

Konrad @ apralletta.eu
simone.v@apvilletta.eu

Fl-atti tas-Subbasta numru

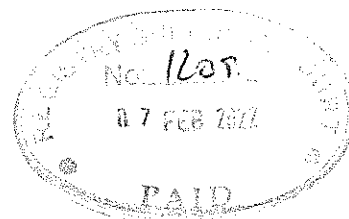
31/21

fl-ismijiet:

Malik Mohamedreda Hanka

VS

**Administration Investment
Management Services Limited (C1809)**





AP Valletta Ltd.,
4, Sappers Street,
Valletta VLT 1320
Malta

tel +356 21 243 981
fax +356 21 243 997
<http://www.apvalletta.eu>

6 ta' Frar 2022

Rif: C00877.00-G01

Valutazzjoni ta' Proprjeta' Immobbli

fi Triq El Dorado k/m Triq Brighella

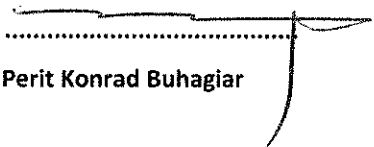
Hamrun

Malta

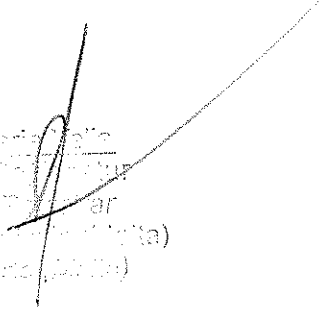
Is-sottoskritt gie mahtur bhala espert fl-atti tal-Mandat ta' Qbid ta' Hwejjeg Immobbli Nru **31/21** fl-ismijiet **Malik Mohamedreda Hanka vs Administration Investment Management Services Limited** sabiex ihejji deskrizzjoni tal-fond indikat fl-inkartament bhala **57 & 59** li jinsab fi **Triq El Dorado, Hamrun, Malta**, u sabiex ifisser il-pizijiet, kirjiet u jeddijiet oħra, sew reali kemm personali, jekk ikun hemm, li għalihom dan il-fond huwa sugġett, kif ukoll l-aħħar trasferiment tiegħu, skond l-informazzjoni miġbura kif deskritt fir-rapport anness. Hu mifhum ukoll li s-sottoskritt gie mahtur sabiex jagħti stima tal-valur fis-suq tal-fond in kwistjoni.

Is-sottoskritt wasal għall-valur hawn taht imsemmi abbażi tal-fatti u l-kunsiderazzjonijiet kollha msemmija fir-rapport anness.

Fuq il-bażi ta' dawn il-fatti u kunsiderazzjonijiet, kif ukoll tenut kont tas-sitwazzjoni kurrenti tas-suq tal-proprjeta', l-istima tal-valur tal-fond imsemmi huwa ta' **€395,000** (tliet mija u hamsa u disghin elf Ewro).


Perit Konrad Buhagiar

Anness: Rapport ta' Valutazzjoni


07 FEB 2022
Ilum

loprezentata mill-ALC K. Buhagiar

01 dok wiened (1) dokumenti

6 ta' Frar 2022

Rif: C00877.00-G01

Rapport ta' Valutazzjoni

1. **Klijent** Prim' Awla tal-Qorti Ċivili, Malta
2. **Indirizz tal-fond** 57 & 59, Triq El Dorado, Hamrun, Malta (ara dettalji f'Sezzjoni 8 ta' dan ir-rapport)
3. **Sid**

Ma gietx ipprovduta lis-sottoskritt kopja tal-ahhar kuntratt tax-xiri tal-fond minkejja diversi talbiet sabiex din tinghata lis-sottoskritt (ara korrispondenza fl-Anness 10)

Skond l-applikazzjoni PA/07004/18 li saret lill-Awtorita' ta' l-Ippjanar, l-applikant huwa s-Sur Kevin Zammit li iddikjara li huwa s-sid uniku (*sole owner*) tas-sit in kwistjoni (*vide* pagna 6 ta' Doc 1f fl-Anness 5).
4. **Baži tal-Valutazzjoni**

Dan ir-rapport iwassal għal stima tal-valur fis-suq (*Market Value*) tal-fond, kif definit fid-Direttiva tal-Kunsill Ewropew 2006/48/EC, u cioèe' *"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 compulsion."*

Mingħajr preġudizzju għal dak fuq imsemmi, il-valur indikat f'dan ir-rapport huwa l-aħjar prezz in fondi likwidi li huwa raġonevolment mistenni li jinkiseb minn bejgħ tal-proprjeta' mingħajr kundizzjonijiet, fid-data ta' din il-valutazzjoni, u a baži ta' dawn il-premessi:

 - a. il-bejgħ tal-fond ma kienx sfurzat;
 - b. qabel id-data tal-valutazzjoni kien hemm perjodu raġonevoli biex isir reklamar dwar il-bejgħ tal-fond, għan-negozjar u qbil dwar il-prezz u t-termini tal-bejgħ, u għall-konklużjoni tal-bejgħ;
 - c. is-sitwazzjoni tas-suq, in-natura ta' valuri tal-proprjeta' u ċirkustanzi oħra rilevanti kienu, fid-data li jsir il-kuntratt tal-bejgħ, l-istess bħal fid-data tal-valutazzjoni;
 - d. ma hemmx xi offerta addizzjonali minn xi xerrej li għandu interessi speċjali fl-akkwist tal-fond;
 - e. it-titlu tal-fond jista' jiġi stabbilit u l-fond ma huwiex soġġett għal xi restrizzjonijiet inużwali jew onerużi, jew għal xi dejn;

- f. il-fond ma huwiex soġġett għal xi Notifiki Statutorji u kemm il-fond kif ukoll l-użu tiegħu, eżistenti jew intenzjonat fil-futur, jikkonformaw mal-Kundizzjonijiet Statutorji rilevanti;
- g. il-fond m'għandux difetti moħbija u l-materjali li ntużaw għall-kostruzzjoni (jekk applikabbli) kienu ta' kwalita' tajba;
- h. il-kundizzjoni tal-fond ġie stabbilit minn ispezzjoni viżwali biss, u, sakemm mhux indikat mod ieħor fir-rapport u f'tali każ fl-estent speċifikat biss, dawk il-partijiet tal-fond li kienu mghottija, inesposti jew mhux aċċessibbli ma kienux spezzjonati, u l-ebda testijiet ma saru fuqhom biex jiġi stabbilit jekk għandhom xi difett jew ieħor, u għalhekk il-valutazzjoni tassumi li jekk isir studju strutturali fuq il-fond ma jirrizultawx difetti serji li jistgħu jwasslu għal spejjeż sostanzjali.

5. Kundizzjonijiet Speċjali

Dan ir-rapport huwa kunfidenzjali għall-klijent msemmi hawn fuq u ġie ppreparat għall-iskop speċifiku msemmi hawn taħt. Jista' jiġi rreferit lil esperti li qed jgħinu lill-klijent għall-istess skop, iżda lil ebda persuna jew entita' oħra. Ir-rapport, jew partijiet minnu, ma jistgħux jiġu ppublikati mingħajr il-kunsens tas-sottoskritt.

