# MALTA

## ATT Nru. XXI ta' l-1987

ATT maħruġ b'liġi mill-Parlament ta' Malta.

**ATT biex iħassar l-Att ta' l-1982 li jirregola t-Trasferimenti ta' Immobbili, u biex jipprovdi għal ħwejjeġ li huma konsegwenzjali jew inċidentali għal dan jew li huma konnessi miegħu.**

## ACT No. XXI of 1987

AN ACT enacted by the Parliament of Malta.

**AN ACT to repeal the Transfer of Immovables (Regulation) Act, 1982, and to make provision for matters consequential or incidental thereto or connected therewith.**

Naghti l-kunsens tieghi.

(L.S.)

PAUL XUEREB
Aġent President

4 ta' Diċembru, 1987

## ATT Nru. XXI ta' l-1987

*ATT biex iħassar l-Att ta' l-1982 li jirregola t-Trasferimenti ta' Immobbili, u biex jipprovdi għal ħwejjeġ li huma konsegwenzjali jew inċidentali għal dan jew li huma konnessi miegħu.*

IL-PRESIDENT, bil-parir u l-kunsens tal-Kamra tad-Deputati, imlaqqgħa f'dan il-Parlament, u bl-awtorità ta' l-istess, ħareġ b'liġi dan li ġej:—

**1.** Dan l-Att jista' jissejjaħ l-Att ta' l-1987 li jħassar l-Att ta' l-1982 li jirregola t-Trasferimenti ta' Immobbili. Titolu fil-qosor.

**2.** Bla ħsara għal kull ħaġa li saret jew li naqset milli ssir skond il-liġi bis-saħħa tagħha, u bla ħsara għad-dispożizzjonijiet l-oħra ta' dan l-Att, l-Att ta' l-1982 li jirregola t-Trasferimenti ta' Immobbili huwa b'dan imħassar. Tħassir ta' l-Att Nru. XVIII ta' l-1982.

**3.** (1) Minkejja kull ħaġa li tinsab fl-Att imħassar, ebda kuntratt ta' trasferiment ta' immobbili pubblikat fi żmien meta l-Att imħassar kien għadu jseħħ ma għandu jkun null fuq il-bażi biss li dak il-kuntratt kien eżegwit b'mod ieħor li ma jkunx konformi mal-permess mogħti mill-Kummissarju ta' l-Artijiet skond l-Att imħassar, b'dan li dan ma jirriferix għall-prezz indikat fl-att ta' trasferiment. Dispożizzjonijiet Transitorji.

(2) Minkejja t-tħassir ta' l-Att imsemmi qabel, l-artikolu 5 tiegħu għandu jitqies li jibqa' fis-seħħ dwar —

(a) kull ftehim preliminari li dwaru jkun ġa ngħata permess għal trasferiment ta' immobbili mill-Kummissarju skond l-Att imħassar; u

(b) kull ftehim preliminari li dwaru jkun għad hemm pendenti applikazzjoni għal permess għat-trasferiment ta' immobbili fid-data tal-bidu fis-seħħ ta' dan l-Att u għall-fini biss tal-perjodu ta' validità ta' xi ftehim preliminari bħal dak il-Kummissarju ta' l-Art għandu f'dik id-data jagħti minnufih il-permess li tkun saret applikazzjoni għalih u skond kull ftehim preliminari bħal dak.

(3) Meta f'xi ftehim preliminari li jkun sar fid-data jew qabel id-data tal-bidu fis-seħħ ta' dan l-Att il-partijiet li jkunu għamluh ikunu iffissaw żmien għall-validità tiegħu li kellu jibda għaddej mill-għoti tal-permess skond l-Att imħassar, għall-fini biss ta' dak iż-żmien il-permess relattiv għandu jitqies li jkun ingħata ħmistax-il ġurnata wara l-bidu fis-seħħ ta' dan l-Att.

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Mgħoddi mill-Kamra tad-Deputati fis-Seduta Nru. 45 ta' l-1 ta' Diċembru, 1987.

JIMMY FARRUGIA
*Speaker*

P. MUSCAT TERRIBILE
*Aġent Skrivan tal-Kamra tad-Deputati.*

I assent.

(L.S.)

PAUL XUEREB
Acting President

4th December, 1987

## ACT No. XXI of 1987

*AN ACT to repeal the Transfer of Immovables (Regulation) Act, 1982, and to make provision for matters consequential or incidental thereto or connected therewith.*

BE IT ENACTED by the President, by and with the advice and consent of the House of Representatives, in this present Parliament assembled, and by the authority of the same, as follows:—

Short title.

**1.** This Act may be cited as the Transfer of Immovables (Regulation) (Repeal) Act, 1987.

Repeal of Act No. XVIII of 1982.

**2.** Without prejudice to anything lawfully done or omitted to be done thereunder, and subject to the other provisions of this Act, the Transfer of Immovables (Regulation) Act, 1982, is hereby repealed.

Transitory provisions.

**3.** (1) Notwithstanding anything contained in the repealed Act, no deed of transfer of immovables published while the repealed Act was in force shall be null on the ground only that such deed was executed otherwise than in compliance with the permission given by the Commissioner of Land under the repealed Act, provided that this does not refer to the price indicated in the deed of transfer.

(2) Notwithstanding the repeal of the Act aforesaid, section 5 thereof shall be deemed to remain in force in regard to —

(a) any preliminary agreement in respect of which permission to transfer immovables has already been granted by the Commissioner under the repealed Act; and

(b) any preliminary agreement in respect of which an application for permission to transfer immovables is still pending on the date of the coming into force of this Act and for the purpose only of the period of validity of any such preliminary agreement the Commissioner of Lands shall on such date promptly grant permission as applied for and in terms of each such preliminary agreement.

(3) Where in any preliminary agreement entered into on or before the date of the coming into force of this Act the parties thereto stipulated a term for its validity which was to commence from the grant of the permission under the repealed Act, for the purpose only of such term the relative permission shall be deemed to have been granted fifteen days after the coming into force of this Act.

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Passed by the House of Representatives at Sitting No. 45 of the 1st December, 1987.

JIMMY FARRUGIA
*Speaker*

P. MUSCAT TERRIBILE
*Acting Clerk to the House of Representatives.*

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