



GVERN TA' MALTA
MINISTRU GHALL-EDUKAZZJONI, L-ISPORT,
IŻ-ŻGHAŻAGĦ, IR-RIĊERKA U L-INNOVAZZJONI

Il-Ministru għall-Edukazzjoni, l-Ispport, iż-Żgħażaġĥ, ir-Riċerka u l-Innovazzjoni jipproponi:

Sabiex l-ispazji riservati għall-isport fil-komunità jkomplu jikbru u sabiex dejjem ikomplu jinholqu spazji rikreattivi għodda għat-tfal u ż-żgħażaġĥ.

Din il-Kamra tirriżolvi li permezz ta' Sport Malta, tiġi trasferita lis-segventi għaqda sportiva – Marsaskala Aquatic Sports Club – art skont l-abbozz tal-att pubbliku u pjanti annessa, skont u bis-saħħa tal-Att dwar l-Ispport (KAP 455), permezz ta' titolu ta' ċens.

Din il-Kamra tirriżolvi l-appoġġ sħiħ tagħha għal dan it-trasferiment.


Ministru għall-Edukazzjoni, l-Ispport, iż-Żgħażaġĥ, ir-Riċerka u l-Innovazzjoni

Illum,

Quddiemi Nutar Dottor Joe Cilia, duttur tal-liġi, qegħdin jidhru personalment, wara li vverifikajt l-identità tagħhom permezz tad-dokumenti uffiċjali hawn taħt indikati:-

Mill-ewwel parti:-

li qed jidher fuq dan l-Att fil-kwalità tiegħu ta' Chairperson, għannom u in rappreżentanza ta' **SportMalta** (bħala s-suċċessur fit-titolu tal-Kunsill Malti għall-iSport), ta' Cottonera Sports Complex, Cottonera Avenue, Bormla BML 9020; kif debitament awtorizzat:-

U għalhekk kull referenza f'dana l-att għal SportMalta għandu jinftiehem bħala għall-Kunsill Malti għall-iSport u vice versa;

Mit-tieni parti:- Aaron Simpson, bin John Simpson u Mary Grace Simpson nee Tabone, imwieled H'Attard fid-29/4/1975 u residenti f'numru mija u tmienja u tletin ittra A (138A), Klementina, Triq San Klement, Zejtun (Karta ta' l-identità' numru 226375M) u Marie Louise Galea nee Micallef, bint Gaetano Micallef u Carmen Micallef nee Bezzina, imwiolda Tas-Sliema 27/1/1972 u residenti Sunshine, Triq il-Genista, Kalkara (Karta ta' l-identità' numru 67672M), li qed jidhru fuq dana l-att fil-kwalità' tagħhom ta' President u Tezorier rispettivament għannom u in rappreżentanza ta' **Marsascale Aquatic Sports Club** ta' Triq San Guzepp, Marsakala, bin-numru tar-Registrazzjoni ma' SportMalta ittri 'SM' sbarra 'C' numru mija u hamsa u ghoxrin (SM/C/125), kif debitament awtorizzati permezz ta' riżoluzzjoni tal-kumitat hawn annessa u mmarkata "Dokument "R", aktar 'l isfel flimkien u solidament bejniethom imsejħin "**il-Klabb**".

Minni Nutar identifikati permezz tad-dokumenti uffiċjali fuq indikati.

Għaldaqstant bis-saħħa ta' dan l-att SportMalta qiegħed jikkonċedi b'titolu **t'enfitewsi temporanja għal perjodu ta' hamsa u erbghin (45) sena** b'effett mil-lum, lil fuq imsemmi Klabb, li bl-istess titolu qiegħed jaċċetta u jakkwista is-sit tal-kejl ta' circa sitt elef tmien mija u hamsa u tletin metri kwadri (6835m.k), f'Dawret il-Kunsill tal-Ewropa, Marsascale, konfinanti mill-Punent ma' Triq Ghar ix-Xama u mx-XI ;okk u mill-Lvant ma' Dawret il-Kunsill tal-Ewropa, jew irjeh verjuri, kif muri ahajr delineat bl-ahmar fil-pjanta indikata bhala *Property Drawing*

Att Numru:

Enfitewsi Temporanja

Ins:

Vol. I :

numru mija u tnaX sottosink elfejn u erbgħa sottosink ittra A PD 112_2004_A), kif murija fil-kopja tal-pjanta li qed tigi hawn annessa u mmarkata Dokument 'X'.

Għal kull fini u effett tal-ligi qed jigi iddikjarat illi is-*substation* li tigi taht l-istands u murija bil-kulur blu fuq l-istess imsemmija pjanta mhijjex inkluza ma' dan it-trasferiment, u l-art ttrasferita hija soggetta għal kwalunkwe servitujiet in konnessjoni mal-istess *substation*.

L-imsemmija proprjeta' tinsab indikata ukoll fis-*siteplan* li tiffirma parti mill-Form E tal-Land Registry hawn annessa u mmarkata bħala Dokument 'LR'.

Din il-konċessjoni enfitewtika qegħda ssir u tiġi aċċettata bil-pattijiet u l-kundizzjonijiet li ġejjin, u cioè:-

(1) Versu ċ-ċens annwu u temporanju komplessiv ta' **sittin elf ewro (€60,000)** għal ħamsa u erbgħin sena (45) dekorribbli minn dana l-att, liema ammont ta' ċens qed jigi mnaqqas b'percentwal ta' ħamsa u disgħin fil-mija (95%) minn SportMalta bħala sussidju mogħti minn SportMalta, b'dana għalhekk li l-ammont ta' ċens dovut mill-klabb kull sena u li għandu jithallas kull sena bil-quddiem huwa l-ammont ta' **tlett elef ewro (€3000)** u dan ab bazi tal-istima hawn annessa tal-Perit David Grima mmarkata Dokument 'S'. F'għeluq kull perjodu ta' ħames (5) snin mil-llum, dan l-ammont ta' ċens għandu jigi rivedut b'żieda ta' għaxra fil-mija (10%) taċ-ċens eżistenti meta ssir ir-reviżjoni, biex b'hekk, iċ-ċens li jithallas għal kull ħames (5) snin wara kull revizjoni, ikun iċ-ċens hekk rivedut.

(2) Iż-żmien tal-konċessjoni enfitewtika jista' jigi mġedded favur il-klabb fl-għeluq tiegħu għal żmien ieħor, kemm il-darba t-tiġdid ta' żmien jigi approvat permezz ta' riżoluzzjoni speċjali tal-Kamra tad-Deputati skont l-Artikolu wiehed u tletin (31) tal-Kapitolu hames mija u tlieta u sebghin (KAP 573) tal-Liġijiet ta' Malta.

(3) Il-ħlas taċ-ċens jithallas lill SportMalta u jitqiegħed f'fond imsejjaħ *Sports Fund* li jkun amministrat minn SportMalta.

(4) SportMalta għandu d-dmir li jara li l-kundizzjonijiet kollha ta' dana l-att jigu osservati mill-klabb. F'każ ta' ksur ta' xi kundizzjoni stipulata f'dan l-Att, it-titolu legali tal-istess proprjeta' jerga' jirritorna lura lill- SportMalta.

(5) Il-manutenzjoni kollha tal-proprjeta' ttrasferita tkun fil-karigu tal-klabb mingħajr l-ebda dritt ta' kumpens.

(6) Il-klabb għandu l-obbligu li jżomm il-proprjeta' fi stat tajjeb u jagħmel dawk ix-xogħlijiet u tiswijiet ordinarji u straordinarji kollha neċessarji tul il-perjodu kollu ta' din il-konċessjoni.

Kwalunkwe xogħol strutturali għandu jsir biss wara li l-klabb jikseb il-permess bil-miktub mingħand SportMalta sabiex il-klabb

ikun jista' jwettaq dan ix-xogħol. Il-klabb ma jistax japplika għand l-Awtorità tal-Ippjanar u/jew iwettaq xogħol strutturali mingħajr ma jkollu l-permess bil-miktub ta' SportMalta.

(7) Dawn l-istess xogħolijiet jew kwalunkwe benefikati jew miljoramenti magħmulin isiru *ipso facto* tal-SportMalta u l-klabb m'għandu fl-ebda żmien, dritt ta' kwalunkwe kumpens għal kwalunkwe benefikati jew miljoramenti li jista' jkun għamel fl-imsemmija proprjetà.

(8) Il-proprjetà tkun għall-użu wkoll tal-Youth Nursery tal-istess klabb u fil-ħinijiet tal-iskola, bi ftehim, il-proprjetà tinfetaħ għall-użu tat-tfal ta' l-iskola. Jekk ma jkunx hemm qbil, il-kwistjoni tmur quddiem SportMalta u d-deċiżjoni tiegħu tkun finali.

(9) Il-klabb huwa direttament responsabbli lejn SportMalta li jirrapreżenta lill-Ministru jew lis-Segretarju Parlamentari responsabbli mill-iSport. Għal dan il-għan kull persuna inkarigata minn SportMalta, għandha titħalla tidħol biex tagħmel, f'każ ta' bżonn, spezzjoni tal-facilitajiet sportivi ossia l-proprjetà trasferita.

(10) SportMalta, għandu jkollu d-dritt li jagħmel użu b'xejn mill-facilitajiet sportivi tal-klabb għall-perijodu ta' mitejn (200) siegħa b'kollox fis-sena. It-tqassim ta' dawn is-siegħat, jiġifieri lil min jingħataw, kif ukoll meta jiġu wżati, hija deċiżjoni ta' SportMalta. SportMalta għandu l-obbligu li jagħti pre-avviż ta' mill-inqas xahrejn lill-klabb li għandu t-titolu legali tal-facilità sportiva.