Is-sottoskritt huwa responsabbli biss lejn il-klijent, u kwalunkwe persuna li tagħmel użu minn din il-valutazzjoni tagħmel hekk unikament a riskju tagħha.

It-titlu tal-fond ma kienx investigat, u tali investigazzjoni ma kienitx parti mill-iskop ta' dan ir-rapport.

6. Aċċess

Sar aċċess fuq il-post mis-sottoskritt nhar it-28 ta' Settembru 2021, iżda s-Sur Kevin Zammit in rappreżentanza ta' *Administration Investment Management Services Limited* ma pprezentax ruħu sabiex jipprovdri aċċess lis-sottoskritt għall-partijiet interni tal-fond. Wara diversi tentattivi sabiex isir aċċess (ara korrispondenza fl-Anness 10), dan sar nhar l-20 ta' Novembru 2021, fil-preżenza tas-Sur Kevin Zammit in rappreżentanza ta' *Administration Investment Management Services Limited*. L-esponent jinnota li l-bini in kwistjoni huwa mwaqqa' flief il-faċċati u il-materjal li rrizulta ma ġiex mneħħi. Għaldaqstant, u peress ma setgħux jinfetħu l-bibien, ma sarx aċċess għol-fond, u dan ir-rapport hu bbażat fuq dawk il-partijiet li setgħu jiġu osservati min-naħa tat-triq.

7. Skop

Deskrizzjoni tal-fond indikat u stima tal-valur fis-suq ta' tali fond għall-finijiet ta' Mandat ta' Qbid ta' Hwejjeg Immobbli.

8. Deskrizzjoni Ġenerali

Tipoloġija:

Fid-data ta' l-ewwel aċċess, l-esponent innota li kien qiegħed isir xi xogħol ta' twaqqiegħ fil-partijiet interni tal-bini (*vide* ritratti fl-Anness Numru 2). Fid-data tat-tieni aċċess, l-esponent seta' jikkostata li l-partijiet kollha interni, inkluż il-ħitan u s-soqfa, kienu twaqqgħu (*vide* ritratti fl-Anness Numru 3), u dan kif approvat mill-Awtorita' ta' l-Ippjanar in forza tal-permess b'riferenza PA/07004/18 maħruġ fuq is-sit in kwistjoni. Il-faċċati man-naħa tat-triq kienu għadhom intatti.

L-esponent jirrimarka li qabel ma saru tali xogħolijiet jidher li l-fond kien jikkonsisti f'żewġ idjar u ħanut. Dar minnhom kellha żewġ bibien fuq il-faċċata li tagħti fuq Triq Eldorado (innumerati 57 u 59), filwaqt li d-dar l-oħra kellha bieb bin-numru 22 fuq il-faċċata li tagħti fuq Triq Brighella. Il-ħanut kien jinsab fil-livell terran, u kellu bieb fuq kull triq, it-tnejn mingħajr numru.

Issir riferenza għall-pjanta immarkata Doc 84a fl-Anness 5 li tiffirma parti mill-permess tal-ippjanar maħruġ fuq is-sit, u li turi iż-żewġ idjar hekk kif kienu mibnija qabel ma twaqqgħu (immarkati bl-isfar). Issir riferenza wkoll għall-pjanta tar-Registru ta' l-Artijiet annessa mar-rikors (ara l-Anness 9) li tindika bl-aħmar iż-żewġ idjar u l-ħanut. Għaldaqstant l-esponent qiegħed jikkunsidra li l-proprjeta' immobbli li għandha tiġi vvalutata tikkonsisti fiż-żewġ idjar u l-ħanut, u mhux biss il-fond bl-indirizz 57 & 59, Triq Eldorado, Ħamrun. Il-pjanta fl-Anness 6 tindika l-estent taż-żewġ idjar u tal-ħanut kif kienu disposti qabel ma sar ix-xogħol ta' twaqqiegħ. Għall-fini ta' dan ir-rapport qiegħed jiġi stmat valur wieħed għaž-żewġ idjar flimkien.

Kostruzzjoni:

Il-proprjeta' jidher li kienet tikkonsisti f'ħitan interni u esterni tal-ġebba tal-franka, li fuqhom kienu jserrħu travi tal-hadid u xorok.

9. Titlu

Peress li kopja tal-aħħar kuntratt ta' xiri tal-fond ma ġiex ipprovdut lis-sottoskritt, it-titlu ma setax jiġi stabbilit. Għaldaqstant, is-sottoskritt assumu li l-fond huwa liberu u frank. Jekk jirriżulta li dan mhuwiex il-każ, is-sottoskritt jirriżerva d-dritt li jemenda dan ir-rapport u l-istima.

10. Okkupazzjoni

Fid-data tal-aċċess, il-fond kien vakanti.

11. Awtorita' Lokali

Kunsill Lokali Ħamrun.

12. L-inħawi tal-madwar

Il-fond jinsab f'żona residenzjali, li żviluppat wara t-Tieni Gwerra Dinjija, iżda li tinkludi wkoll xi blokki ta' appartamenti li nbnew fl-aħħar snin. Il-fond jinsab fil-vicinanza taċ-ċentru kummerċjali u storiku tal-lokalità.

- 13. Toroq** Kemm Triq Eldorado, kif ukoll Triq Brighella, huma miksija bit-tarmac u jinsabu f'kundizzjoni tajba. It-toroq jinkludu sistema ta' dawl ta' barra (*street lighting*).
- 14. Is-Sit**
- Konfini:* Il-konfini tas-sit huma definiti b'mod ċar minn hitan tal-appoġġ mad-dawra tal-fond, minn faċċata fuq Triq Eldorado fuq in-naħa tal-Grigal, u minn faċċata fuq Triq Brighella fuq in-naħa tat-Tramuntana.
- Karatteristiċi fiżiċi:* Is-sit in kwistjoni jinsab fuq art relattivament ċatta. Ma saret ebda investigazzjoni dwar in-natura tas-sottosuol, u ma ġiet ipprezentata ebda evidenza ta' karatteristiċi inużwali. Din l-istima tassumi li ma hemm ebda kundizzjonijiet fis-sottosuol, inkluż iżda mhux biss il-preżenza ta' fissuri, ta' tafal, jew ta' kontaminazzjoni, li jistgħu ikollhom impatt fuq il-valur tal-proprjeta'.
- Il-fond għandu faċċata ta' madwar 9.7m fuq Triq Eldorado u ta' madwar 5.8m fuq Triq Brighella.
- Servitujiet:* Il-fond ma jidhrix li huwa sugġett għal servitujiet favur terzi.
- 15. Partijiet Komuni** Qiegħed jiġi meqjus li l-fond jinkludi sehem indiviż tal-hitin tal-appoġġ flimkien mas-sidien tal-proprjetajiet.
- 16. Akkomodazzjoni** Ma sar ebda kejl preċiż (*survey*) tal-propjeta', u tali kejl ma kienx parti mill-iskop ta' dan ir-rapport. Skond il-pjanta tar-Registru ta' l-Artijiet pprovduta lis-sottoskritt, is-sit għandu kejl superfiċjali ta' madwar 111 metri kwadri. Peress li, kif deskritt iktar 'il-quddiem, sar xogħol ta' twaqqiegħ fil-bini, l-proprjeta' ma tistax titqies li hi abitabbli fil-kundizzjoni attwali tagħha.
- 17. Kunsiderazzjonijiet tal-Ippjanar**
- Il-fond jinsab f'lokalita' li taqa' taħt ir-rekwiżiti tal-Pjan Lokali magħruf bħala *Central Malta Local Plan* (CMLP) ppublikat mill-Awtorita' ta' Malta dwar l-Ambjent u l-Ippjanar (MEPA). Il-funzjonijiet ta' ippjanar tal-MEPA ġew mgħoddija lill-Awtorita' ta' l-Ippjanar li twaqqfet fl-2016.
- Il-fond jinsab fiż-żona ta' l-iżvilupp u f'Żona Residenzjali (*Residential Area*) kif deskritt fil-Policy CG07, kif ukoll f'*Design Priority Area*. Is-sit jinsab f'żona fejn l-għoli permissibbli hu ta' 3 sulari, li skond id-*"Development Control Design Policy, Guidance and Standards 2015"* jikkorrispondi għal għoli massimu ta' 16.3m.
- Il-proprjeta' hi koperta mill-permess ta' l-Awtorita' ta' l-Ippjanar bir-riferenza PA/07004/18 għal *"Demolition of existing two dwelling units, shop and store, and construction of two garages, class 4B shop, and four apartments."* Hawnhekk ta' min jinnota li l-indirizz tas-sit huwa indikat fil-permess bħala "57, 59, Triq Eldorado c/w, Triq Brighella,

