

**263. Il-Ministru għall-Edukazzjoni, l-Ispport, iż-Żgħażaġh, ir-Riċerka u l-Innovazzjoni, l-Onor. Clifton Grima, jipproponi:**

Billi hija l-politika tal-Gvern li jhegġegħ l-isport kif ukoll is-sehem fil-qasam soċjali ta' għaqdiet volontarji, il-Gvern tar-Repubblika ta' Malta beħsiebu jagħti proprjetà lil Lija Athletic Football Club b'titolu ta' enfitewsi temporanju, liema proprjetà hija deskritta aħjar fl-abbozz tal-ftehim hawn anness ma' din il-Mozzjoni;

U billi huwa maħsub fil-paragrafu (ċ) tal-artikolu 31 tal-Att dwar Artijiet tal-Gvern (Kapitolu 573), li art li tkun proprjetà tal-Gvern jew amministrata minnu tista' tiġi trasferita skont riżoluzzjoni speċjali tal-Kamra tad-Deputati li tkun fis-seħħ fil-waqt tat-trasferiment;

U billi huwa xieraq li t-trasferiment fuq imsemmi jsir skont riżoluzzjoni speċjali tal-Kamra tad-Deputati;

Għalhekk huwa b'dan riżolut illi l-proprjetà fuq imsemmija f'Hal Lija, kif deskritta aħjar fl-abbozz tal-ftehim anness bhala DOK A, tiġi mogħtija b'titolu ta' enfitewsi temporanju lil Lija Athletic Football Club għaż-żmien, għall-iskop u skont il-pattijiet u kundizzjonijiet imsemmija fl-istess abbozz.

**12.06.2024**

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|--|---|--|
|  | <p style="text-align: center;">Illum,</p> <p>Quddiemi Nutar Dottor Joe Cilia, duttur tal-ligi, qegħdin jidhru personalment, wara li vverifikajt l-identità tagħhom permezz tad-dokumenti uffiċjali hawn taħt indikati:-</p> <p>Mill-ewwel parti:-</p> <p>Matthew Pisani, mizzewweg, iben Edwin Pisani u l-mejta Marcelline Pisani nee Scott, imwieled San Giljan fis-7/10/1977 u residenti Swieqi (Karta ta' l-identita' numru 487077M), li qed jidher fuq dan l-Att fil-kwalità tiegħu ta' Chairperson, għan-nom u in rappreżentanza ta' <b>SportMalta</b> (bħala s-suċċessur fit-titolu tal-Kunsill Malti għall-iSport), ta' Cottonera Sports Complex, Cottonera Avenue, Bormla BML 9020; kif debitament awtorizzat:-</p> <p>- aktar 'l isfel imsejjaħ "<b>SportMalta</b>".</p> <p>Mit-tieni parti:-</p> <p>Peter Fenech, avukat, mizzewweg lil Roberta Messina, bin Frank u Grace Fenech nee Attard Bond, imwieled Sliem fis-26/8/1967 u joqghod Hal Lija (Karta ta' l-identita' numru 67468M), Samuel Cutajar, guvni, għalliem, bin Mario u Marthese Cutajar nee Camilleri, imwieledil-Pieta' fis-27/11/1984 u joqghod H'Attard (Karta ta' l-identita' numru 03885M) u Bejnamin Muscat, guvni, bin Alfred u Yoanne Muscat nee Muscat, imwieled il-Pieta' fl-1/10/1992 u joqghod il-Mosta (Karta ta' l-identita' numru 467692M) li lkoll qegħdin jidhru fuq dan l-att fil-kwalita' tagħhom ta' President, Segretarju u Tezorier rispettivament, għan-nom u in rappreżentanza ta' <b>Lija Athletic Football Club</b> ta' numru tlieta u sebghin (73), Bakery Street, Hal Lija (LJA 1203) [b'numru tar-Registrazzjoni ma' SportMalta ittri 'SM' sbarra ittra 'C' sbarra tlieta u tmenin (SM/C/038), kif debitament awtorizzati permezz ta' riżoluzzjoni tal-kumitat hawn annessa u mmarkata "Dokument R";</p> <p>- aktar 'l isfel flimkien u solidament bejniethom imsejħin "<b>il-klabb</b>".</p> <p>Minni Nutar identifikati permezz tad-dokumenti uffiċjali fuq indikati.</p> <p>Għaldaqstant bis-saħħa ta' dan l-att SportMalta qiegħed jikkonċedi b'titolu t'enfitewsi temporanja għal perjodu ta' ħamsa u erbgħin (45) sena b'effett mill-lum, lil fuq imsemmi klabb, li bl-istess titolu qiegħed jaċċetta u jakkwista is-sit konsistenti f' <i>five-a-side pitch</i> tal-kejl ta' circa tlett mija u sebgha u hamsin metri kwadri (357M.k.) fi Triq Giovanni Barbara, Hal Lija, Malta, konfinanti mit-Tramuntana ma' spazju pubbliku li jaghti għal Triq Giovanni</p> | <p><b>Att Numru:</b></p> <p><b>Enfitewsi Temporanja</b></p> <p><b>Ins:</b></p> <p><b>Vol.I.:</b></p> |
|--|---|--|