(11) Fl-użu tal-facilitajiet sportivi tal-klabb, mgħandux ikun hemm diskriminazzjoni minħabba kulur, razza, reliġjon, politika, sess jew ġibdiet sesswali.

(12) Il-proprjetà għandha tintuża esklussivament għall-attività sportiva, li tista' tinkludi uffiċċini amministrattivi għall-attività sportiva, *gymnasiums*, *sport clinics*, u facilità ta' bottegin għall-membri, iżda mhux b'tali mod li jibdel in-natura prinċipali tal-kumpless sportiv. Il-klabb irid jikseb permess minn SportMalta sabiex ikun jista' jopera l-bottegin.

(13) Il-klabb ma jistax iċedi, jissulloka jew bi kwalunkwe titolu ieħor, jittrasferixxi il-proprjeta' in kwistjoni lil terzi persuni, mingħajr l-approvazzjoni tal-Kamra tar-Rappreżentanti. Il-klabb lanqas ma jista', mingħajr tali approvazzjoni tal-Kamra tar-Rappreżentanti jidħol fi sħubija ma' terzi dwar it-tmexxija tal-proprjeta' imsemmija hliet, u limitament, għal xi facilitajiet tal-bottegin, u dan dejjem bl-approvazzjoni ta' SportMalta, u basta ma tinbidilx in-natura prinċipali tal-kumpless sportiv, kif stipulat fi klawżola tmax (12) ta' dan l-att.

(14) Il-klabb għandu l-jedd li jiġbor miżati xierqa u raġonevoli għall-użu temporanju tal-facilitajiet li jinstabu fis-sit enfitewtiku. SportMalta għandu l-jedd li jara li din il-miżata hi waħda xierqa u raġonevoli.

(15) Il-klabb għandu jkun irregiŕtrat ma' SportMalta u jfornih b'dak kollu stabbilit fl-Avviż Legali numru tlieta u sittin tas-sena elfejn u tmienja (A.L. 63/2008) jew kull liġi oħra li tiegħu post dan l-Avviż Legali.

(16) Il-klabb għandu jagħmel polza tas-sigurtà dwar riskji għal terzi persuni jew kontra l-ħsarat fl-imsemmija proprjetà.

(17) Jekk il-klabb ixolji jew iżarma, it-titolu fuq l-imsemmija proprjetà jintemm *ipso facto* u l-proprjetà tgħaddi lura għand SportMalta minnufih, bit-tibdil kollu li jkun seħħ fiha.

Bħala garanzija tal-ħlas tal-imsemmi ċens annwali u temporanju u tal-eżekuzzjoni tal-obbligi l-oħra li joħorġu minn dan l-att, il-klabb **qiegħed jipoteka favur ta' SportMalta, aċċettanti, l-beni kollha tiegħu in ġenerali** preżenti u futuri oltre **Ipoteka Speċjali u Privileġġ Speċjali** skont il-liġi, fuq il-proprjetà b'dan l-att trasferita. Għall-fini tal-iskrizzjoni ipotekarja, qed tiġi ffixxata s-somma ta' **sittin elf ewro (€60,000)** bejn il-komparenti partijiet.

Għall-fini ta' l-Att numru wieħed u tletin tas-sena elf disa' mija u wieħed u tmenin (ATT XXXI/1981) qiegħed jiġi dikjarat illi l-proprjetà fuq deskritta ġiet mgħoddija lil SportMalta permezz tal-att ta' Trasferiment ta' Drittijiet u Obbligi fl-atti tan-**Nutar Dottor Roderick Gatt**

, skond l-Artikolu numru hamsa (5) tal-Government Lands Act Att numru sbatax (XVII) tas-sena elfejn u sbatax (2017) u l-ebda ħlas ta' taxxa tal-bolla mhi dovuta fuq dan l-att minħabba illi dan it-trasferiment tal-lum ġie debitament eżentat permezz ta' Eżenzjoni Ministerjali li qed tiġi hawn annessa u mmarkata Dokument 'E'.

Għall-fini tat-Taxxa fuq id-Dħul [Kapitlu numru mija u tlieta u għoxrin (123) tal-Liġijiet ta' Malta] dan it-trasferiment huwa eżentat mill-ħlas ta' taxxa fuq il-qliegħ u dan skont l-artikolu numru erbgħa u tletin (34) tal-Att dwar l-Isport, Kapitlu numru erba' mija hamsa u ħamsin (Kap 455) tal-Liġijiet ta' Malta.

Għall-fini tal-Kapitlu numru mitejn u sitta u erbgħin (Kap.246) tal-Liġijiet ta' Malta dwar l-Akkwist ta' Proprjetà Immobbli minn Persuni Mhux Residenti, qed jiġi ddikjarat mill-akkwirenti illi l-klabb jikkwalifika biex jakkwista il-proprjetà li qiegħda tiġi ttrasferita aktar 'l fuq, mingħajr il-bżonn ta' permess ta' l-akkwist ta' proprjetà immobbli minn persuni mhux residenti peress illi l-istess akkwirenti nomine qed jiddikjaraw li huma residenti ċittadini ta' l-Unjoni Ewropea u li l-klabb kien stabbilit f'Malta u l-akkwirenti nomine għexu f'Malta għal perijodu kontinwu matul ħajjithom, ta' ħames (5) snin. Din id-dikjarazzjoni qiegħda ssir wara li jiena Nutar sottoffirmat spjegajtilhom l-importanza tagħha skont il-liġi.

Id-drittijiet u l-ispejjeż ta' dan il-kuntratt għandhom jithallsu mill-

Klabb.

Ai termini ta' l-Att ta' Registrazzjoni ta' l-Artijiet, jiena Nutar, hawn taht iffirmit, niddikkjara li l-propjeta' immobbli ttrasferita fuq dana l-att in parti taqa f'zona ta' registrazzjoni imma mhux irregistrata u in parti registrata taht titolu numru tlieta hamsa zero zero zero sitt tnejn wiehed (35000621) hekk kif muri fuq il-kopja tal-FormE li qed tigi hawn annessa u immarkata bhala dokument 'LR'.

Dan il-kuntratt mhu bl-ebda mod jaħfer u/jew jippreġudika d-dritt ta' SportMalta għal kwalunkwe ammont dovut lilu sallum minħabba l-okkupazzjoni ta' l-istess proprjeta'.

Il-komparenti partijiet qegħdin jaqblu li dan l-att jikkostitwixxi l-ftehim kollu u esklussiv bejn il-komparenti partijiet u huwa dan l-att biss li mil-lum 'il quddiem ser jirregola r-relazzjoni legali ta' bejn il-komparenti partijiet.

Qiegħed jigi dikjarat illi dan it-trasferiment ġie approvat skond l-att

ippublikat min-Nutar Dottor Roderick Gatt li permezz tiegħu Sport Malta għandha d-dritt li tittrasferixxi l-imsemmija propjeta' lil persuni sportivi irregistrati ma' Sports Malta taht l-Att tal-ISports (KAP 455) tal-Ligijiet ta' Malta u cioe' b'titolu ta' enfitewsi temporanju li ma jaččedix il-perjodu ta' hamsa u sittin (65) sena. Tali trasferiment qiegħed isir skond l-Att Dwar Artijiet tal-Gvern (Kap 573) tal-Ligijiet ta' Malta, Artiklu numru hamsa (5) u qiegħed isir wara l-approvazzjoni ta' dan it-trasferiment permezz ta' riżoluzzjoni speċjali tal-Kamra tad-Deputati skond l-Artikolu wiehed u tletin (Art 31) tal-istess Kapitolu numru hames mija u tlieta u sebghin (KAP. 573).

Magħmul, moqri u ppublikat wara čerjorazzjoni skond il-liġi f'

Today, the eighth (8th) day of February of the year two thousand and twenty-four (2024).

Before me, Doctor of Laws Roderick Gatt, a Notary Public duly admitted and sworn, have personally appeared and identified themselves according to law, by means of the hereunder mentioned official documents:

On the one part:

Doctor of Laws Marisa Grech, Notary Public, unmarried daughter of Alfred Grech and Carmen nee` Caruana, born in Pieta`, Malta on the twentieth (20) of August of the year one thousand nine hundred and eighty-two (1982) and residing in Luqa, Malta, holder of Maltese identity card number 451682M, who is appearing on this deed in the name of and in representation of the Government of Malta as duly authorized by virtue of a Board Minute of the Board of Governors of the Lands Authority number one hundred and sixty-nine of the year two thousand and twenty (169/2020) dated twenty-ninth (29th) day of May of the year two thousand and twenty (2020) for and in representation of the **Lands Authority**, hereinafter called '**the Government of Malta**' and/or '**the Government**', and/or '**the Assignor**' as the case may be.

The file bears the letter 'L' and number one hundred and forty-three stroke one thousand nine hundred and eighty-seven (L. 143/1987).

On the other part:

Matthew Pisani, married, son of Edwin Pisani and Marcelle nee` Scott, born in Saint Julians, Malta on the seventh (7th) day of October of the year one thousand nine hundred and seventy-seven (1977) and residing in Swieqi, Malta, holder of identity card number 487077M, who is appearing hereon in the name and in representation of **SportMalta**, as Deputy Chairperson of SportMalta as duly authorized by virtue of law, hereinafter referred to as "**the Assignee**".