Hamrun." Il-pjanti u dokumenti approvati oħra huma meħmuża fil-Anness 5.

Ma jirriżultax li hemm xi azzjoni ta' infurzar fuq il-fond. *Inoltre*, s-sottoskritt jinnota li huwa preżunt li l-blokka hi mibnija skond il-linja uffiċjali tal-bini.

**18. Kunsiderazzjonijiet
Statutorji**

Mhux applikabbli.

19. Kundizzjoni tal-fond

Kif deskritt hawn fuq, il-fond illum huwa mwaqqa' għajr għall-faccati ta' mat-triq.

20. Servizzi

Qiegħed jitqies li l-fond ma huwiex munit bis-servizzi normali ta' dawl, ilma, telefon u drenagg.

**21. Kunsiderazzjonijiet
Ambjentali**

Peress li l-applikazzjoni għall-iżvilupp tal-fond in kwistjoni gie sottomess lill-Awtorita' ta' l-Ippjanar wara l-1 ta' Jannar 2016, l-iżvilupp propost għandu jkun konformi mal-linji gwida magħrufa bħala "*Document F - Part 1: Minimum Energy Performance Requirements for buildings in Malta*" u "*Document F - Part 2 Minimum Energy Performance Requirements for Building Services in Malta.*" Ma ġiex ippreżentat lis-sottoskritt rapport minn persuna kompetenti li jikkonferma l-konformita' tal-proposta ma' tali linji gwida, u ma saritx verifikazzjoni mis-sottoskritt tal-konformita' ma' tali linji gwida. Is-sottoskritt jirriserva d-dritt li jemenda dan ir-rapport jekk jirriżulta li l-iżvilupp propost mhuwiex konformi.

22. Kummenti

Is-sottoskritt jippremeti li ma huwiex edott dwar jekk hemm xi pendenzi in vista ta' xi hsarat lill-proprietajiet adjaċenti li setgħu gew ikkawżati mix-xogħolijiet li saru fil-fond. Din l-istima teskludi kwalunkwe pendenzi li jista' jkun hemm.

Perit Konrad Buhagiar

Annessi:

1. Pjanta tas-sit (*site plan*), 1:2500
2. Ritratti meħudin fit-28 ta' Settembru 2021
3. Ritratti meħudin fl-20 ta' Novembru 2021
4. Estratti mill-Pjan Lokali (*Central Malta Local Plan*)
5. Permess tal-ippjanar PA/07004/18
6. Block plan
7. Pjanta tar-Registru ta' l-Artijiet
8. Eighth Schedule
9. Inkartament u dokumentazzjoni oħra pprovduta
10. Korrispondenza

ILLUM 11 ta' Ffrar 2022

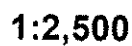
DEHER IL-PERIT LEGALI/TEKNIKU, Konrad Buhagiar
192559M
LI HALEF LI QEDA FEDELMENT
U ONESTAMENT L-INKARIGU MOGHTI LILU

DEPUTAT REGISTRATUR

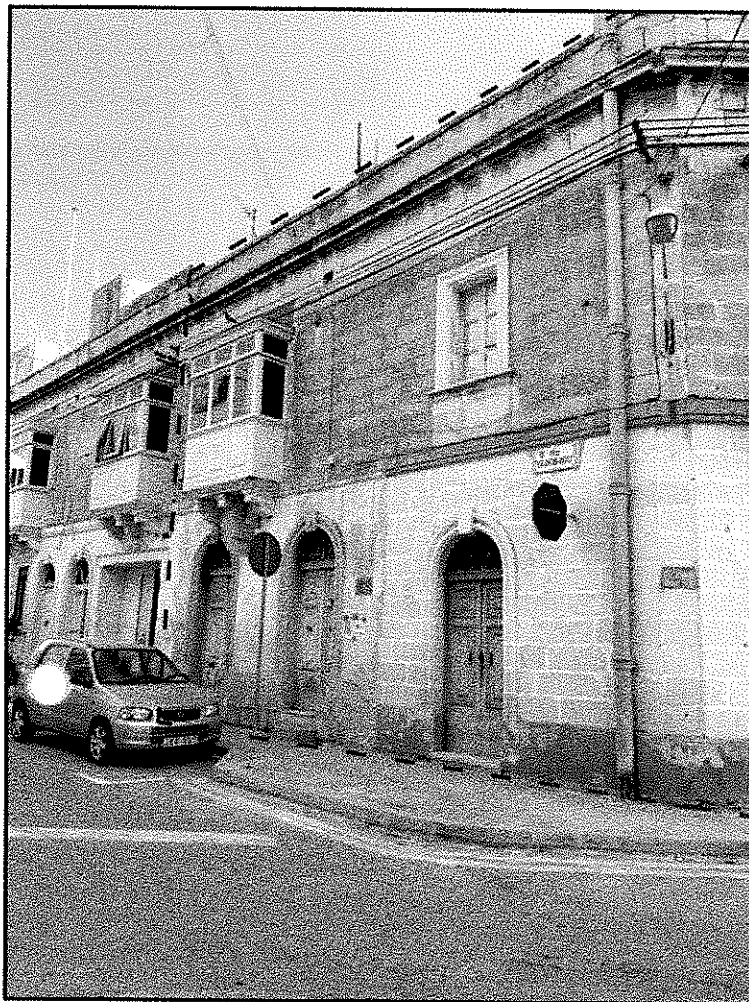
Gaetano Vassallo
Deputy Registrar
Għar tal-Gustizzja (Malta)
Law Courts (Malta)

