the Code of Ethics and Guidelines of Practice, and as required by Law, a warrant holder is under a duty to keep confidential the affairs of clients and to ensure that his/her staff do the same. Information derived from examination, scientific investigation, or treatment of the cultural property shall not be published without written permission of the client.

2.5.2 The duty to keep confidential information about a client and his affairs applies irrespective of the source of the information. No warrant holder shall, without the client's consent, disclose personal information concerning that client unless legally required to do so or to comply with any of these guidelines.

2.5.3 A warrant holder must not make any profit by the use of confidential information obtained in the exercise of his profession for his own purposes or the purposes of third parties.

## 2.6 RELATIONS WITH THIRD PARTIES

2.6.1 Warrant holders must not act, whether in the professional or otherwise, in any way which is fraudulent, deceitful or otherwise contrary to the proper exercise of the profession as warrant holders. Nor must warrant holders use their position as warrant holders to take unfair advantage either for themselves or another person.

### 2.6.2 *Publicity*

To maintain the dignity, highest professional standard and credibility of the profession, the warrant holder shall employ only appropriate and informative forms of publicity in relation to her work in order to avoid the dissemination of inappropriate, misleading, illegal or unauthorised information.

2.6.3 Each warrant holder must ensure that any publicity for which he may be held responsible is accurate, straightforward, honest and unlikely to cause public offence.

2.6.4 No warrant holder shall purport to represent the views of the BWR unless expressly authorised to do so.

## 2.7 RELATIONS WITH OTHER WARRANT HOLDERS/SKILLED PERSONS

2.7.1 A warrant holder must act towards other warrant holders with courtesy, frankness and good faith.

2.7.2 A warrant holder is under duty to report to the Board, by means of a written and signed document, any serious breach of professional conduct on the part of another warrant holder.

## 2.8 WARRANT HOLDERS IN EMPLOYMENT

2.8.1 A warrant holder in employment is bound by the norms of professional conduct in the same manner as a warrant holder in private practice.

## 3.0 THE CONSERVATION PROCESS

### **3.1 EXAMINATION**

#### *3.1.1 Examination*

No conservation or intervention shall be undertaken without appropriate examination having first been carried out and without an evaluation of proposed treatments, of the condition of the cultural property and of its future role and use. The client must be advised in writing of the treatment to be carried out before such treatment is undertaken and must declare, in writing, to be in agreement.

#### *3.1.2 Sampling*

The permission of the client must be given before carrying out any examination or tests that may cause change to the cultural property and before any material is removed for testing or analysis. A minimum of material necessary shall be removed, a record of removal kept, and the material retained as part of the examination record. Non-invasive methods of testing shall always be used before any sampling is undertaken. Sampling should take place in collaboration with a scientist, when possible.

#### *3.1.3 Consultation*

A warrant holder must be able and willing to work in multi-disciplinary groups. When necessary or appropriate, the warrant holder shall consult with historians, scientists, archaeologists, curators, architects, engineers, and/or other specialists and shall participate with them in a full exchange of information.

#### *3.1.4 Scientific Investigation*

Each warrant holder shall follow accepted conservation science standards and research and testing protocols and shall work with scientists as appropriate.

### **3.2 PREVENTIVE CONSERVATION**

3.2.1 A warrant holder must recognise the critical importance of preventive conservation as the most effective means of promoting the long-term preservation of cultural property. A warrant holder must provide guidelines to the client, in writing, for continuing use,

maintenance and care, recommend appropriate environmental conditions for storage and display, and encourage proper procedures for handling, packing and transport.

### **3.3 DOCUMENTATION**

#### *3.3.1 Documentation*

A warrant holder has an obligation to produce and maintain accurate, complete, and permanent records of examination, sampling, scientific investigation, and treatment. When appropriate, the records should be both written and graphic. The purposes of such documentation are:

- to establish the materials, technology, and condition of cultural property;
- to preserve a record of the object before treatment and of the treatment carried out as well as of the final condition of the treated object;
- to aid in the care of cultural property by providing information helpful to future treatment and by adding to the profession's body of knowledge;
- to aid the owner, custodian, or authorized agent and society as a whole in the appreciation and use of cultural property by increasing the understanding of an object's aesthetic, conceptual, and physical characteristics;
- to aid the conservation professional by providing a reference that can assist in the continued development of knowledge and by supplying records that can help avoid misunderstanding and unnecessary litigation.

#### *3.3.2 Documentation related to Examination*

Before any intervention, the warrant holder must make a thorough examination of the cultural property and create appropriate records. These records and the reports derived from them must identify the cultural property and include the date of examination and the name of the examiner, and the methodology used. They also should include, as appropriate, a description of structure, materials, condition, and pertinent history, as well (as far as can be construed) the previous history of the object.