The parties hereby declare and premise that:

Whereas the Government is the owner of a site measuring circa six thousand eight hundred and thirty-five metres squared (6,835 m²), in Dawret il-Kunsill tal-Ewropa, Marsascala, Malta, bounded on the West with Triq Ghar ix-Xama and on the South East and East with Dawret il-Kunsill tal-Ewropa or more correct boundaries as better shown

Deed Number:

6 /2024

**Transfer of
Rights and
Obligations**

Enrolled:

/2024

Number:

/2024

bordered in red on the plan indicated as Property Drawing number one hundred and twelve underscore two thousand and four underscore letter 'A' (P.D. No. 112_2004_A) and which plan is being attached to this deed and marked as document letter 'X'.

Whereas SportMalta has requested the Government and is desirous to be assigned in its favour the rights and obligations over the same above-described site situated in Paola, Malta for its enjoyment, possession, use and management.

Whereas the Government has acceded to the SportMalta's request.

Now therefore by virtue of this deed and Article five (5) of the Government Lands Act, Act number seventeen (XVII) of two thousand and seventeen (2017), the Government hereby assigns in favour of SportMalta in whose name appearer Matthew Pisani accepts, the rights and obligations over the site measuring circa six thousand eight hundred and thirty-five metres squared (6,835 m²), in Dawret il-Kunsill tal-Ewropa, Marsascula, Malta, bounded on the West with Triq Ghar ix-Xama and on the South East and East with Dawret il-Kunsill tal-Ewropa or more correct boundaries as better shown bordered in red on the plan indicated as Property Drawing number one hundred and twelve underscore two thousand and four underscore letter 'A' (P.D. No. 112_2004_A) and which plan is being attached to this deed and marked as document letter 'X'.

For all intents and purposes, it is being declared that the substation underlying the stands as hatched in blue on the said plan Property Drawing number one hundred and twelve underscore two thousand and four underscore letter 'A' (P.D. No. 112_2004_A) is not included in this transfer of rights and obligations to SportMalta.

The parties hereby agree that SportMalta shall further transfer this land to a sports person registered as such with SportMalta under the Sports Act (Chapter 455) of the Laws of Malta, by title of temporary emphytheusis for a period not exceeding sixty-five (65) years, and any such transfer shall also be made in accordance with the Government Lands Act, Chapter five hundred and seventy three (573) of the Laws of Malta

This transfer of rights and obligations is being made and accepted for no consideration and as approved by the Lands Authority.



Statutory Declarations

For the purposes of the Government Lands Act, Chapter five hundred and seventy three (573) of the Laws of Malta, this deed been entered into in accordance with Article five (5) of the said Act.

For the purposes of the fiscal laws applicable under the Laws of Malta with regards to the transfer of immovable property or real and/or personal rights on immovable property it is hereby being declared that no Property Transfer Tax and no stamp duty is due by the parties on this deed.


For the purposes of sub-article twelve (12) of Article five letter 'A' (5A) of the Income Tax Act, the parties declare that they have declared to the undersigned Notary all the facts that determine if the transfer is one to which Article 5A applies and that are relevant for ascertaining the proper amount of tax chargeable or any exemption, including the value which, in their opinion, reasonably reflects the market value of the said property, if this value is higher than the consideration for the transfer. The parties make such declaration after the undersigned Notary warned them about the importance of the truthfulness of this declaration of theirs.

For the purpose of the second proviso to Sub-Article five (5) of Article eighty-four letter 'C' (84C) of the Notarial Profession and Notarial Archives Act, it is being declared that paragraph letter 'd' of the regulation number four (4) of the Legal Notice regarding the 'Examination of Title Regulations', the Notary is exempt 'ipso iure' from examining the title with regards to the immovable property or rights thereon, being transferred by means of this deed and the assignee declares that I the undersigned Notary explained to it the importance and consequences of such exemption.

This deed has been done, read and published by me the undersigned Notary after I explained the contents hereof to the parties hereto according to the law in Malta, Valletta, in Saint Sebastian Street, at the Office of the Lands Authority, without number.

Signed:- Matthew Pisani nomine
Dottor Marisa Grech nomine

Notary Roderick Gatt
Notary Public with the Lands Authority Malta


True copy of the original
Taken from my records
Today 15/02/2024
Notary Dr. Roderick Gatt
Notary Public with the Lands Authority Malta



Marsaskala Aquatic

St. Joseph Street, Marsaskala.

Extract of minutes of committee meeting held at Zonqor Pool on the 13 June 2023

All members present.

It was unanimously decided that a formal application will submitted to Sport Malta so that Lands Department via Sport Malta will re-grant the Zonqor ex-National Pool to our Club under a emphyteutic concession.

It was also agreed that Aaron Simpson and Marie Louise Galea would represent the Club on the final deed of acquisition.

The details are as follows:

Aaron Simpson holder of ID card number 226375M born on the 29 April 1975 at Attard - Malta, son of John Simpson and Mary Grace nee' Tabone and residing at 138A, Klementina, Triq San Klement, Zejtun.

Marie Louise Galea nee' Micallef holder of ID card number 67672M born on the 27 January 1972 at Sliema – Malta, son of Gaetano Micallef and Carmen nee' Bezzina and residing at Sunshine, Triq il Genista, Kalkara.

There was no further business to discuss, the meeting was closed.



Aaron Simpson

President

ID 226375M



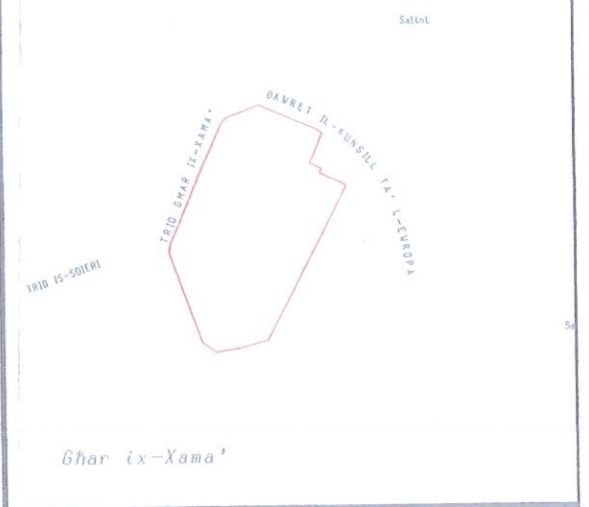
Marie Louise Galea

Treasurer

ID 67672M

Pool Complex
Dawret il-Kunsill ta' l-Ewropa
Zonqor Point,
Marsascula.

- Dec 2 -



Site Plan
S.S. 6069

Scale 1:2500
Map Ref.: 61487
69567 (ED50)

461430
3969370 (WGS84)

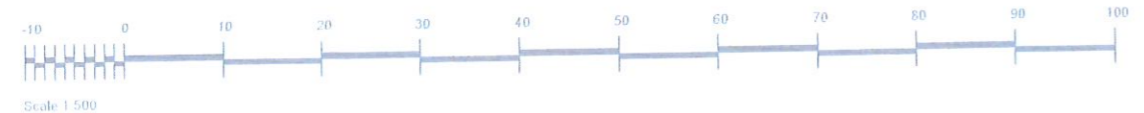
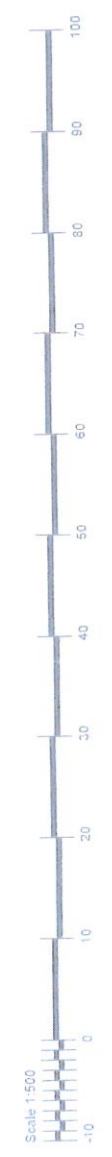
Jawid

- Property No : 75594
Area : 6,835m²
- Substation underlying stands
not included

R. Gatt
True copy of the original
Taken from my records
Today 15/02/2024
Notary Dr. Roderick Gatt
Notary Public with the Lands Authority Malta

R. Gatt

LANDS Authority Estate Management & Business Development		Auberge de Baviere St. Sebastian Str. Valletta Phone (00356) 2295 3239/3540642 Website landsauthority.org.mt	
		Locality: MARSASCALA	
P.D. No.:	112_2004_A	Scale:	1 : 500
File No.:	L/0143/1987	Drawn by:	cianj014
A&CE	// Chief Officer Estate Management & Business Development		
	sgd (J. Schembri)		sgd (R. Demicoli)
Date:	23 rd. January 2024	Date:	23 rd. January 2024



Extent interpreted from PD112_2004 and from plans submitted by Applicant. (GOV1/2023/0563)



25/01/2024

Re: Valuation Certificate 2585n – Tract of Land at Triq iz-Zonqor, Marsaskala

To whom it may concern,

Sport Malta has requested the undersigned to provide valuations of the above-mentioned property. Following my review, I hereby report as follows:

Valuation Reference	2585n
Property Address	Tract of Land at Triq iz-Zonqor, Marsaskala.
Customer	Sport Malta
Date of Inspection	11/01/2024
Purpose of Valuation	Valuation of immovable property for collateral purposes.
Basis of Valuation	This report leads to the valuation of the "Market Value" of the property, as defined in The European Valuation Standards 2016 Article EVS 1 that is <i>"The estimated amount for which the property should exchange on the date of valuation between a willing buyer and a willing seller in an arm's length transaction after proper marketing wherein the parties had each acted knowledgeably, prudently and without being under compulsion."</i>
Property Title	Freehold: Remaining term - NA - years Ground Rent Payable: € Nil Other Encumbrances: Not applicable
Sources of Information	The above information has been provided by the client.
Description	
Property Classification	Commercial: Pool Facilities
General Description	- The property in reference consists of pool facilities. The commercial premises and the parking area that are within same complex are not being taken into account for the purpose of this valuation.