Barbara, mill-Lvant u mix-Xlokk, ma' *playground*, jew irjeh verjuri, kif deskritt ahjar fil-kopja tal-istima tal-Perit David Grima li tinsab annessa ma' dana l-att u mmarkata dokument 'S', kif murija fil-pjanta Property Drawing tal-Lands Authority - Estate Management And Business Development Directorate ittri 'PD' numru elfejn u wiehed sottosink zero sitta disgha erbgħa (P.D. 2021\_0694) li tinsab annessa m'att tan-Nutar Roderick Gatt datat disgha t'Ottubru, tas-sena elfejn u tlieta u ghoxrin (9/10/2023) u mmarkat bħala Dokument P, u fil-kopja tas-*siteplan* tar-Registru tal-Artijiet li tinsab annessa mal-Form E tal-Land Registry mmarkata 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' **sittax il-elf u tmin mitt ewro (€16,800)** għal ħamsa u erbgħin sena (45) dekorribbli minn dana l-att, liema ammont ta' ċens qed jiġi mnaqqas b'perċentwal ta' ħamsa u disgħin fil-mija (95%) mill-SportMalta ekwivalenti għal hmistax il-elf disgha mija u sittin ewro (€15,960) bħala sussidju mogħti minn SportMalta, b'dana għalhekk li l-ammont ta' ċens dovut mill-klabb kull sena u li għandu jitħallas kull sena bil-quddiem huwa l-ammont ta' **tmin mija u erbgħin ewro (€840)**. F'għeluq kull perjodu ta' ħames (5) snin mill-llum, dan l-ammont ta' ċens għandu jiġi rivedut b'żieda ta' għaxra fil-mija (10%) taċ-ċens eżistenti meta ssir ir-reviżjoni, biex b'hekk, iċ-ċens li jitħallas għal kull ħames (5) snin wara kull revizjoni, ikun iċ-ċens hekk rivedut. Dan l-ammont ta' hlas ta' ċens huwa skond kif stipulat fir-Request for calculation of valuation subsidy ta' SportMalta li kopja tagħha qed tiġi hawn annessa u mmarkata Dokument 'S1'.

(2) Iż-żmien tal-konċessjoni enfitewtika jista' jiġi mgedded favur il-klabb fl-gheluq tiegħu għal żmien ieħor, kemm il-darba t-tiġdid ta' żmien jiġi 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 jitħallas 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 jiġu osservati mill-klabb. F'każ ta' ksur ta' xi kundizzjoni stipulata f'dan l-Att, it-titolu legali tal-istess proprjetà jerga' jirritorna lura lill-SportMalta.

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

(6) Il-klabb għandu l-obbligu li jzomm il-proprjetà 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 proprjeta'.

(8) Il-proprjeta' tkun għall-użu wkoll tal-Youth Nursery tal-istess klabb u fil-ħinijiet tal-iskola, bi ftehim, il-proprjeta' 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-proprjeta' 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-proprjeta' 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 flief, 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 mizati xierqa u raġonevoli għall-użu temporanju tal-facilitajiet li jinstabu fis-sit enfitewtiku. SportMalta għandu l-jedd li jara li din il-mizata hi waħda xierqa u raġonevoli.

(15) Il-klabb għandu jkun irregiſtrat ma' SportMalta u jfornih b'dak kollu stabbilit fl-Avviz Legali numru tlieta u sittin tas-sena elfejn u tmienja (A.L. 63/2008) jew kull liġi oħra li tiegħu post dan l-Avviz 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 prezenti u futuri oltre l-poteka Speċjali u Privileġġ Speċjali skont il-liġi, fuq il-proprjetà b'dan l-att trasferita. Għall-fini tal-iskrizzjoni ipotekarja, qed tiġi ffissata s-somma ta' **sittax il-elf u tmin mitt ewro (€16,800)** 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) u għall-finijiet tal-Att dwar it-Taxxa fuq id-Dokumenti u Trasferimenti tal-elf disa' mija tlieta u disgħin (1993), qiegħed jiġi dikjarat illi l-proprjetà fuq deskritta ġiet mgħoddija lil SportMalta permezz tal- tal-Att dwar l-Isport, Kapitolu numru erba' mija ħamsa u ħamsin (Kap 455) tal-Liġijiet ta' Malta u b'mod partikolari permezz ta' kuntratt ippubblikat minn-Nutar Roderick Gatt datat disgha t'Ottubru, tas-sena elfejn u tlieta u ghoxrin (9/10/2023) illi u l-ebda hlas ta' taxxa tal-boll mhu dovut fuq dan l-att stante illi dan it-trasferiment huwa debitament ezentat permezz tal-Avviz Legali numru mija u ghaxra tas-sena elfejn u erbgħa u ghoxrin (A.L. 110/2024).

Għall-fini tat-Taxxa fuq id-Dħul [Kapitlu numru mija u tlieta u ghoxrin (123) tal-Liġijiet ta' Malta] dan it-trasferiment huwa ezentat mill-ħlas ta' taxxa fuq il-qliegħ u dan skont l-artikolu numru erbgħa u tletin (34) tal-Att dwar l-Isport, Kapitolu numru erba' mija ħamsa 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 nomine 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 klabb, kif ukoll l-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 jitħallsu 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 ma taqax f'area ta' Registrazzjoni Obbligatorja u qatt ma' giet irregistrata, kif jirrizulta mill-Form E li tinsab hawn annessa u mmarkiata Dokument 'LR'.