Anness 1

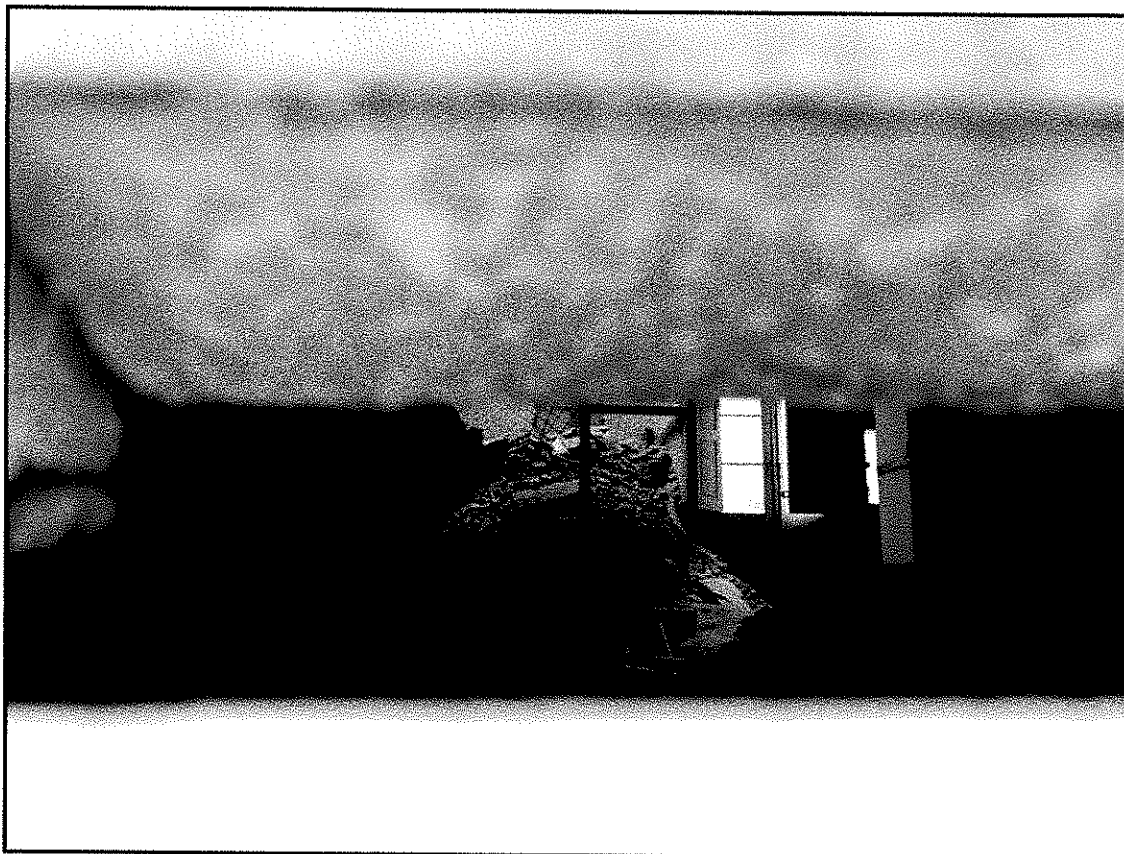
Pjanta tas-sit (*site plan*), 1:2500



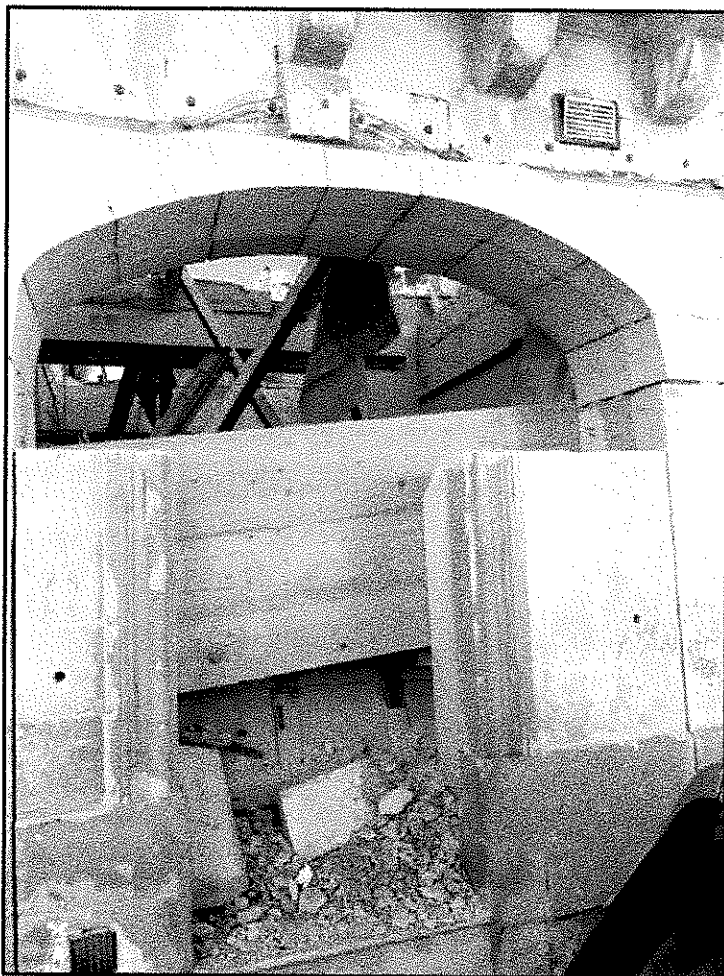
St. Francis Ravelin, Floriania
Tel: +356 2290 0000, Fax: +356 2290 2295
www.dn.org.mt, manningoshon@dn.org.mt