Structural//Architectural//Solutions
1B, Nu-Bis Centre, Mosta Road, Lija, LJA 9012
m: (+356) 9987 8005
t: (+356) 2702 1706
e: info@sasmalta.com
w: www.sasmalta.com

Level (if applicable)	Not Applicable
Availability of Views	Sea Views
Availability of Lift	No
Construction Type	The construction of such premises consists of masonry walls and roofed over with reinforced concrete slabs.
Current State of Finish	Finished
New Building	No
Schedule of Accommodation	Refer to appendix B for schedule of accommodation.
External Accommodation	Refer to appendix B for schedule of external accommodation.
Areas	
Site Footprint	6835 m ²
Other Comments	
Energy Related Features (Existing)	Not Applicable.
Year of Construction	N/A
Location Type	Other
Planning Issues	
Planning Permit	Refer to Appendix D
Variations Noted	N/A
Further Comments	Nil
Defects Observed	No structural tests for said building have been commissioned. Comments below are based on visual observations undertaken during the valuer's site visit.

Valuation Methodology

The Discounted Cash Flow (DCF) method is well-suited for valuing pool facilities because it emphasizes future cash flows, considers the time value of money, and allows for flexibility in incorporating various assumptions and scenarios. DCF analysis provides a realistic assessment of economic value, reflecting risks through the discount rate applied to future cash flows. For pool facilities, which are long-term assets with revenue generation over time, DCF's focus on projecting and discounting future cash flows aligns with the economic fundamentals and provides a comprehensive valuation approach. The method's sensitivity analysis capability further helps assess the impact of changes in key assumptions on the facility's overall value.

Valuation Calculations are hereby presented in Appendix B below.

Special Conditions

- This valuation does not consider furniture, fittings, movable equipment and customer's personal goodwill which is not considered part of the immovable security.
- Valuation for proposed development is based on the finishing specifications indicated by customers during site inspection.
- The sole purpose for this valuation is for use by Sport Malta. The valuer does not accept liability if this certificate is relied upon by anyone else, whether for banking, accounting or any other purposes.
- Neither the whole nor any part of this Valuation Report, nor any reference thereto may be included in any published document, circular or statement, nor published in any way without the valuer's and the bank's written approval of the form and context in which it may appear.
- The valuer hereby declares that he/she holds no known no conflict of interest in this assignment and may thus considered as independent appraiser.
- Unless otherwise states it is assumed that the property is held on a free and unencumbered basis.
- Unless otherwise stated, I have assumed that the freehold and leasehold properties are capable of unrestricted transfer to third party purchasers (in the case of leasehold properties subject to the lessors' consent, not to be unreasonably withheld).
- I have not been made aware of any survey or report indicating the presence of contaminants or hazardous materials. No responsibility is thus assumed for the existence of any contaminant. Any subsequent identification of such substances may reduce the reported value and would be updated accordingly in an addendum report.
- A measured site survey was not undertaken, but areas are calculated by reference to identified boundaries of the property and the appropriate scaled drawings were provided.
- When proposed development is still underway when issuing this report, compliance to planning permit may be certified at time of issue.
- The valuation is being provided and is based on available data and key assumptions as declared above.

Annual Rent

Given the above considerations, the property has in my opinion as an annual ground rent of **€60,000** (Euro sixty thousand).

Declaration

The undersigned Perit hereby certifies that, to the best of his knowledge, the declarations in this report are correct, and that all material considerations in respect of the valued property have been hereby disclosed.

Perit David Grima

B.E.&A. (Hons.), MS.c (Lond), PG Dip (Cons Tech), A.&C.E.,C.Eng, D.I.C, Eur Ing, M.I.C.E.

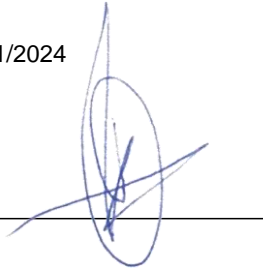
Warrant No.

570

Date

25/01/2024

Signature



Appendix A: Definitions

- **Site Footprint** represents the largest area occupied by the property being valued (internal + external areas), at any particular floor. This area should exclude common spaces or other adjoining 3rd party properties.
- **Floor** is the floor number that the property is situated on. This field should only be filled in for apartments, penthouses and maisonettes. Ground floor and semi-basements should be flagged as 0. Higher levels should be flagged accordingly e.g. 1st Floor = 1 etc.
- **Gross Internal Area** is the total area of the whole unit including all rooms and internal spaces, this includes wall thickness (owned party wall to be included) but excluding yards, backyards and shafts. In addition, a garage which is not an integral part of the dwelling but situated in the vicinity of property being sold/bought in the same contract of sale should be included in the size of the property. This area should exclude common spaces.
- **Size of Property** should be calculated on the footprint of the plot on which the property is built per floor, including yards, shafts, front garden etc. (i.e. GIA + External Areas). In addition, a garage which is not an integral part of the dwelling but situated in the vicinity of property being sold/bought in the same contract of sale should be included in the size of the property. This area should exclude common spaces.
- **Year built** is the year that the property was built or when not available the year in which the permit was issued.
- **Lift:** the availability of lift should be flagged if the lift is installed and/or the space of a lift is present. This field should only be filled in for apartments and penthouses.
- **Views:** the presence of views should be flagged only if the view is seen from inside the property and/or from the balcony. Views seen from the roof top should not be included.

Appendix B: Development Profile and Calculations

Discounted Cashflow Method

Pool	Hourly Pool Rate	385.94
	Hours Available	10
	Occupancy	30.00%
	Daily Income	1157.82
	Annual Income	422604.3

Start of Year	Current ERV (Estimated Rental Value)	A (Future Value) of 1 Euro @	0.00%	Projected Income	Outgoings	Forecast Income	PV @	10.00%	Present Value	YP perp @ %		
		t					t					
1	422,604.30	0	0	1.000	422,604.30	(63,390.65)	359,213.66	0	1.000	359,213.66	359,213.66	16.000
2	422,604.30	1	0	1.000	422,604.30	(63,390.65)	359,213.66	1	0.909	326,557.87	685,771.52	16.000
3	422,604.30	2	0	1.000	422,604.30	(63,390.65)	359,213.66	2	0.826	296,870.79	982,642.31	16.000
4	422,604.30	3	0	1.000	422,604.30	(63,390.65)	359,213.66	3	0.751	269,882.54	1,252,524.85	16.000
5	422,604.30	4	0	1.000	422,604.30	(63,390.65)	359,213.66	4	0.683	245,347.76	1,497,872.61	16.000
6	422,604.30	5	5	1.000	422,604.30	(63,390.65)	359,213.66	5	0.621	223,043.42	1,720,916.03	16.000
7	422,604.30	6	5	1.000	422,604.30	(63,390.65)	359,213.66	6	0.564	202,766.74	1,923,682.77	16.000
8	422,604.30	7	5	1.000	422,604.30	(63,390.65)	359,213.66	7	0.513	184,333.40	2,108,016.17	16.000
9	422,604.30	8	5	1.000	422,604.30	(63,390.65)	359,213.66	8	0.467	167,575.82	2,275,591.99	16.000
10	422,604.30	9	5	1.000	422,604.30	(63,390.65)	359,213.66	9	0.424	152,341.66	2,427,933.65	16.000
					4,226,043.00	(633,906.45)	3,592,136.55			#####		
11	422,604.30	20	20	1.000	422,604.30	(63,390.65)	359,213.66	20	0.149	53,394.82	2,481,328.47	16.000

Sale of Property @ Year 10	
Projected Rent	422,604.30
Outgoings	(63,390.65)
Forecast Income	359,213.66
YP perp @ %	16.000
PV @ % def'd 20 years	0.149
	854,317.13
Valuation	854,317.13
Agency Fees	0.00
Value of Complete Property	854,317.13
Rounded:	855,000.00

Tables B1 – Discounted Cashflow Method for the Pool Facilities

Property	Value	Yield	Net rental income	Management Cost percentage	Gross Rental income
	€	%	€	%	€
Pool	855,000	6.25%	53437.5	11.00	60042.13

Table B2 – Calculation for annual rent

Valuation Conclusion

The valuation does not include the commercial premises and the parking area that are within the same complex. After having taken into consideration the above-mentioned assumptions and assessed the development in view of Planning Authority policies, local plan issues and the fact that the site is freehold and considering the potential use of the said property, I consider the following:

Total Annual Ground Rent = € 60,000

Appendix C: Data Summary

Property Address	Tract of Land at Triq iz-Zonqor, Marsaskala.
Property Title	Freehold
Years Remaining	- NA -
Ground Rent Payable	€ Nil
Property Usage	Commercial: Pool Facilities.
Current State	N/A
New Building	N/A
Site Footprint	6835 m ²
Availability of Garden	No
Availability of Pool	Yes
Availability of Lift	No
Floor Level	Not Applicable
EPC Value	Not Available
Availability of Views	Sea Views
Year Built	N/A
Valuation Methodology	Discounted Cash Flow Method
Annual Ground rent	€ 60,000
Valuer	Perit David Grima
Warrant No.	570
Date of Issue	25/01/2024

Appendix D: Planning History and Constraints

At the time of writing of this report the following Planning Authority applications were traced on the PA website.