#### *3.3.3 Treatment Plan*

Following examination and before treatment, the warrant holder must prepare in writing a plan describing the course of treatment. This plan must also include the justification for and the objectives of treatment, alternative approaches, if feasible, and the potential risks. When appropriate, this plan should be submitted as a proposal to the owner, custodian, or authorised agent. This must be part of the documentation submitted to the Superintendence of Cultural Heritage.

#### *3.3.4 Documentation related to Treatment*

During treatment, the warrant holder must maintain dated documentation that includes a record or description of techniques or procedures involved, materials used and their composition and concentrations of solutions used and modes of application, any materials (e.g. varnishes or dowels) removed, the nature and extent of all alterations, and any additional information revealed or otherwise ascertained. A report prepared from these records shall summarise this information and provide, as necessary, recommendations for subsequent care. This information should form part of the documentation submitted to the Superintendence of Cultural Heritage.

#### *3.3.5 Preservation of Documentation*

Documentation is an invaluable part of the history of cultural property and should be produced and maintained in as permanent a manner as practicable. Copies of reports of examination and treatment must be given to the owner, custodian, or authorised agent, who should be advised of the importance of keeping the documentation with the cultural property.

A copy must also be deposited at the Superintendence of Cultural Heritage, in accordance with the Cultural Heritage Act (Chapter 445 of the Laws of Malta).

### **3.4 CONSERVATION TREATMENT**

#### *3.4.1 Necessity for Treatment*

Each warrant holder must not undertake any treatment of cultural property without first assessing and establishing the necessity and suitability for such intervention. He must also have clear aims and purposes for the conservation and/or restoration and/or other intervention. When non-intervention best serves to promote the preservation of the cultural property, it may be appropriate to recommend that no treatment be performed; preventive conservation measures may then be recommended.

#### *3.4.2 Extent of Treatment*

Each warrant holder shall not undertake any treatment which is more extensive than necessary. No treatment must be carried out when intervention is unnecessary. Any essential intervention must not be omitted.

#### *3.4.3 Materials and Methods*

Each warrant holder shall choose methods and materials that, to the best of current knowledge, will not adversely affect the cultural property or its future examination, scientific investigation, treatment, function or longevity. No method or material shall be used before establishing any likely reactions between the material and the cultural property or adverse effects of the process. Whenever possible, the principles of reversibility and retreatability must be respected.

#### *3.4.4 Alterations and Removal of Material*

No aspect of cultural property shall be altered nor shall material be removed from it without justification.

#### *3.4.5 Restoration\* and Reconstruction\**

Any intervention to compensate for loss must be clearly documented. It must be detectable by commonly available examination methods. Such restoration shall aim to be reversible and shall not permanently modify the aesthetic and/or physical and/or material characteristics of the cultural property unless for clearly defined and over-riding structural or physical reasons and with the consent of the client.

#### *3.4.6 Training and Continuing Responsibility*

The warrant holder should, within the limits of his knowledge, competence, time and technical means, participate in the training of his own interns and assistants. He/she must maintain a spirit of respect and integrity towards such colleagues. The warrant holder shall perform a minimum of twenty hours of continued professional development per year.

### **3.5 EMERGENCY SITUATIONS**

3.5 When an emergency threatens cultural property, a warrant holder must take all reasonable immediate action to preserve the cultural property. Documentation must be carried out, retained and submitted to the Superintendence of Cultural Heritage, even if not immediately.

## **4.0 THE CONSERVATOR AND THE PROFESSION**

#### *4.1 Health and Safety*

A warrant holder must adhere to all health and safety legislation.

#### *4.2 Security*

Each warrant holder must take all reasonable measures to ensure the security of the cultural property in his care. The working and storage conditions must be designed to safeguard the cultural property.

#### *4.3 Contracts*

A warrant holder may enter into contractual agreements with individuals, institutions, businesses, or government agencies provided that such agreements do not conflict with principles of the Code of Ethics and Guidelines of Practice.

#### *4.4 Insurance*

Each warrant holder is encouraged to carry or ensure that they are covered by appropriate insurance.

#### *4.5 Laws and Regulations*

Each warrant holder should be familiar with laws and regulations associated with his work, such as those concerning: cultural property; health and safety; employment; insurance; building regulations; the rights of artists and their estates; sacred and religious material; excavated objects; endangered species; human remains; and stolen or illicit property.

#### *4.6 Dishonesty*

Each warrant holder may be liable to disciplinary proceedings by the BWR as per Cultural Heritage Act (Chapter 445 of the Laws of Malta) including suspension or revocation of warrant or removal of practicing certificate, if he is convicted of dishonesty, mismanagement or gross negligence, or any other offence involving dishonesty in the course of his professional activities.