Dan il-kuntratt mhu bl-ebda mod jañfer 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 gie approvat SportMalta għandu d-dritt li jittrasferixxi l-imsemmija propjeta' lil enitajiet sportivi irregistrati ma' SportMalta tañt l-att tal-ISports (KAP 455) tal-Ligijiet ta' Malta u qiegħed isir wara l-approvazzjoni ta' dan it-trasferiment permezz ta' rizzoluzzjoni speċjali tal-Kamra tad-Deputati skond l-Artikolu wiehed u tletin (Art 31) tal-istess Kapitulu numru hames mija u tlieta u sebghin (KAP. 573).

Stante illi n-numru ta' dokumenti annessi ma' dana l-att jammonta għal aktar minn hamsa (5), għal kull fini u effett tal-ligi qed jigi hawn anness u mmarkat Dokument 'X elenku tad-dokumenti annessi ma' dana l-att għal kull fini u effett tal-Ligi.

Magħmul, moqri u ppublikat wara ċerjorazzjoni skond il-ligi f'Malta,

ELENKU TAD-DOKUMENTI – Dok X

Dok LR: Kopja tal-Land Registry Form E;

Dok P: Att tan-Nutar Roderick Gatt datat 9/10/2023;

Dok R: Rizoluzzjoni ta' Lija Athletic Football Club;

Dok S: Valutazzjoni tal-Perit David Grima

Dok S1 – Kalkolazzjoni ta' sussidju tac-cens minn SportMalta

Dok X: Elenku tad-Dokumenti

Lija Athletics FC

FORM E :



REQUEST FOR AN OFFICIAL SEARCH AND/OR INFORMATION:

Number:

Payment:

Receiver:

DESCRIPTION OF PROPERTY: Lija Athletics 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

Search Covers Period to 07/02/24  
**Out of Registration Area**

If plan is used for future registration it will be considered to be valid if it is in accordance with subsidiary legislation 296.08

07/02/24  
Carl Muscat  
A...  
(...)  
L... Agency



Today, the ninth (9th) day of October of the year two thousand and twenty-three (2023).

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 thirty-two stroke two thousand and twenty (L 132/2020).

On the other part:

Matthew Pisani, married, son of Edwin Pisani and Marcelle nee' Scott, born in Saint Julians, Malta on the seventh (7<sup>th</sup>) 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 consisting of a five a side pitch measuring circa three hundred and fifty-seven metres squared (357 m<sup>2</sup>), in Giovanni Barbara Street, Lija, Malta, bounded on the North with a public space abutting onto Giovanni Barbara Street, on the East and South East with a playground or more correct boundaries as better shown bordered in red on the plan indicated as Property

Deed Number:

30/2023

Transfer of Rights and Obligations

Enrolled:

18/10 /2023

Number:

26454/2023

Drawing number two thousand and twenty-one underscore zero six nine four (P.D. No. 2021\_0694) 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 Lija, 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 consisting of a five a side pitch measuring circa three hundred and fifty-seven metres squared (357 m<sup>2</sup>), in Giovanni Barbara Street, Lija, Malta, bounded on the North with a public space abutting onto Giovanni Barbara Street, on the East and South East with a playground or more correct boundaries, as better shown bordered in red on the plan indicated as Property Drawing number two thousand and twenty-one underscore zero six nine four (P.D. No. 2021\_0694) which plan is being attached to this deed and marked as document letter 'X', and as subject to any existing servitudes.

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.

*R. Fan*

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  
Dottor Marisa Grech nomine

Notary Roderick Gatt  
Notary Public with the Lands Authority Malta



True copy of the original

Taken from my records

Today 18/10/2023

Notary Dr. Roderick Gatt

Notary Public with the Lands Authority Malta

CG

REQUEST FOR AN ENCROACHMENT FOR A  
SMALL 5 A SIDE PITCH IN  
GIOVANNI BARBARA STREET,  
LIJA

TRILU DARI

HAL

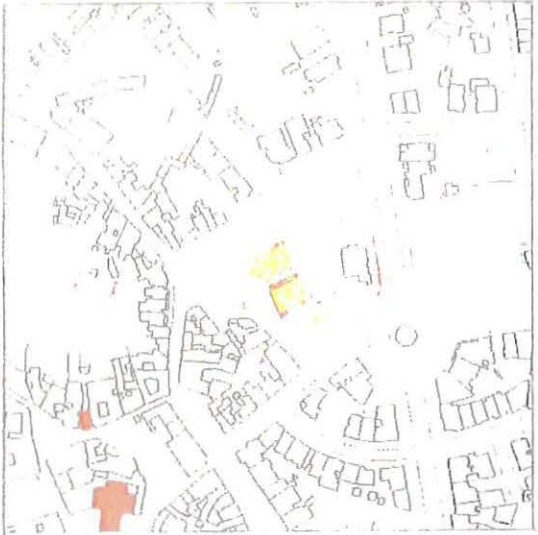
TRILU DARI

*Handwritten signature*

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*Dec 'x*



Scale 1:250  
Map No. 50340  
1:250

Property No. E270513  
Area: 357m<sup>2</sup>

|   |                    |
|---|--------------------|
| LANDS AUTHORITY - ESTATE MANAGEMENT<br>AND BUSINESS DEVELOPMENT DIRECTORATE |                    |
| LOCALITY  |                    |
| P.L.D. NO.  | SCALE 1:250        |
| DATE  | PROJECT NO.        |
| APPROVED BY   | ISSUED BY          |
|   | 1500 R. Derrington |
|   | 15/11/2014         |