Case Number	Description of Works	Case Status
PA/01317/98	Development of beach facilities at Zonqor Point, and upgrading of promenade at Triq iz-Zonqor.	Approved
PA/05628/07	Extension to existing sports facilities /complex. To construct administration and indoor sports facilities, accommodation block, relocate restaurant and take away and construct underground parking.	Withdrawn
PA/00118/09	Proposed redevelopment of ex-National Waterpolo pitch into a mixed use development including sports and recreational facilities, residential, tourist accommodation and commercial spaces; and redevelopment of an all-weather yacht marina including reorganization of mooring, construction of breakwater, placing of pontoons and upgrading of quays and ancillary facilities.	Process has been shelved.
PA/04746/17	It is proposed to demolish existing building, carry out excavation as necessary & build a university Class 2C.	Screening process.
DN/00630/11	Construction of underground reservoir	Withdrawn
EC/01031/98	Illegal kiosk on public pavement	Case closed, owner/occupier removed illegality.
EC/00172/00	Development consisting of an aluminium structure beside the restaurant without a permit.	Active case.
EC/00477/01	Development consisting of a canopy beside the kiosk without permit.	Case closed, owner/occupier removed illegality.

Appendix E: Location & Planning Policy Considerations

The property is situated in Marsaskala and falls under the following site constrains;

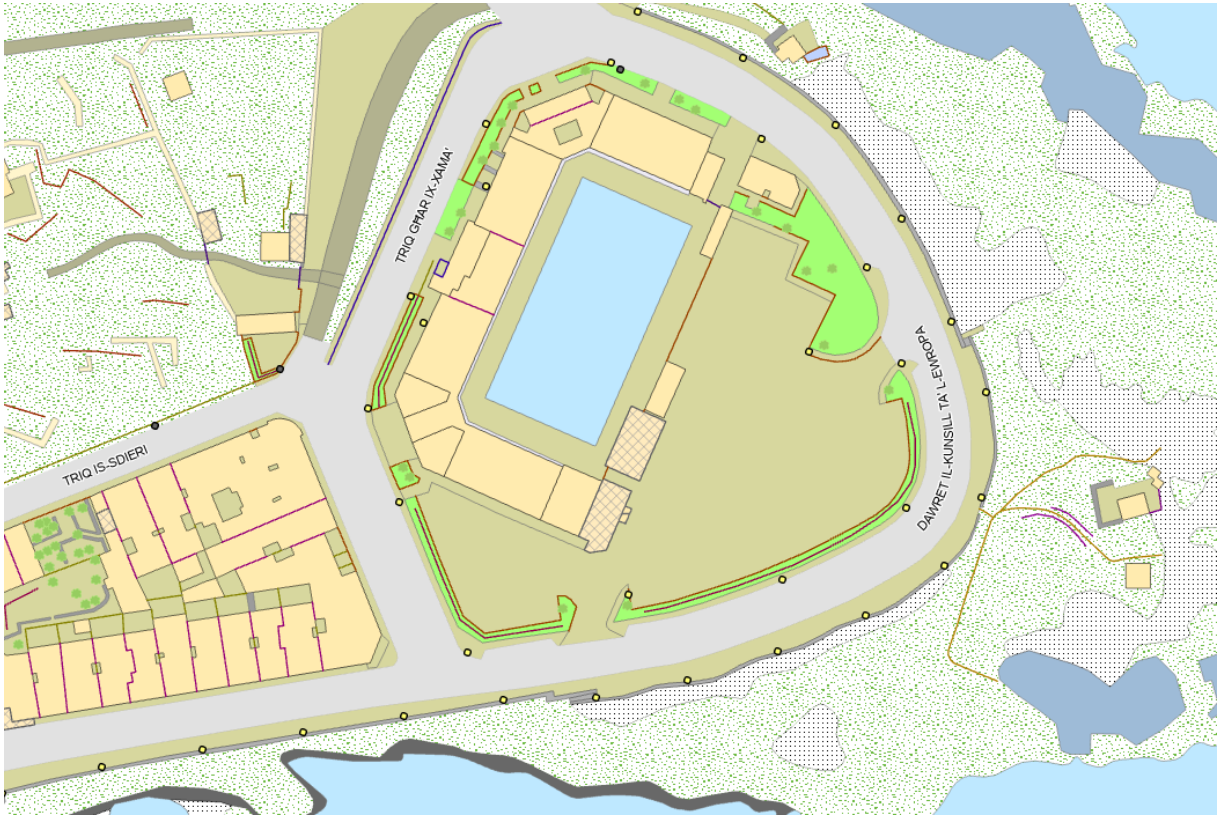
- SUS Small Urban Settlement
- Rural

Policy Context:

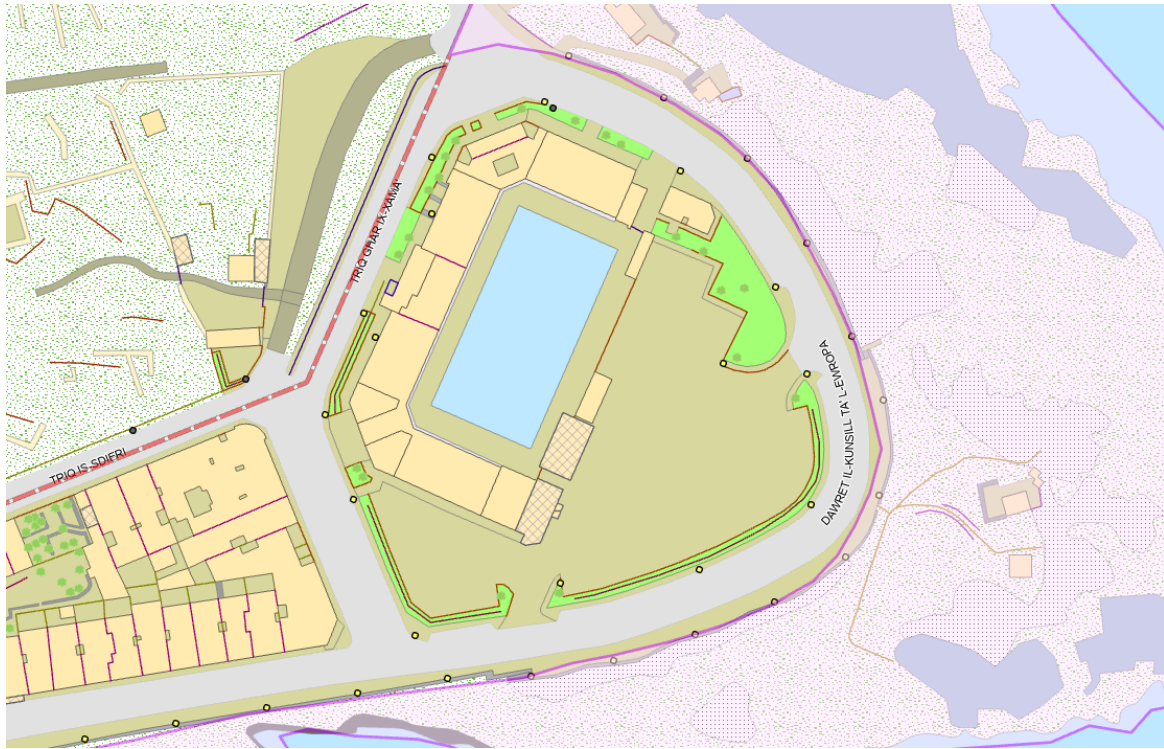
- Sport Facilities



Orthophoto 2018

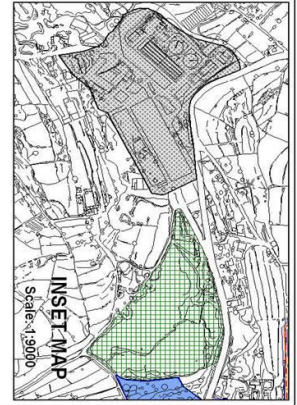
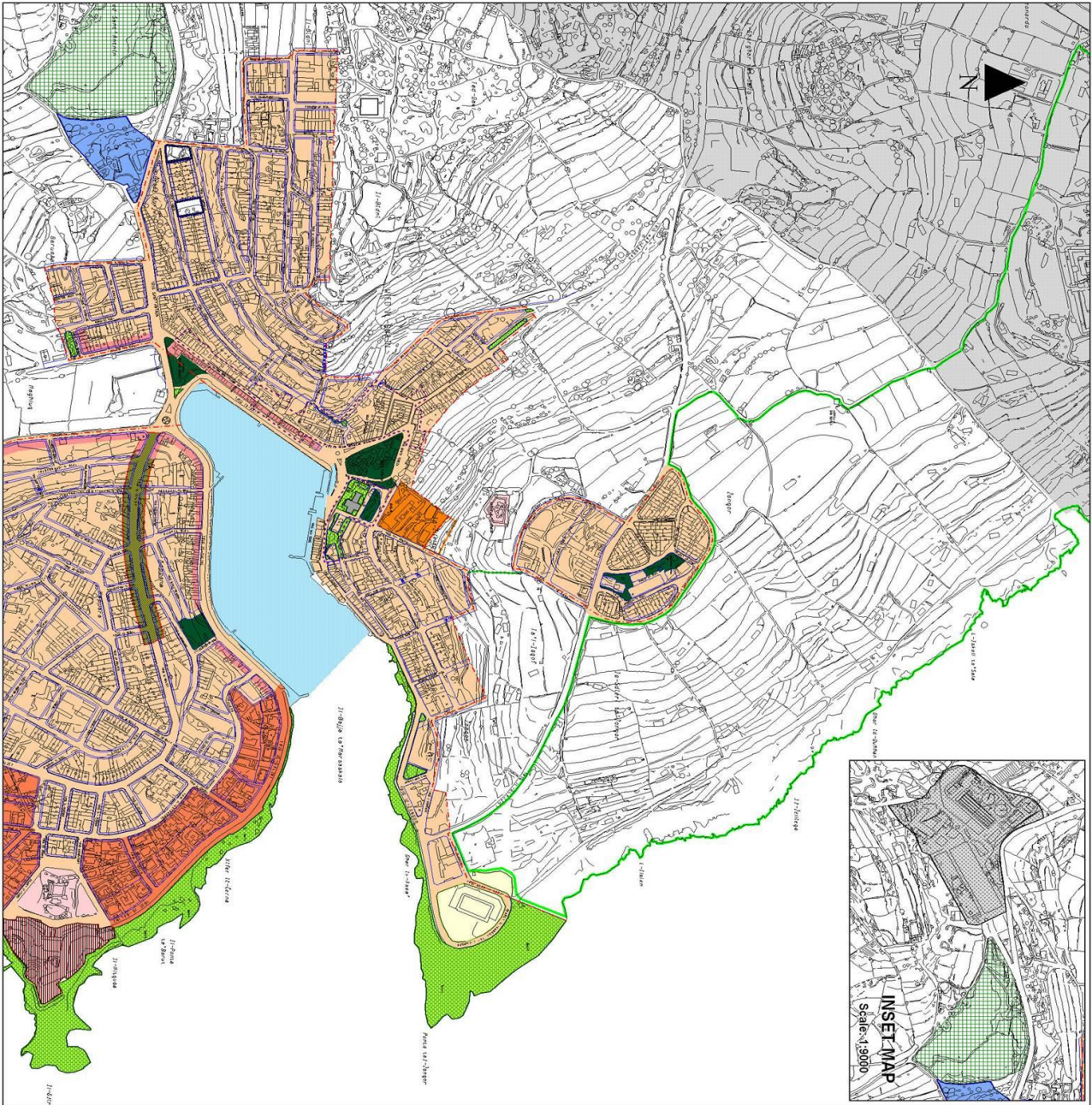