#### *4.7 Illicit Material*



When a warrant holder knows or has reason to believe that he is being asked to work on stolen property, cultural property that has been exported illegally from its country of origin, or imported illegally into Malta or illegally obtained, it is his duty to report this to the Superintendence of Cultural Heritage and to the Police.

#### *4.8 Sharing of Information*

4.8.1 Every warrant holder must be willing to share all information, through publication where possible, on the efficacy and use of treatments or procedures and of information gained from research, examination or treatment. Divulging such information should not conflict with the warrant holder's ability to profit from the process such as by selling material and patenting processes. Confidentiality of client's information must be respected at all times.

4.8.2 In all cases, sources should be acknowledged.

4.8.3 Each warrant holder must not knowingly be party to the dissemination of false or misleading information.

#### *4.9 Adverse Comments*

4.9.1 A warrant holder may be required to testify in legal, regulatory or administrative proceedings concerning allegations of unethical practice. All comments should be considered carefully and substantiated by facts and personal knowledge.

4.9.2 Allegations of unprofessional conduct by a warrant holder must be reported in writing and signed to the BWR. All correspondence regarding alleged unethical practice shall be held in strictest confidence.

#### *4.10 References and Recommendations*

4.10.1 A warrant holder shall not recommend or provide a personal reference for a person or persons without having personal knowledge of the training, experience, abilities and competence of that individual or group. Any reference to the work of others must be based on facts and personal knowledge.

4.10.2 A warrant holder shall not volunteer adverse judgment or comments on the work of another professional except where non-disclosure will result in damage to the cultural property. All comments must be based on facts and personal knowledge. In the event that such comments are necessary, it is best to first discuss the matter directly with the person concerned.

#### *4.11 Employment*

Each warrant holder who employs conservator-restorers must encourage them to act as competent professional warrant holders and should provide an opportunity for continued study and development.

## GLOSSARY OF TERMS

In the Code of Ethics and Guidelines of Practice some words have been used in their broadest sense and should be read as such.

*Conservation*: has the same meaning as that assigned to it in the Cultural Heritage Act (Chapter 445 of the Laws of Malta).

*Conservator-restorer*: has the same meaning as that assigned to it in the Cultural Heritage Act (Chapter 445 of the Laws of Malta).

*Cultural Heritage*: has the same meaning as that assigned to it in the Cultural Heritage Act (Chapter 445 of the Laws of Malta).

*Cultural property*: has the same meaning as that assigned to it in the Cultural Heritage Act (Chapter 445 of the Laws of Malta).

*Client*: refers to the person having legal ownership of the cultural property or the person exercising professional custodianship over the cultural property. Thus a wide section of people are included such as owners, agents, custodians, curators, architects, surveyors, archaeologists, keepers whether they be from museums, institutions or the private sector.

*Contract*: an agreement, whether verbal or written. Written contracts are recommended as they help avoid misunderstandings. These can be replaced with a detailed written brief if necessary.

*Documentation*: all of the records, text and images, accumulated during the examination and treatment of the cultural property; where applicable, it includes the examination and scientific analysis record, treatment proposal, estimate of time/cost, client consent, treatment record and summary, recommendations for future use, storage and exhibition.

*Examination*: is concerned with establishing information on the composition, properties and structure of the cultural property, its condition and case history; identification, extent and nature of deterioration, alterations and loss; evaluation of the causes of deterioration; determination of the type and extent of treatment needed. Examination includes the study of relevant documentation.

*Object*: use of the words “object”, and “cultural property” will be taken to mean also buildings and/or archaeological sites, as the situation may call for.

*Preservation*: all actions taken to retard deterioration of or prevent damage to cultural property. It involves controlling the environment and conditions of use and may include treatment in order to maintain an object, as nearly as possible, in an unchanging state. In the case of archival material, moving image and sound, this may include transferring to other media.

*Preventive conservation*: all actions taken to retard deterioration and prevent damage to cultural property through the provision of optimum conditions of storage, exhibition, use, handling and transport.

*Reconstruction*: all actions taken to recreate, in whole or in part, the missing elements of cultural property, based on historical, literary, graphic, pictorial, oral, archaeological and scientific evidence. Its aim is to promote an understanding of an object and may be based on little or no original material. For the purpose of this document, reconstruction such as the rebuilding of broken material, is included in the terms *conservation* or *treatment*.

*Restoration*: has the same meaning as that assigned to it in the Cultural Heritage Act (Chapter 445 of the Laws of Malta).

*Treatment*: consists mainly of direct action carried out on the cultural property with the aim of retarding further deterioration or aiding physical interpretation.

*Warrant holder*: is a person who has been granted a warrant in accordance with Part VI of the Cultural Heritage (Chapter 445 of the Laws of Malta).