*Not for public use. The Lands Authority Map No. 50340 taken from the original*



# Lija Athletic Football Club *Est. 1949*

73, Bakery Street, Ħal Lija  
LJA 1203 – Malta

Registered with:  SPORTMALTA

t: 21435868 & 21414959 w: [facebook.com/ljaathleticfootballclub](https://facebook.com/ljaathleticfootballclub) e: [ljaafc@mfa.com.mt](mailto:ljaafc@mfa.com.mt)

**Date: Monday 8th January 2024**

Resolution of Lija Athletic Football Club (VO number 1219 & Sport Malta registration number C038) taken at the Committee meeting held on Thursday, the 4th of January 2024 at the Club premises situated at 'Casino Liense', 73, Bakery Street, Ħal Lija. LJA 1203.

It was hereby resolved that:

President, Doctor of Laws Peter Fenech, son of Frank and Grace née Attard Bondi (both alive), husband of Roberta Messina, born in Sliema on the 26th August 1967, holder of Identity card number: 67468M;

Secretary Samuel Cutajar, Regular Teacher, son of Mario and Marthese née Camilleri (both alive), single marital status, born in Pietà on the 27th November 1984, holder of Identity card number: 03885M;

Treasurer Benjamin Muscat, son of Alfred and Yoanne Muscat née Muscat (both alive), single marital status, born in Pietà on the 1st of October 1992, holder of Identity card number: 467692M.

Are hereby authorised to appear and represent the Club on a deed of rent/emphytutical grant with SportMalta, appearing for and on behalf of the Government of Malta, in order to sign the said deed as a result of which, SportMalta will transfer the administration and responsibility of the five-a-side football pitch situated in Ġnien Rikreattiv at the Ċentru Rekreattiv in Triq Giovanni Barabara, Ħal Lija to Lija Athletic Football Club under the terms there in stipulated.

The Club hereby declares that it undertakes to ratify whatsoever its representatives have undertaken and signed.

Yours truly,

**SAMUEL CUTAJAR**  
Secretary & Administrator  
Lija Athletic FC  
VO/1219

LJA ATHLETIC  
FOOTBALL CLUB  
MALTA



14/11/2023

Re: Valuation Certificate 2585k – Lija Playground, Lija

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:

|                            |  |
|----------------------------|--|
| <b>Valuation Reference</b> | 2585k  |
| Property Address           | Lija Playground, Giovanni Barbara Street, Lija   |
| Customer                   | Sport Malta  |
| Date of Inspection         | 14/11/2023   |
| 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<br>Ground Rent Payable: € Nil<br>Other Encumbrances: Not applicable  |
| Sources of Information     | The above information has been provided by the client.   |
| <b>Description</b>         |  |
| Property Classification    | Commercial: Sports Complex   |
| General Description        | - The property in reference is a small piece of land in Lija, referred as the Lija Playground. The property in question only consists of a 5 a side Football Pitch.  |

Structural//Architectural//Solutions  
 1B, Nu Bis Centre, Mosta Road, Lija, LA 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                 | No Views   |
| Availability of Lift                  | No   |
| Construction Type                     | The construction of the football pitch consists of masonry stone parapet wall around its perimeter with fencing all around.  |
| <b>Current State of Finish</b>        | In need of renovation  |
| 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                        | 357 m <sup>2</sup>   |
| Other Comments                        |  |
| Energy Related Features<br>(Existing) | Not Applicable.  |
| Year of Construction                  | N/A  |
| Location Type                         | Other:   |
| <b>Planning Issues</b>                |  |
| 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.   |
| <b>Valuation Methodology</b>          | The discounted cash flow valuation approach is considered the most suitable methodology in determining the current market value. In principle this model is based on the future cash flow the property can generate.<br><br>The annual ground rent is extrapolated from the investment method.<br><br>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 (tennis court) has in my opinion as an annual ground rent of **€ 16,800** (Euro sixteen thousand an eight hundred).

**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.

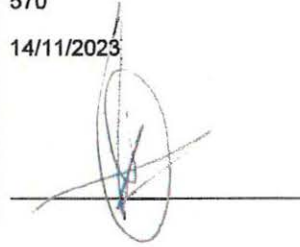
Warrant No.

570

Date

14/11/2023

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 Cash flow

Annual Rent from existing facilities

|              |                          |         |
|--------------|--------------------------|---------|
| Tennis Court | Rent of Football pitch   | 16.5    |
|              | Hours Available          | 20      |
|              | Occupancy                | 45.00%  |
|              | Daily Rent               | 148.5   |
|              | Annual Rent              | 54202.5 |
|              | <b>Total Annual Rent</b> |         |