Planning Authority Basemap



Planning Authority Basemap including Constraints

Appendix F: Marsaskala Policy Map



SOUTH MALTA LOCAL PLAN



L-Awtorita' tal-Malta Dwar l-Ambjent u l-Programmazzjoni
 Malta Environment and Planning Authority

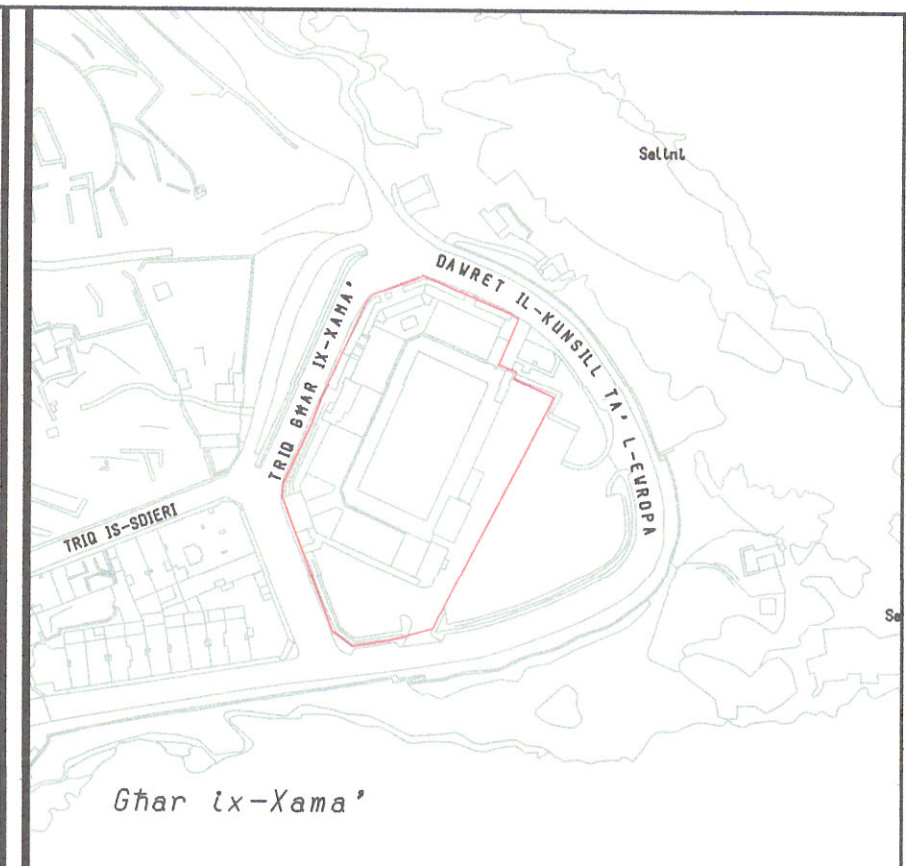
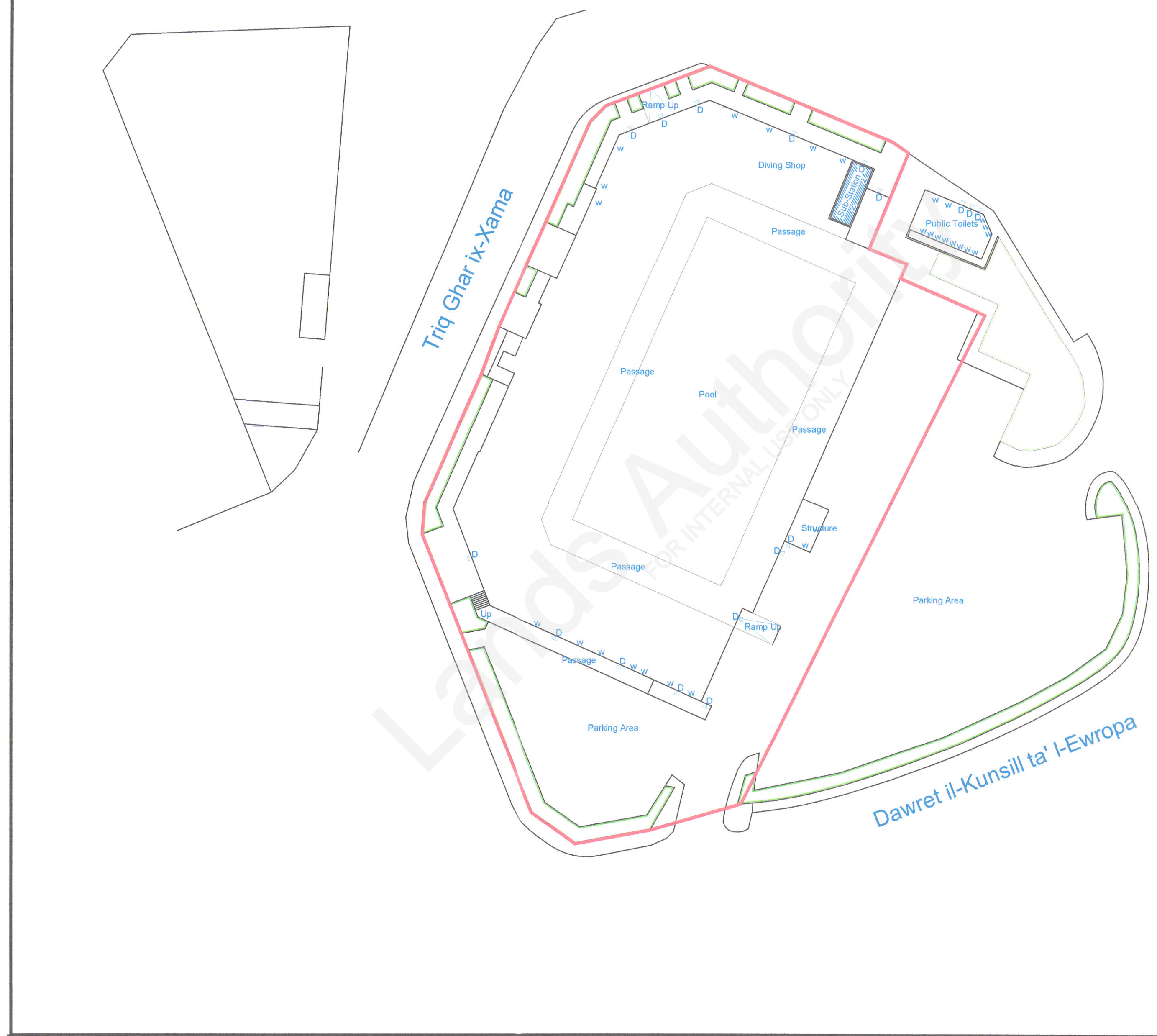
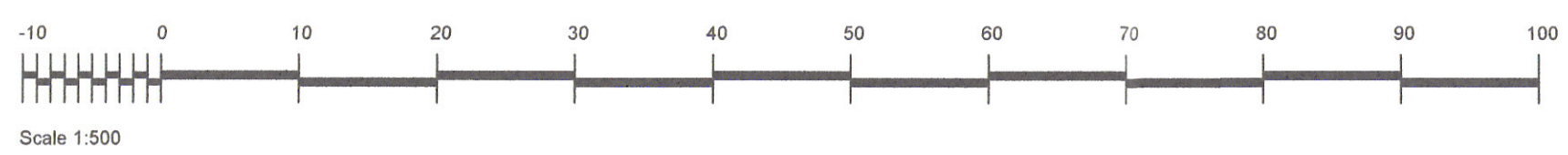
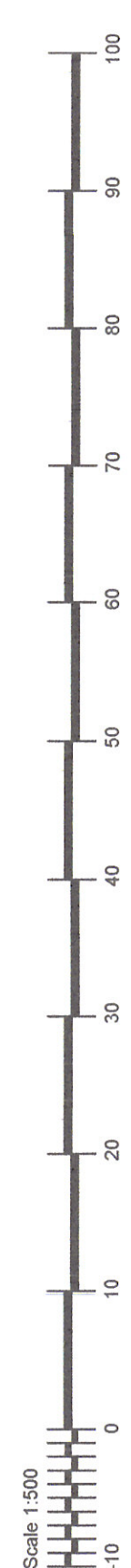
Key	
—	Limits to Development
—	Scheme Alignment
—	Urban Conservation Area - S/MCO 01
—	Road Alignment Change - S/MAS 07
—	Residential Area - S/MRO 02, S/MRE 04
—	Residential Priority Area - S/MRP 02
—	Educational Facilities - S/MAS 10, S/MEO 03
—	Area Set-aside for Expansion of School - S/MAS 10
—	National Park - S/MNA 13
—	Green Area - S/MGE 04
—	Public Urban Open Space - S/MPE 04, S/MPS 02
—	Church / Chapel
—	Heritage Sites - S/MAS 13
—	Entertainment Priority Areas - S/MAS 01, S/MAS 13, S/MPO 01
—	Tourism Development Subject to a Development Brief - S/MAS 15
—	Local Centre - S/MCCL 02
—	Village/Alleyway / Alleyway Related Uses (Use Class 109) - S/MAS 04
—	Social and Community Facilities - S/MCO 04
—	Sports Facilities - S/MAS 03, S/MAS 04
—	EX - National Swimming Pool Sites
—	Footpaths - S/MAS 06
—	Sites to be developed as per Policy S/MAS 14
INSET MAP	
—	Waste Management Facility - S/MAS 12
—	Recreational Areas - S/MAS 09