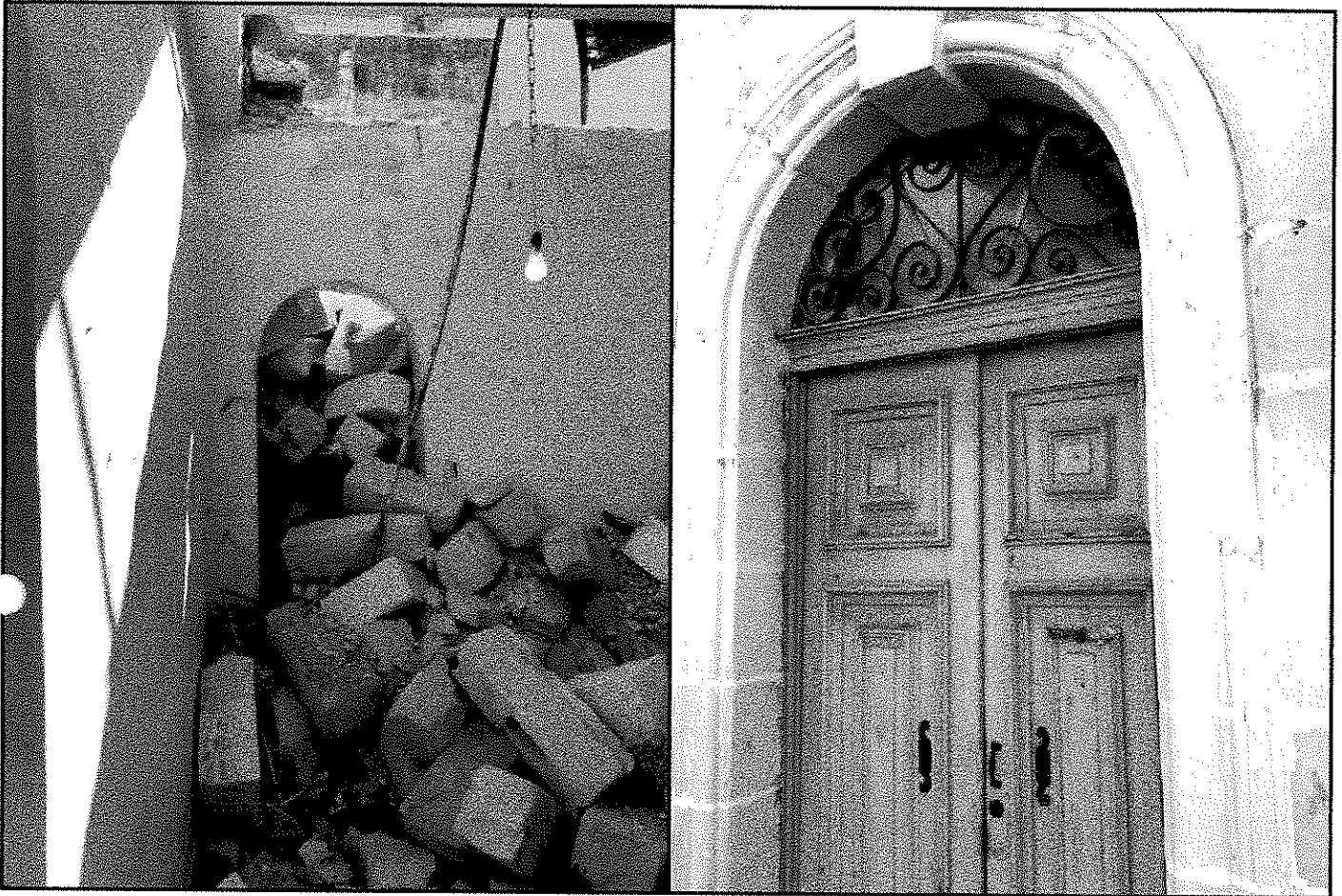
project	SUBBASTA (Malik Mohamedreda Hanka vs Administration Investment Management Systems Ltd)									
address	57 & 59, Ma D Lanza, Hamrun , Malta									
photo sheet no.	01						date	28.09.2021		
ref no.	C 0 0 8 7 7 0 0 6 0 1									

