



CLARIFICATION NOTE NO. 2 – CLARIFICATION REQUEST

To: All Prospective Interested Parties

Ref. no.: EOI 2/2021

Subject: Expression of Interest for the Provision of lawyers for the Pre-1995 Unit (2)

Date: 25th November 2022

Reference is made to the above-captioned tender for which the deadline for submission of offers is **7th December 2022 at noon**. Hereunder please find Clarification, which are construed to form an integral part of the Tender Document.

Question 1:

I am writing in response to the EOI in subject and would like you to clarify whether a law firm can apply in its own name (if yes, at what stage does it have to indicate which lawyer/s within it shall be tasked to provide the service) or whether only the individual lawyer has to apply.

Answer 1:

Submissions shall be accepted from individual lawyers only. Submissions from law firms shall not be accepted.

Question 2:

Should any of the cases of RRB or the Constitutional Court reach the appeal stage, are the lawyers expected to continue handling the case?

Answer 2:

Lawyers are not expected to represent client in appeal. However, HA will always offer them the possibility to avoid multiple lawyers representing the same client (subject to available funds under the Contract for Service of the lawyer).

Question 3:

If the lawyers are expected to continue handling the case at appeal stage, will the compensation be amended?

Answer 3:

Compensation is the same for appeal. €400 for RRB and €700 for Constitutional as per EOI items 4.1.1 and 4.1.2. More time-consuming cases are assessed individually. Lawyers present their request to the head of the unit, and a pre-approval is given before the lawyer on behalf of HA, representing such cases.



Question 4:

Apart from the compensation mentioned, should the court decide that expenses are to be borne by the other party, will the lawyers be entitled to the "dritt skont t-taxxa?"

Answer 4:

The client can opt for this option if he/she pays the expenses herself or himself. HA will not pay for such expenses.

All other EOI documents, conditions and requirements, which are not superseded by this clarification remain in place.

Matthew Zerafa (signed)

Housing Authority