Marsaskala - North Policy Map

Scale: 1:7000 Date: July 2006 Map: MS 1
 INDICATIVE ONLY
 Not to be used for measurement or direct interpretation
 Maps to be used in conjunction with Policy Document

Part of Map 1088 Survey Sheet
 Copyright Mapping Team, Malta Environment and Planning Authority
 Marsaskala North Policy Map.wf

**Pool Complex
Dawret il-Kunsill ta' l-Ewropa
Zonqor Point,
Marsascala.**



Site Plan
S.S. 6069
Scale 1:2500
Map Ref.: 61487
69567 (ED50)
461430
3969370 (WGS84)

- Property No : 75594
Area : 6,835m²
- Substation underlying stands not included

OFFICE COPY

LANDS Authority
Auberge de Baviere
St. Sebastian Str, Valletta
Phone (00356) 2295 3238/39/40/42
Website landsauthority.org.mt

Estate Management & Business Development

Locality: **MARSASCALA**

P.D. No.: **112_2004_A** Scale: **1 : 500**

File No.: **L/0143/1987** Drawn by: **cianj014**

A&CE *[Signature]* f/ Chief Officer Estate Management & Business Development

Date: **23 rd. January 2024** Date: **23 rd. January 2024**

Extent interpreted from PD112_2004 and from plans submitted by Applicant. (GOV1/2023/0563)



LAND REGISTRATION AGENCY

DATE: 28th March 2024

REPLY FORM E (ATTACHED) NUMBER: 5801.


REGARDING PROPERTY: Marsascala FC.

REQUESTED BY: Notary DR. Joe Cilia LL.D.

LIST OF ATTACHED DOCUMENTS: Certificate no. 35000621 plans.

REPLY COVERS PERIOD TO: 20th March 2024

1. Site as marked on Plan number 309096 E – LR 311649 is in registration area since 17/12/2015 and forms part of title 35000621. (Vide attached certificate)
2. If plan is used for future registration it will be considered to be valid if it is in accordance with subsidiary legislation 296.08 END

 28/03/24

LAND REGISTRY OFFICIAL - SIGNATURE
f/LAND REGISTRAR

MARK CARUANA
Property Registration Manager
Land Registration Agency

RUBBERSTAMP

The Reply to this Search Form is not valid

- (a) if reply is given in writing;
- (b) if any words are struck off or corrected in any way;
- (c) if any type of correcting fluid *is used*;
- (d) if this reply is not signed with blue ink and rubberstamped by Land Registry Official;
- (e) if words are printed outside the frame box;
- (f) if the reply does not contain the Land Registry letterhead
and
- (g) if the last word of the reply given is not followed by the word 'END'.



+356 2560 9700



enquirieslandregistry@gov.mt



landregistry.gov.mt



116, Casa Bolino
Triq il-Punent
Il-Belt Valletta
VLT 1535

Marsascala FC

83666

005801

FORM E :

REQUEST FOR AN OFFICIAL SEARCH AND/OR INFORMATION:

Number:

Payment:

Receiver:



DESCRIPTION OF PROPERTY: Marsascala FC

INFORMATION REQUESTED:

Whether the site is in a registration area?

Whether it is registered?

Whether there are any registered charges, and in favour of whom?

Whether there are any pending applications and in favour of whom?

REPLY TO BE FORWARDED TO: Dr. Joe Cilia, 107, Triq il-Knisja, Paola PLA1074

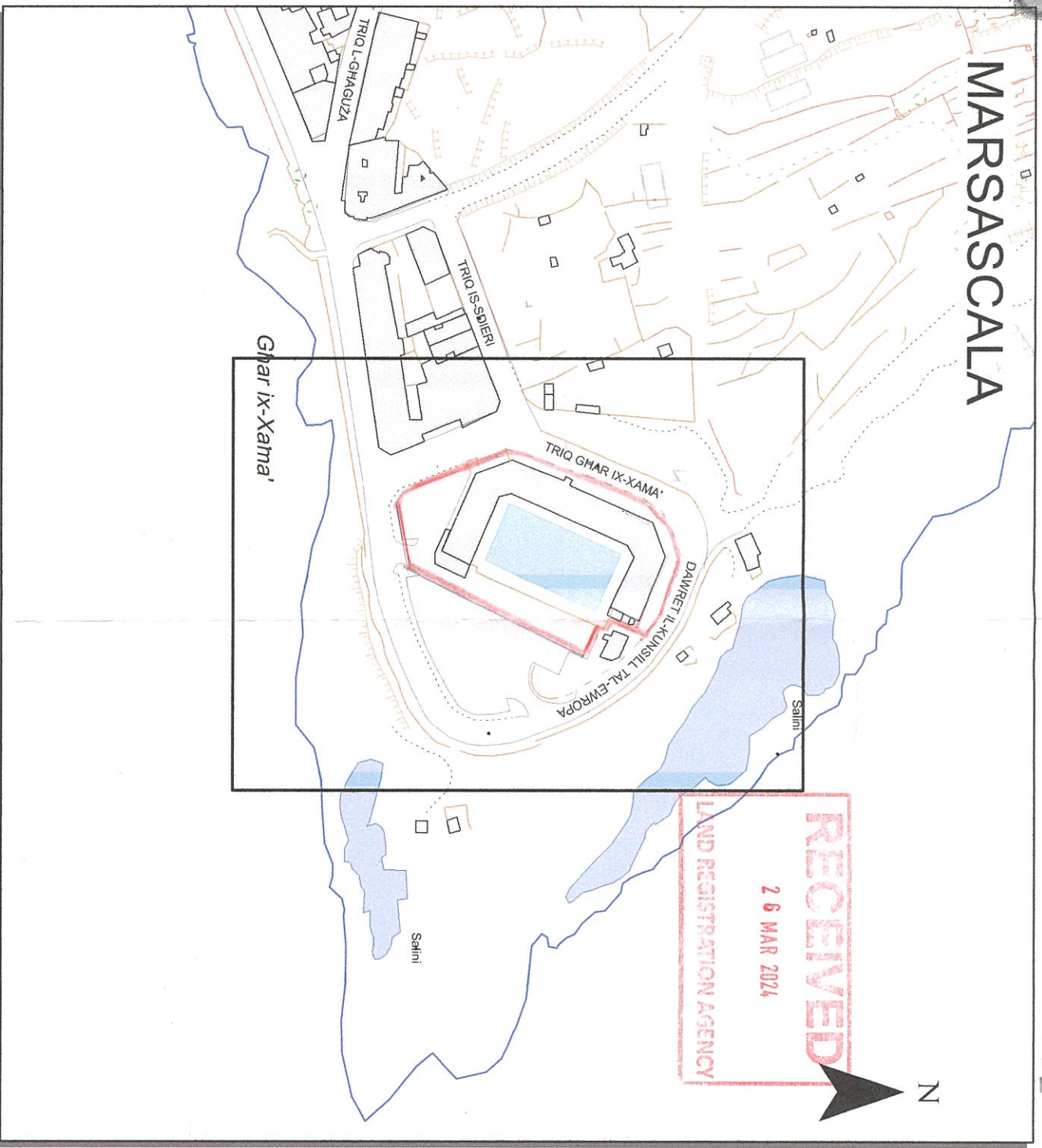
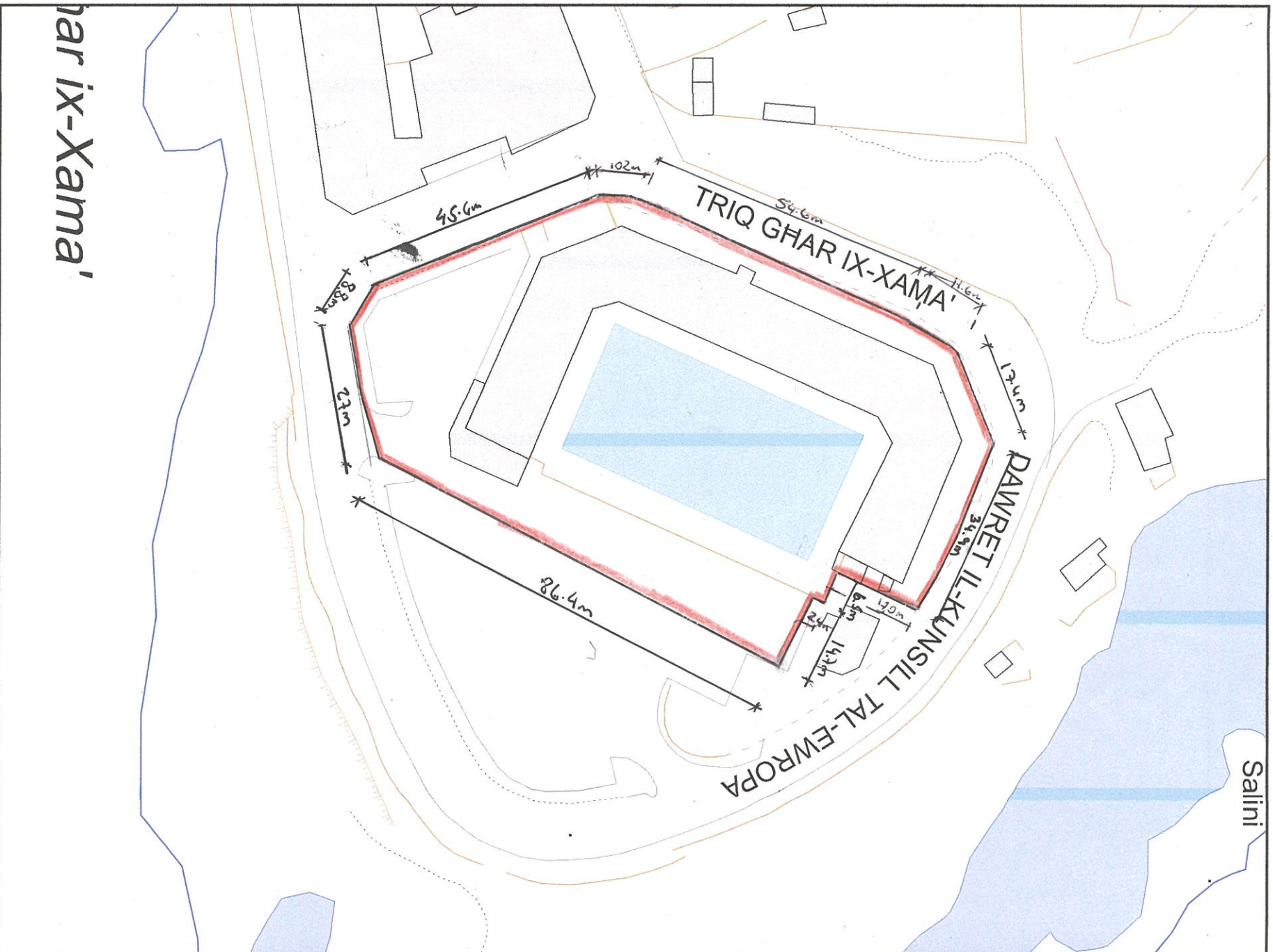
Notary Dr. Joe Cilia LL.D