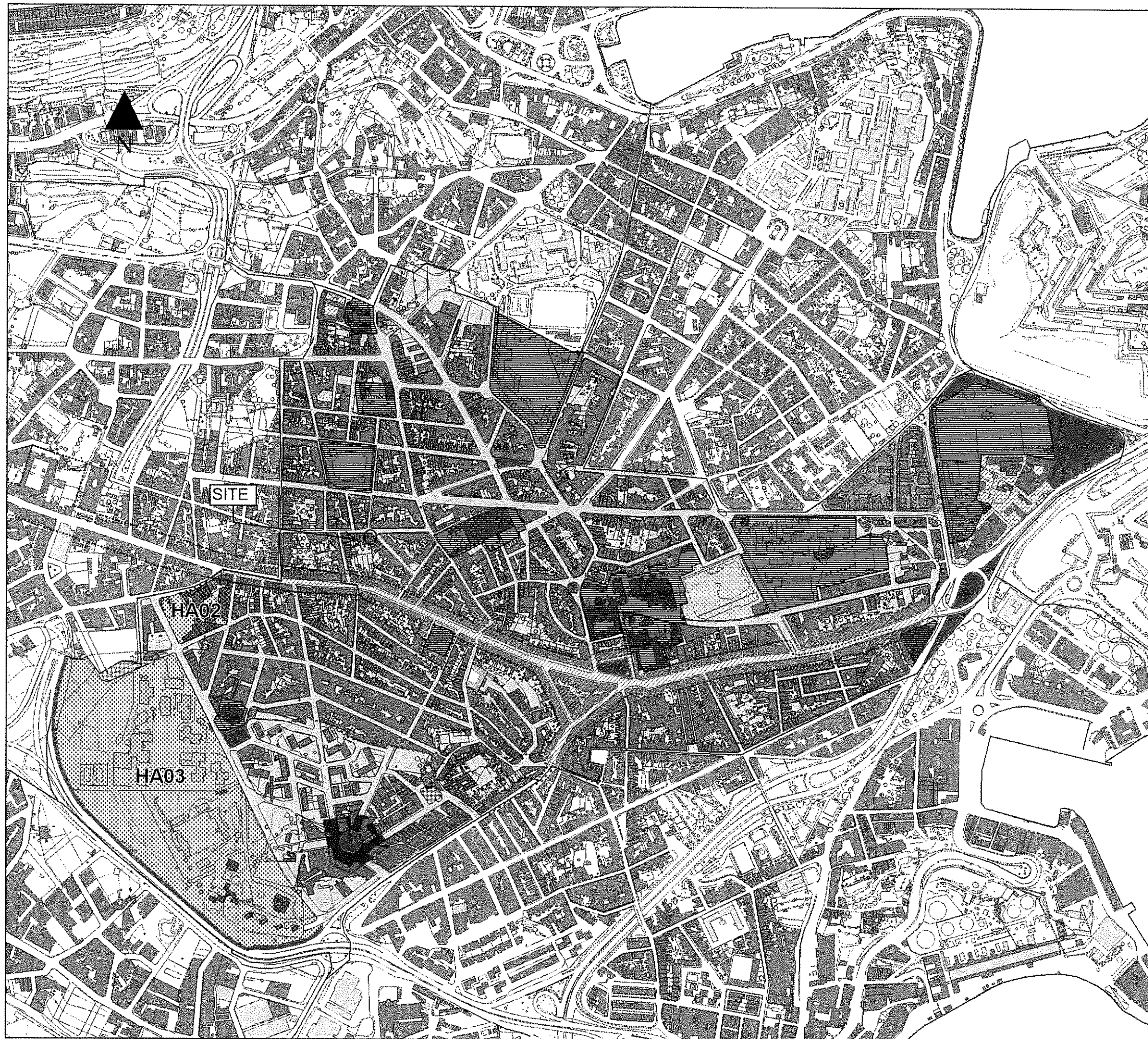












CENTRAL MALTA LOCAL PLAN



L-Awtorita' ta' Malta Dwar l-Ambjent u l-ippjanar

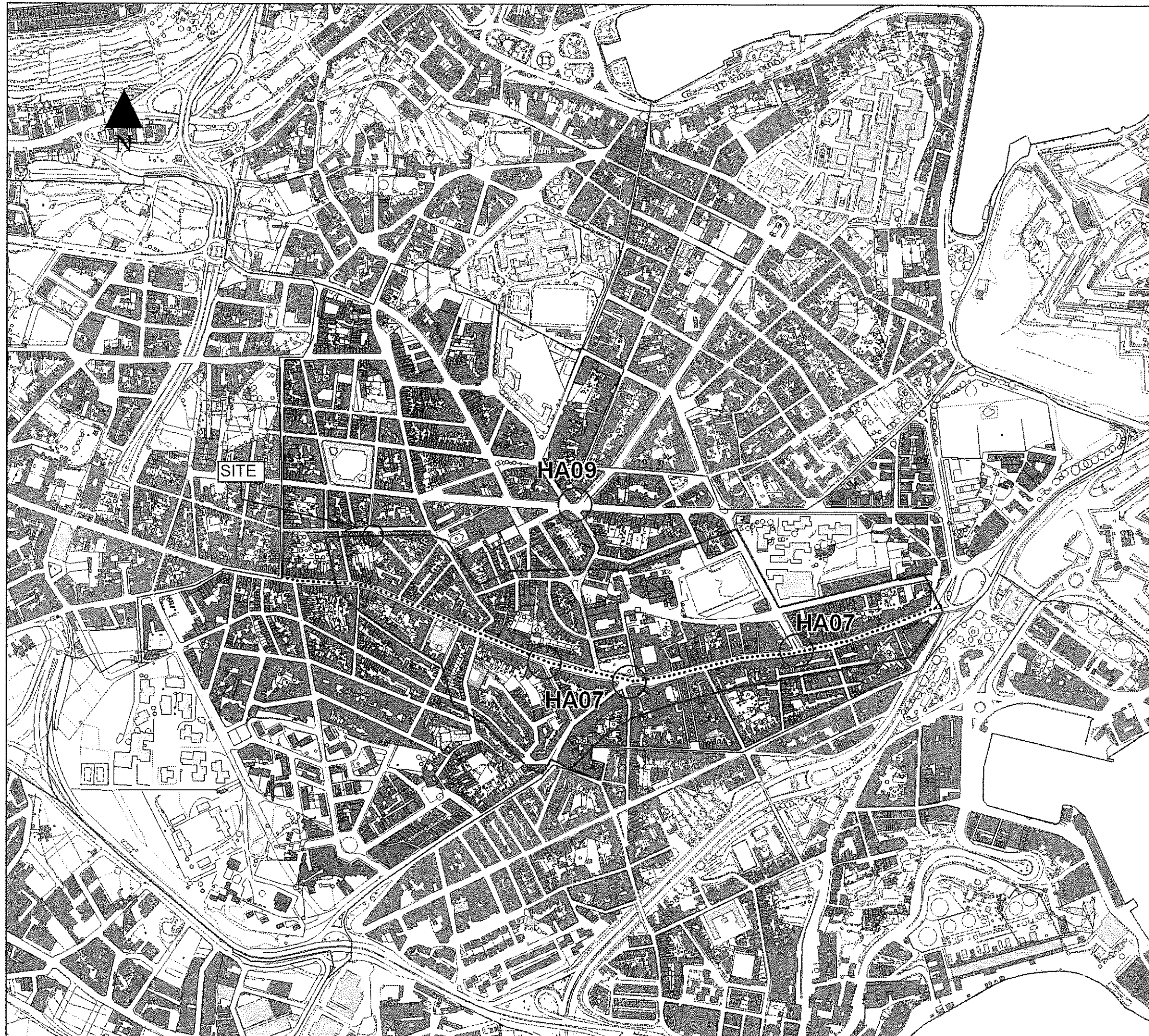
Malta Environment & Planning Authority

Key

- Local Council Boundary
- - - Limit to Development (TPS)
- Urban Conservation Area CG09
- Retain Existing Use with Extensions to Institutions
- Residential Areas CG07
- Residential Priority Area CG08
- Green Areas CG18
- Sports CG18
- Primary Town Centre CG12
- Local Centre CG13
- Redevelopment HA02, HA03
- Commercial Areas HA04, CG14
- Commercial Area uses at ground floor only and residential units above
- CPPS Car Park HA06, HA08
- Mixed Use Area SV01
- Design Priority Areas HA05
- Villa Area identified for possible rezoning to Residential Area subject to Policy CG08
- Rezoning HA01

Hamrun Area Policy Map

Scale	Date	Map
1:6500	July 2006	HAM1
INDICATIVE ONLY Not to be used for direct interpretation or for the interpretation of street alignments		
Base Maps - 1988 Survey Sheets Copyright Mapping Unit, Malta Environment & Planning Authority		