**Table B1 – Annual Rent income from the available sports facilities**

| Start of Year | Current ERV (Estimated Rental Value) | A (Future Value) of 1 Euro @ 0.00% |    |       | Projected Income | Outgoings   | Forecast Income | PV @ 8.00% | Present Value | YP perp @ % |            |        |
|---------------|--------------------------------------|------------------------------------|----|-------|------------------|-------------|-----------------|------------|---------------|-------------|------------|--------|
|               |                                      | t                                  |    |       |                  |             | t               |            |               |             |            |        |
| 1             | 54,202.50                            | 0                                  | 0  | 1.000 | 54,202.50        | (5,420.25)  | 48,782.25       | 0          | 1.000         | 48,782.25   | 48,782.25  | 16.000 |
| 2             | 54,202.50                            | 1                                  | 0  | 1.000 | 54,202.50        | (5,420.25)  | 48,782.25       | 1          | 0.926         | 45,168.75   | 93,951.00  | 16.000 |
| 3             | 54,202.50                            | 2                                  | 0  | 1.000 | 54,202.50        | (5,420.25)  | 48,782.25       | 2          | 0.857         | 41,822.92   | 135,773.92 | 16.000 |
| 4             | 54,202.50                            | 3                                  | 0  | 1.000 | 54,202.50        | (5,420.25)  | 48,782.25       | 3          | 0.794         | 38,724.92   | 174,498.84 | 16.000 |
| 5             | 54,202.50                            | 4                                  | 0  | 1.000 | 54,202.50        | (5,420.25)  | 48,782.25       | 4          | 0.735         | 35,856.41   | 210,355.25 | 16.000 |
| 6             | 54,202.50                            | 5                                  | 5  | 1.000 | 54,202.50        | (5,420.25)  | 48,782.25       | 5          | 0.681         | 33,200.38   | 243,555.63 | 16.000 |
| 7             | 54,202.50                            | 6                                  | 5  | 1.000 | 54,202.50        | (5,420.25)  | 48,782.25       | 6          | 0.630         | 30,741.09   | 274,296.72 | 16.000 |
| 8             | 54,202.50                            | 7                                  | 5  | 1.000 | 54,202.50        | (5,420.25)  | 48,782.25       | 7          | 0.583         | 28,463.97   | 302,760.70 | 16.000 |
| 9             | 54,202.50                            | 8                                  | 5  | 1.000 | 54,202.50        | (5,420.25)  | 48,782.25       | 8          | 0.540         | 26,355.53   | 329,116.23 | 16.000 |
| 10            | 54,202.50                            | 9                                  | 5  | 1.000 | 54,202.50        | (5,420.25)  | 48,782.25       | 9          | 0.500         | 24,403.27   | 353,519.50 | 16.000 |
|               |                                      |                                    |    |       | 542,025.00       | (54,202.50) | 487,822.50      |            |               | 353,519.50  |            |        |
| 11            | 54,202.50                            | 20                                 | 20 | 1.000 | 54,202.50        | (5,420.25)  | 48,782.25       | 20         | 0.215         | 10,466.14   | 363,985.64 | 16.000 |

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| Sale of Property @ Year 10 |            |
|----------------------------|------------|
| Projected Rent             | 54,202.50  |
| Outgoings                  | (5,420.25) |
| Forecast Income            | 48,782.25  |
| YP perp @ %                | 16.000     |
| PV @ % def'd 20 years      | 0.215      |
|                            | 182,963.71 |

|                            |            |
|----------------------------|------------|
| Valuation                  | 167,458.31 |
| Agency Fees                |            |
| Value of Complete Property | 167,458.31 |

Rounded:

167,458.31

**Table B2 – Existing Market Value of the sport facilities**

| Property     | Value   | Yield | Net rental income | Management Cost percentage | Gross Rental income |
|--------------|---------|-------|-------------------|----------------------------|---------------------|
|              | €       | %     | €                 | %                          | €                   |
| Tennis Court | 168,000 | 9.50% | 15960.5           | 5.00                       | 16800.00            |
|              |         |       | <b>Total</b>      |                            | <b>16800.00</b>     |

**Table B3 – Calculation for annual rent**

### Valuation Conclusion

The valuation does not include the existing non asphalted parking lot due to the fact that the area is not considered a parking area. This is because it was approved as a football ground and it is illegal that it is being used as a car park without a permit. 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 taking into account the potential use of the said property, I consider the following:

**Total Annual Ground Rent = € 16,800**

## Appendix C: Data Summary

|                        |  |
|------------------------|--|
| Property Address       | Lija Playground, Giovanni Barbara Street, Lija |
| Property Title         | Freehold                                       |
| Years Remaining        | - NA -   |
| Ground Rent Payable    | € Nil  |
| Property Usage         | Commercial:                                    |
| Current State          | In need of renovation                          |
| New Building           | No   |
| Site Footprint         | 357 m <sup>2</sup>                             |
| Availability of Garden | No   |
| Availability of Pool   | No   |
| Availability of Lift   | No   |
| Floor Level            | Not Applicable                                 |
| EPC Value              | Not Available                                  |
| Availability of Views  | No Views                                       |
| Year Built             | N/A  |
| Valuation Methodology  | DCF on cashflows (Net Income)                  |
| Annual Ground rent     | € 16,800                                       |
| Valuer                 | Perit David Grima                              |
| Warrant No.            | 570  |
| Date of Issue          | 14/11/2023                                     |

## Appendix D: Planning History and Constraints

At the time of writing of this report, no Planning Authority applications were traced on the PA website.

### Location & Planning Policy Considerations

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

- Sports and Recreation CG18

As shown in the Lija Inset Map, the area in question is indicated as "Sports and Recreation CG18". In addition with reference to the "Central Malta Local Plan" policy Sports and Recreation CG18, which states;

"MEPA designates Green Areas, Public Recreational Areas and Sports Areas as indicated in the relevant Area Policy Maps. Planning permission will not be granted for development resulting in the loss of Green Areas, Public Recreational Areas and Sports Areas unless:

- I. Public open space or sports areas as applicable of equivalent or greater area are provided in the same locality within the development zone; or,
- II. Its use is complementary to the function of the public open space or sports area where the development occurs and occupies only a part of the open space; or,
- III. The space has been re-zoned for community or other uses through other policies within this Local Plan.