MARK CARUANA
 Property Registration Manager
 Land Registration Agency

23 103 24

RISPC
 REP. SEARCHED
 ...SSA

1000



Pjanta tas-Sit 1:2500 Site Plan

Agenzija għar-Registrazzjoni tal-Artijiet
 116, Casa Bolino, Triq il-Panent, Il-Belt Valletta



Land Registration Agency
 116, Casa Bolino, Triq il-Panent, Il-Belt Valletta

Nru tal-Mappa: 309096 E	Pozizzjoni Centrali: x = 61502	Parti min S.S.: 6069	Data: 16/06/2023
Map Number:	Centre Coordinates: y = 69563	Extracted from S.S.:	Date:

Perit: *Joseph Zerafa Boffa*
 Architect: *B.E. & A. (Hons.) A. & C.E.*
 Qies (metri kwadri): **6,835 sq.m**
 Area (square metres):

Timbru tal-Perit: **ARCHITECT & CIVIL ENGINEER**
 Architect's Stamp: **119, Triq il-Bajja, M'Scala MSK1075 Malta**
 Firm ta l-Applikant:
 Applicant's Signature:

Tel. 27637098 - 99470659

LR 311649
 Dritt imballas Fee Paid



'Casa Bolino' 116, Triq il-Punent, Valletta

Proprjeta' Numru: 35000621

Attiva

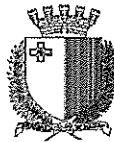
Numru ta' ZSBP: 15004504M

Tip ta' Proprjeta'	<i>Art</i>
Indirizz	<i>Triq Ghar ix-Xama MARSASCALA</i>
Kunsill Lokali	<i>MARSASCALA</i>

Kummenti

Kien jifforma parti min titoli 35000624, 35000227, 35000028, 35000509, 35000625, 35000621 u 35000226 u min titolu 35000623 - Emendat illum 28/6/2016

Dan ic-certifikat jinkludi dettalji dwar 3 applikazzjonijiet



'Casa Bolino' 116, Triq il-Punent, Valletta

Applikazzjoni Numru: 201517263M
Applikanti 1
L-Ewwel Registrazzjoni mahduma fil-18/12/2015

Proprjeta' Numru: 35000621
Ref: LRA4504/15
Approvata fil- 20/01/2016

Numru ta' Identita' Isem U Kunjom
CB0006 O Gvern ta' Malta
Sehem Shih

Bazi

Permezz ta' dikjarazzjoni presentata fil - 17/12/2015 b'titolu Liberu u Frank

Kummenti ohra:

Kummenti ohra fuq applikazzjoni numru 201517263M



'Casa Bolino' 116, Triq il-Punent, Valletta

Applikazzjoni Numru: 201607656M
Applikanti 2
Trasferiment shih mahduma fil-18/05/2016

Proprjeta' Numru: 35000621
Ref: LRA1714/16
Approvata fil- 28/06/2016

Numru ta' Identita' Isem U Kunjom
65576 C SADEEN EDUCATION INVESTMENT LIMITED **
Sehem Shih

CB0006 O Gvern ta' Malta **
Sehem Shih

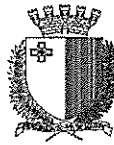
Bazi

Permezz ta' kuntratt bid-data 11/03/2016 fl-atti tan-Nutar Spiteri Tania b'titolu ta' Dirett Dominju Temporanju

Kummenti ohra:

Hemm cens annwu u temporanju ta' €24,800 liema cens huwa rivedibbli kull sena li beda jiddekorri mill-11/03/2016 skont kif indikat fl-att.

Kummenti ohra fuq applikazzjoni numru 201607656M



'Casa Bolino' 116, Triq il-Punent, Valletta

Applikazzjoni Numru: 201609624M
Applikanti 1
Ipoteka maħduma fil-27/06/2016

Proprjeta' Numru: 35000621
Ref: LRC1561/16
Approvata fil- 28/06/2016

Numru ta' Identita' Isem U Kunjom
CB0006 O Gvern ta' Malta

Kummenti ohra:

Privilegg Speċjali ffissati in garanzija tal-hlas tac-cens annwu u temporanju ta' €24,800 rivedibbli kull sena li beda jiddekorri mill-11/03/2016 skont kif indikat fl-att.

Kummenti ohra fuq applikazzjoni numru 201609624M

cc1561/16.

Atti Nutar Tania Spiteri tal-11/03/2016.

Volum I 4430/2016.



MF 780/2024/76
IR(S) 343/24

26th February 2024

Dr Joe Cilia LL.D.
Cilia & Associates
obo Marsaskala Aquatic Sports Club
107, Triq il-Knisja,
Paola PLA1074

Dear Dr Cilia

Request from Notary Cilia & Associates on behalf of Marsaskala Aquatic Sports Club for exemption from the payment of stamp duty – Article 23 Duty on Documents and Transfers Act (Cap. 364)

Kindly refer to the request dated 1 February 2024 regarding the above captioned subject.

The Minister for Finance and Employment has authorised that no duty shall be levied under the said Act by on the deed of temporary emphyteusis by SportMalta to Marsaskala Aquatic Sports Club in respect of site measuring *circa* six thousand, eight hundred and thirty five square metres (6,835m²) in Dawret il-Kunsill tal-Ewropa, Marsascula for the annual and temporary groundrent of sixty thousand euros (€ 60,000) for forty five (45) years, which groundrent is being subsidised by ninety five per cent (95%), by SportMalta. Hence, the annual groundrent which the club has to pay in advance each year amounts to three thousand euros (€ 3,000). This groundrent is to be revised every five years with an increase of ten per cent (10%) annually of the existing groundrent.

Yours faithfully

Ruth Friggieri
f/Permanent Secretary

copied: Malta Tax and Customs Administration
Capital Transfer Duty Department
Attn: Ms Josette Galdes
Director (Property Tax)

SportMalta
Attn: Ms Rose Marie Mercieca
Head Events, HR and Payroll