Verżjoni Elettronika

L.N. 473 of 2020

GOVERNMENT LANDS ACT
(CAP. 573)

Modification to, or Removal of, a Condition or Conditions imposed in a Contract of a Property Transferred by the Government, the Lands Authority or Ecclesiastical Entities through a Sale or Emphyteusis (Amendment) Regulations, 2020

IN EXERCISE of the powers conferred by sub-paragraph (L) of paragraph (g) of article 31 of the Government Lands Act, the Minister for the Economy and Industry, has made the following regulations:-

Citation.

1. The title of these regulations is Modification to, or Removal of, a Condition or Conditions imposed in a Contract of a Property Transferred by the Government, the Lands Authority or Ecclesiastical Entities through a Sale or Emphyteusis (Amendment) Regulations, 2020 and these regulations shall be read and construed as one with the Modification to, or Removal of, a Condition or Conditions imposed in a Contract of a Property Transferred by the Government, the Lands Authority or Ecclesiastical Entities through a Sale or Emphyteusis Regulations, hereinafter referred to as "the principal regulations".

S.L. 573.09.

Amends regulation 5 of the principal regulations.

2. Regulation 5 of the principal regulations, shall be amended as follows:

(a) in sub-regulation (1) thereof, the words "Government Lands Act." shall be substituted by the words "Government Lands Act:" and the words "In any case," till the words "did not exist." shall be substituted by the words "Provided that, in any case, in order for the value of the condition to be removed to be valued, the estimate made shall reflect the difference in value of the land subject to condition imposed in the original contract and the value of the land with all it's development potential according to the planning laws applicable on the date when the estimate is made, as if no such condition exists."; and

(b) paragraph (a) and the proviso thereto, of sub-regulation (2) thereof, shall be substituted by the following new paragraph and proviso:

"(a) in the case the applicant has developed or wants to develop an additional residence or residences to serve as

an ordinary residence, or were transferred as ordinary residences, for his linear descendants or ascendants, he shall pay the Lands Authority twenty-five percent (25%) of the value indicated in the estimate made by the *periti* appointed by the same Authority:

Provided that, in case the applicant shall transfer this property to third parties, he shall pay the Lands Authority the residual value as indicated in the original estimate made by the *periti* appointed by the same Authority;".

Amends regulation 14 of the principal regulations.

3. Immediately after sub-regulation (2) of regulation 14 of the principal regulations, there shall be added the following new sub-regulation:

"(3) These regulations shall not apply in case such property has been transferred to the Housing Authority.".

Amends regulation 15 of the principal regulations.

4. In regulation 15 of the principal regulations, the words "imposed in the original temporary emphyteusis" shall be substituted by the words "imposed in the original emphyteusis".

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