#### 3.6.1

In 2001, Public Recreation and Sports provision in the Plan area only amounted to about 12% of total national land in the case of sports facilities, and 18% of total national land in the case of recreational facilities. In addition, sports provision per person is 2.7 sqm, which is substantially less than the national average of 6 sqm per person, and recreational space per person is only 1.3 sqm as compared to the national average of 2.1 sqm per person. It is noted that the national strategic objective for open recreational space provision (including public gardens, playgrounds/playfields and other open spaces) as indicated in the Recreation Topic Paper is to achieve 2.4 sqm per person that is far higher than the existing 1.3 sqm per person in the central localities.

#### 3.6.2

It is clear therefore that provision of sports/recreational areas in the Plan area is severely lacking and requires protection from development. Once such facilities are developed, they are next to impossible to replace considering the limited land available within scheme and the high cost of finding alternative spaces."

## Appendix E: Photos



Photo 1: Photo showing the inside of the currently unmaintained Football Pitch.

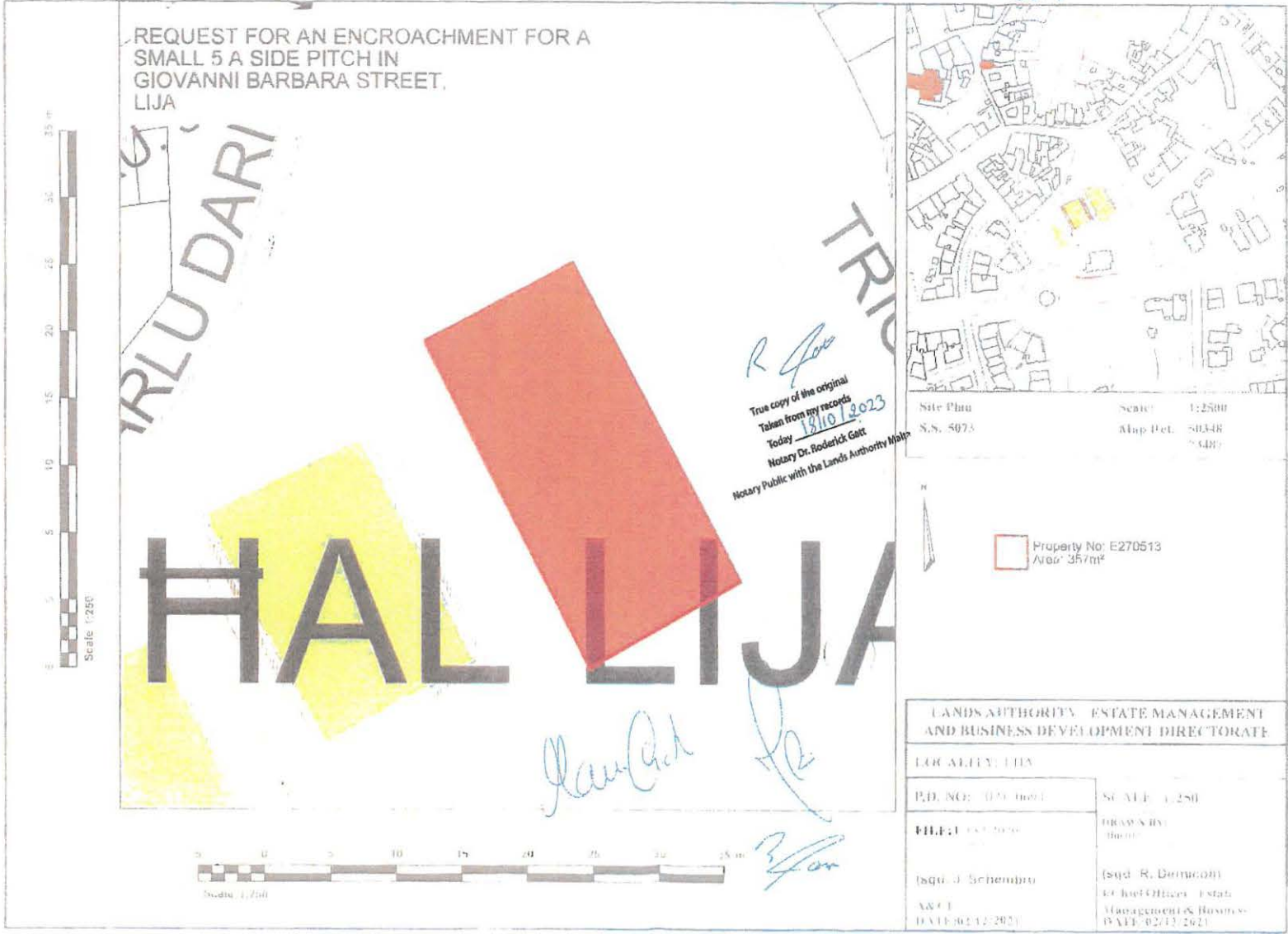


Photo 2: Photo showing the Football Pitch from the Bocci Pitch side



Photo 3: Photo showing the Football Pitch from Giovanni Barbara Street side.