CENTRAL MALTA LOCAL PLAN



L-Awtorita' ta' Malta Dwar l-Ambjent u l-ippjanar

Malta Environment & Planning Authority

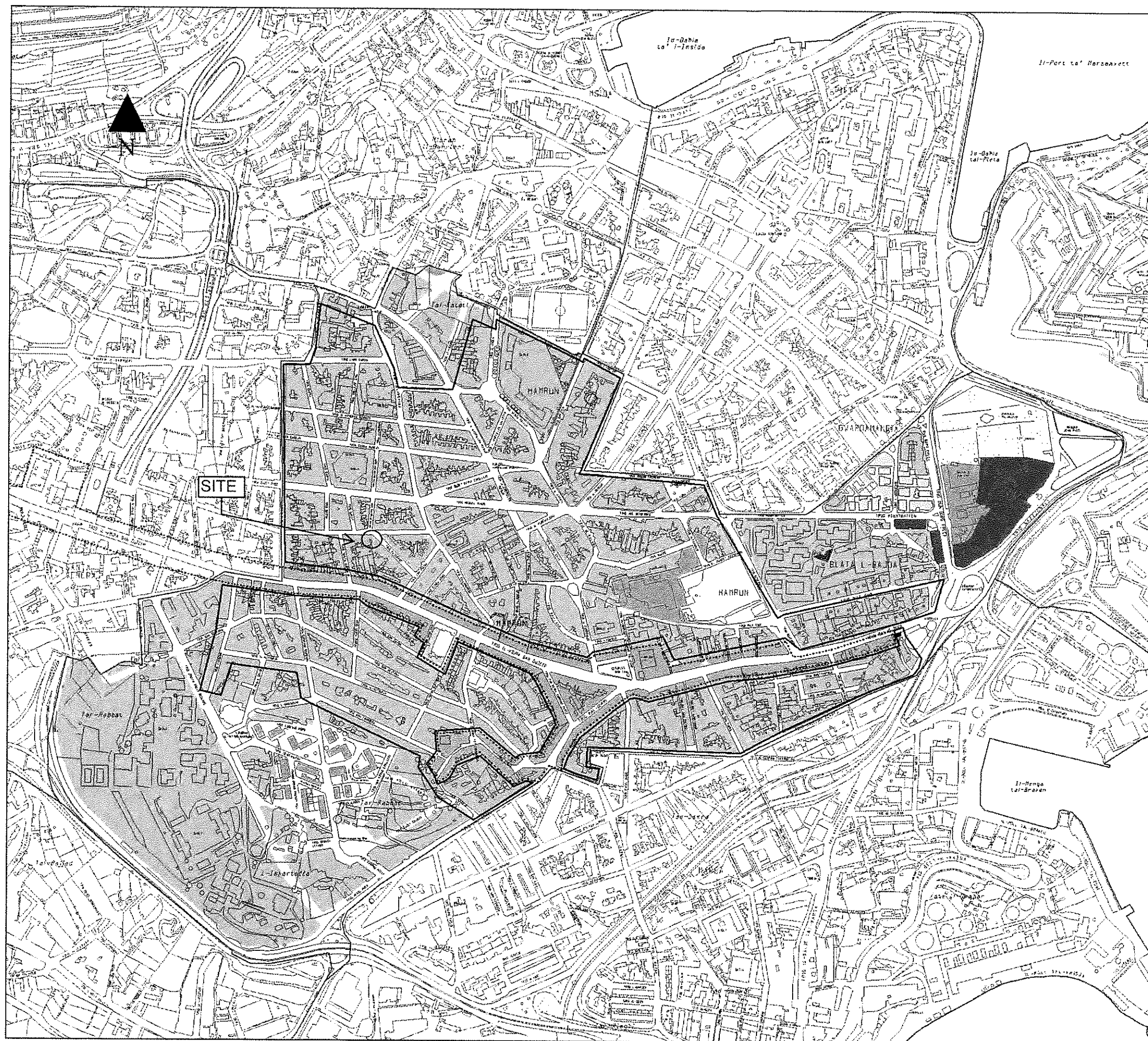
Key

- Local Council Boundary
- - - Limit to Development (TPS)
- CPPS Car Parks HA06, HA08
- Road Upgrading HA07
- Junction Improvement HA07, HA09
- ▭ Controlled Parking Zone HA08
- ▨ Traffic Calming HA09

Hamrun Transport Policy Map

Scale 1:6500	Date July 2006	Map HAM2
INDICATIVE ONLY Not to be used for direct interpretation or for the interpretation of street alignments.		

Base Maps - 1988 Survey Sheets
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CENTRAL MALTA LOCAL PLAN



L-Awtorita' ta' Malta Dwar l-Ambjent u l-Ippjann

Malta Environment & Planning Authority

Key

- Local Council Boundary
 - - - Limit to Development (TPS)
 Urban Conservation Area CGO9

Within UCA

(Without semi-basement)

-  2 Floors
 3 Floors
 3 Floors Plus 1 Receded Floor CG06

Outside UCA

-  1 Floor without semi-basement
 2 Floors plus semi-basement
 3 Floors plus semi-basement
 No semi-basement within area enclosed by black line
 4 Floors without semi-basement
 5 Floors without semi-basement

Hamrun
Building Height Limitations Map

Scale 1:5000	Date July 2006	Map HAM3
INDICATIVE ONLY Not to be used for direct interpretation or for the interpretation of street alignments.		
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Mr Kevin Zammit

Date: 18 February 2019
Our Ref: PA/07004/18

Application Number: PA/07004/18
Application Type: Full development permission
Date Received: 28 May 2018
Approved Documents: PA 7004/18/4A/84A/84B; and
PA 7004/18/69A - Water Services Corporation

Location: 57, 59, Triq Eldorado c/w, Triq Brighella, Hamrun, Malta
Proposal: Demolition of existing two dwelling units, shop and store, and construction of two garages, class 4B shop, and four apartments.

Development Planning Act, 2016 Full Development Permission

The Planning Authority hereby grants development permission in accordance with the application and documents described above, subject to the following conditions:

- 1 a) This development permission is valid for a period of FIVE YEARS from the date of publication of the decision in the press but will cease to be valid if the development is not completed by the end of this validity period.
- b) This permission relates only to the development as specifically indicated on the approved drawings. This permission does not sanction any other illegal development that may exist on the site.
- c) A Commencement Notice is to be submitted to the Planning Authority, by the perit on behalf of the applicant, at least FIVE DAYS prior to the date of commencement of works or utilisation of the permission. Failure to submit the Commencement Notice (with all fields correctly completed) or failure to submit it within the required timeframe shall invalidate the Notice and shall result in the imposition of fines according to Schedule D of Legal Notice 277 of 2012, or its amendments, or its replacements. In addition, **if the applicant fails to submit the Commencement Notice or the Commencement Notice submitted is invalid, the relative permission shall be considered as never having been utilised** - Article 72(4) of the Development Planning Act (2016).
- d) Copies of all approved drawings and documents shall be available for inspection on site by Planning Authority officers at all reasonable times.
- e) The development shall be carried out in complete accordance with the approved drawings, documents and conditions of this permission. Where a matter is not specified,

PA/07004/18

Print Date: 24/01/2020

then the conditions of this permission and of Development Control Design Policy, Guidance and Standards 2015 shall apply.

f) Before any part of the development hereby permitted commences, the enclosed green copy of this development permission shall be displayed on the site. This must be mounted on a notice board, suitably protected from the weather and located not more than 2 metres above ground level at a point on the site boundary where it is clearly visible and can be easily read from the street. The copy of the permission must be maintained in a good condition and it shall remain displayed on the site until the works are completed.

g) All building works shall be erected in accordance with the official alignment and official/existing finished road levels as set out on site by the Planning Authority's Land Surveyor. The Setting Out Request Notice must be submitted to the Land Survey Unit of the Planning Authority when the setting out of the alignment and levels is required.

h) Where an officially schemed street, within the development zone, bordering the site is unopened or unformed, it shall be opened up and brought up to its proper, approved and official formation levels prior to the commencement of any development hereby being permitted.

i) It is the responsibility of the permit holder to ensure that development is carried out in accordance with the provisions of the Environmental Management Construction Site Regulations, Legal Notice 295 of 2007 (or subsequent amendments). Any hoarding shall be erected in accordance with Schedule 2 of the same Regulations.

j) No steps, ramps or street furniture are to be constructed on or encroached onto the public pavement or road.

k) Any doors and windows, the lower edge of which is less than 2m above road level, and any gates shall not open outwards onto a public pavement or road.

l) Air conditioning units shall not be located on the facades of the building which are visible from the street or a public space.

m) There shall be no service pipes, cables or wires visible on the front elevation or on any other elevations of the building which are visible from the street or public space.

- 2 The approved premises shall be used as indicated on the approved drawings or as limited by any condition of this permission. If a change of use is permitted through the Development Planning (Use Classes) Order, 2014 (or its subsequent amendments), and it is not restricted by a condition of this permission, approval from the Commission for the Rights of Persons with Disability may still be required. Reference needs to be made to PA Circular 3/10 (with the exception of Appendix A), PA Circular 2/14 and their subsequent amendments.

The approved shop shall be put to any Class 4B Retail use as defined in the Development Planning (Use Classes) Order 2014, excluding greengrocer, minimarket, butcher, or fishmonger.

- 3 a) The façades of the building shall be constructed in local un-rendered and unpainted

stone, except where other materials/finishes are indicated on the approved drawings.

b) All the apertures and balconies located on the façades of the building shall not be in gold, silver or bronze aluminium.

c) The height of the services on the roof of the building shall not extend beyond the approved height of the uppermost parapet wall.

- 4 The conditions imposed and enforced by the Water Services Corporation are at supporting document PA 7004/18/69A. The architect/applicant is required to contact the Water Services Corporation, throughout the implementation of the development hereby approved, to ensure conformity with the imposed conditions. A copy of the relative correspondence issued by the Water Services Corporation shall be submitted to the Planning Authority accordingly.

- 5 To make up for the shortfall in parking provision of 1 parking space, this development permission is subject to a contribution amounting to the sum of € 1,164.69 in favour of the Planning Authority's Urban Improvements Fund for the locality. The funds raised shall be used to fund traffic management, green transport, urban improvements or similar projects. The contribution shall be utilised as required and directed by the Planning Authority.