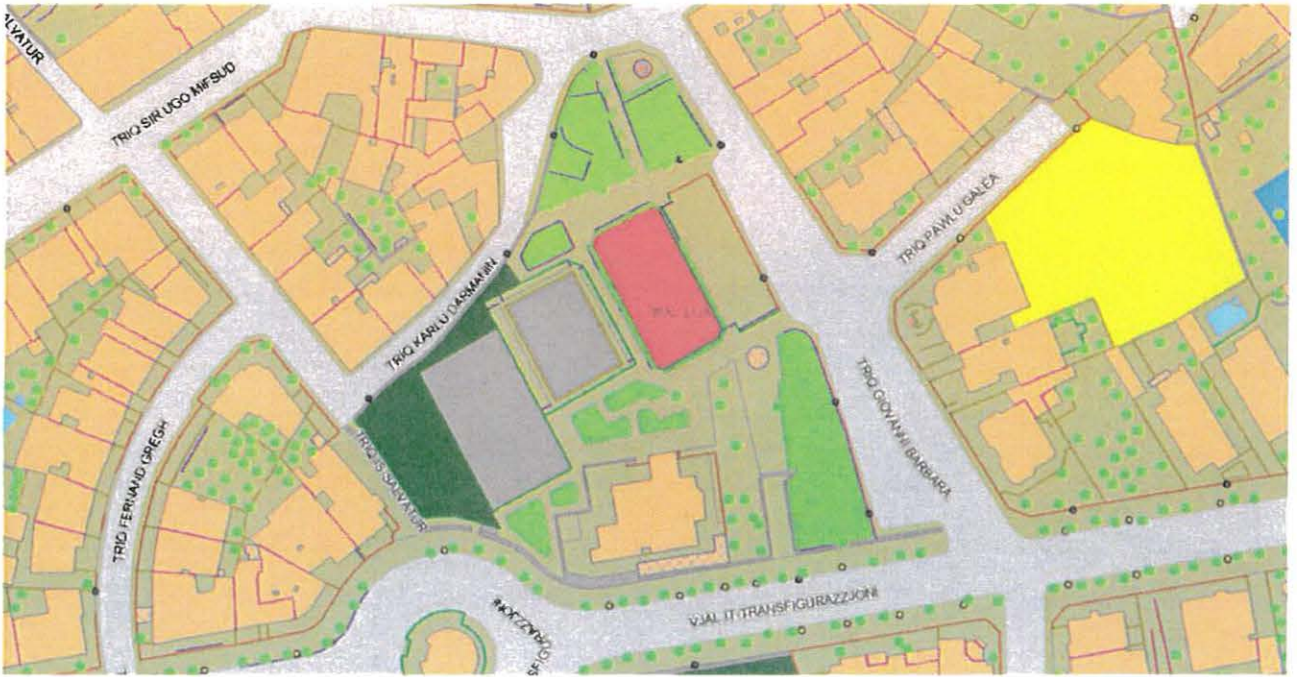
**Appendix F: Site Plan**



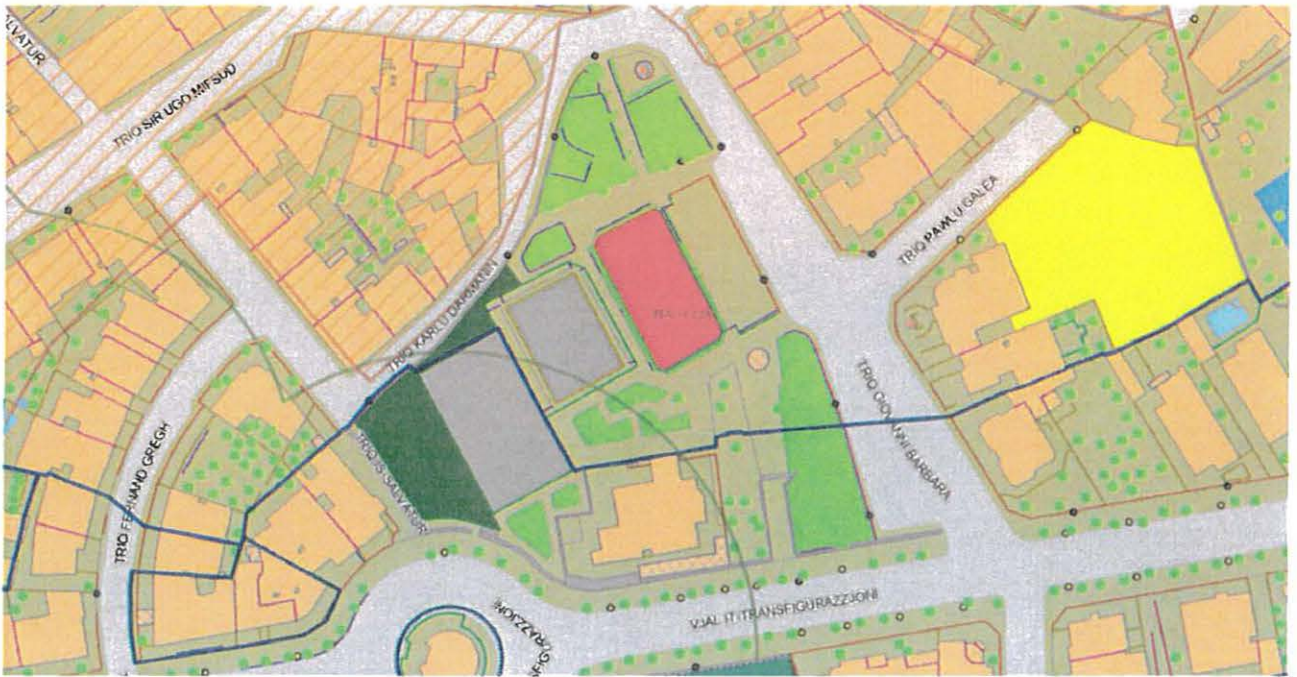
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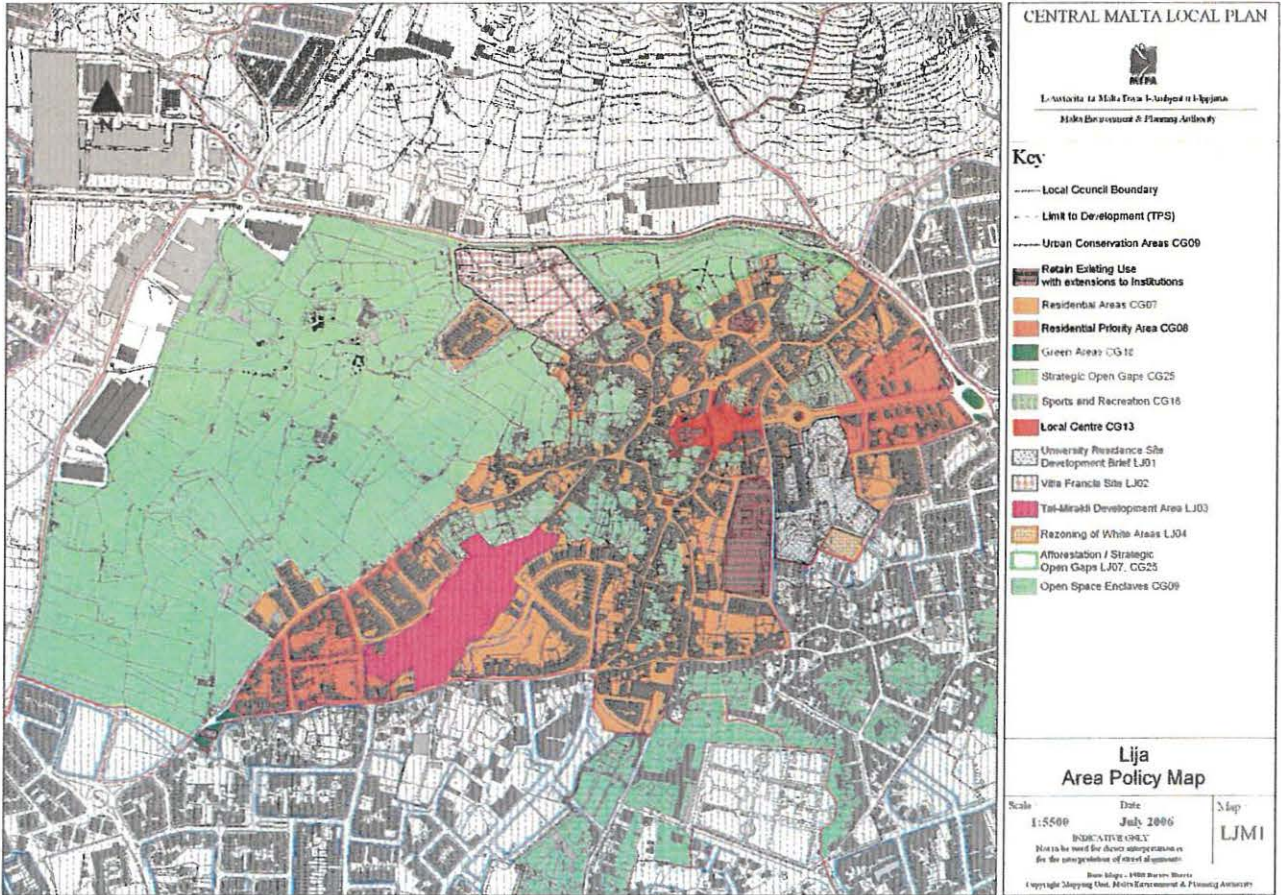


Planning Authority Basemap



Planning Authority Basemap, incl. constraints

# Appendix G: Lija Policy Map



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Date: 16/11/2023**Request for calculation of valuation subsidy**

As per SportMalta Lands Section SoP procedures kindly provide the section with the following values for the valuation performed on a pocket of land located in Lija Playground, Giovanni Barbara Street (attached with this document as annex 47):

- 1) Original Rental Value of property in question as indicated in Valuation:  
€ 16,800
  
- 2) The value of the 95% subsidy offered by government for leases/ground rents on Sport Facilities:  
€ 15,960
  
- 3) The 5% value of the Original Rental Value that is to be paid by the club to the accounts department every year:  
€ 840

Rebecca Sare'

Name of Accounts Officer  
tasked with carrying out  
the valuation calculation

  
\_\_\_\_\_  
Signature

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Cottonera Sports Complex, Cottoner Avenue,  
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E-mail: [info@sportmalta.org.mt](mailto:info@sportmalta.org.mt)