6 **Conditions imposed and enforced by other entities**

A. Where construction activity is involved:

(a) the applicant shall:

(i) **Appoint a Project Supervisor for the Design Stage and a Project Supervisor for the Construction Stage** and any such appointment shall be terminated, changed or renewed as necessary. The same person may be appointed to act as project supervisor for both the design and construction stage, if that person is competent to undertake the duties involved and

(ii) **Keep a health and safety file** prepared by the Project Supervisor for the Design Stage.

(b) When the construction works related to this application are scheduled to last longer than thirty working days and on which more than twenty workers are occupied simultaneously, or on which the volume of work is scheduled to exceed five hundred person-days, the project supervisor **shall communicate a prior notice to the Occupational Health and Safety Authority (OHSA) at least four calendar weeks before commencement of works.**

(c) The Project Supervisor for the Design Stage shall **draw up a health and safety plan** which sets out the occupational health and safety rules applicable to the construction activities concerned, outlining the measures to ensure cooperation between different contractors and shall also include specific measures concerning occupational risks that may be present at this site.

B. Where the development concerns a change of use to a place of work, the applicant shall obtain a Perit's declaration that the building conforms to the requirements of LN 44 of 2002.

C. Where the development concerns a place of work:

The applicant shall:

(i) obtain a Perit's declaration that the necessary requirements arising out of LN 44 of 2002 have been included in the plans and drawings; and

(ii) obtain a Perit's declaration that the building conforms to the requirements of LN 44 of 2002.

D. The development is to strictly adhere to the 'Design Guidelines on fire safety for buildings in Malta' to ensure that all Fire Safety measures and provisions are addressed as indicated in the Design Guidelines on Fire Safety for Buildings in Malta, published by the DCID in 2004, (or other relevant standard, provided it is approved by the Civil Protection Department), Policies, and the Laws and Regulations of Malta.

E. Where the development includes a livestock farm:

(a) The farm **shall not** be connected directly to the sewer network.

(b) Silting traps, sedimentation pits as well as manure clamps shall be installed, as shown on the approved drawings. Settled Waste water shall only be discharged in approved waste receiving stations.

(c) Any effluents discharged shall have chloride levels lower than 1000 mg/L. The operators shall acquire a Public Sewer Discharge Permit before commencing operations.

F. Where the development includes a swimming pool:

(a) Any effluent, if discharged in the sewers, shall meet the specifications listed in L.N.139 of 2002 as amended by L.N.378 of 2005.

(b) Adequate sampling points should be installed as directed by WSC – Discharge Permit Unit officials.

(c) Chlorine concentration of the effluent should not exceed 100 mg/L Cl₂.

G. Prior to laying of water and wastewater services in the road, the development shall comply with the requirements of Legal Notice 29/10 Part III (Roads in inhabited Areas) Clause 12.

H. In the event of an accidental discovery in the course of approved works, any cultural heritage feature discovered should not be damaged or disturbed and the Superintendence is to be immediately informed of such discovery. Any cultural heritage features discovered are to be investigated, evaluated and protected in line with the Cultural Heritage Act 2002 (CAP 445). The discovery of cultural heritage features may require the amendment of approved plans.

In terms of Article 72(3) of the Development Planning Act, 2016, the execution and validity of this permission is automatically temporarily **suspended** and no works as approved by the said

development permission may commence before the lapse of the time period established in Article 13 of the Environment and Planning Review Tribunal Act and subsequently will remain so suspended if the Tribunal so decides in accordance with the Environment and Planning Review Tribunal Act.

Where the approved drawings and/or documents are dimensioned, then the declared dimensions shall prevail over the actual size as depicted on the approved drawings and/or documents.

Developers are advised to check the invert level to the sewer main with the Water Services Corporation as they would have to make their own arrangements where a gravity service connection is not possible. In these cases, the architect has to indicate the solutions envisaged and to indicate on the plan what needs to be carried out and obtain approval from WSC. Developers are further reminded that connection of storm water into main sewers is not allowed.

If the declaration of ownership, as contained in the application form, is determined as incorrect by a Court of Law, then the said Court of Law can declare this development permission as null and void. This development permission does not remove or replace the need to obtain the consent of the land/building owner to this development before it is carried out. Furthermore, it does not imply that consent will necessarily be forthcoming nor does it bind the land/building owner to agree to this development. Where the land/building is owned or administered by the Government of Malta a specific clearance and agreement must be obtained for this development from the Land and/or Estate Management Departments.

This development permission is granted saving third party rights. This permission does not exonerate the applicant from obtaining any other necessary permission, license, clearance or approval required from any Government department, local council, agency or authority, as required by any law or regulation.

This development permit does not authorise any storage of substances listed in Occupational Health and Safety Authority Act (Cap. 424) - Control of Major Accident Hazards Regulations, 2003, as amended, in quantities that would render this site an establishment within scope of these regulations. The storage and handling of said substances may require a new or amended development permission in line with current policies and regulations.

For any non-residential uses hereby being approved, prior to commencement of any works on site or any eventual permitted change of use, the applicant shall be required to contact the Environment and Resources Authority to obtain any necessary operational permit or registration. This requirement does not apply to Class 2B, 2C, 4A and 4B uses as listed in the Development Planning (Use Classes) Order 2014, or its subsequent amendments.

This decision is being published on 27 February 2019.

Lorna Vella
Secretary Planning Commission
Within Development Scheme

Notes to Applicant and Perit

Right for reconsideration

Where applicable, you have a right to submit a request for reconsideration to the Authority in terms of regulation 14 of Legal Notice 162 of 2016.

Right for appeal

You have a right to submit an appeal, against the decision, to the Environment and Planning Review Tribunal in terms of Article 13 of the Environment and Planning Review Tribunal Act, 2016.

Time limits

Requests for reconsideration or appeals must be made within 30 days from the publication of the decision notification in the local press as required by regulation 14(1) of Legal Notice 162 of 2016.

Fees to submit a request for reconsideration or appeal

In either case, there is a fee to be paid which should accompany the request for reconsideration or the appeal. The fees are as follows:

For reconsideration - 3% of the Development Permit Fee paid in respect of the original application, subject to a minimum of €69.88.

For appeal - 5% of DPF (Development Permit Fee) paid in respect of the original application, subject to a minimum of €150 + €50 administrative fee (LN 112 of 2016).

Submission of request for reconsideration or appeal

With regards to requests for reconsideration, Form PA 4/16 must be used for submission. All fields of the Form must be filled in as appropriate. Requests for reconsideration can only be submitted electronically.

With regards to appeals, as required by Article 13 of the Environment and Planning Review Tribunal Act, 2016, the submission must include the detailed grounds for appeal and the requests being made by the appellant. Appeals must be submitted physically at the offices of the Environment and Planning Review Tribunal, St. Francis Ditch, Floriana.

Important Notice

In view of the provisions of Article 72(4) of the Development Planning Act (2016), a Commencement Notice is to be submitted to the Planning Authority, by the perit on behalf of the applicant, at least FIVE DAYS prior to the date of commencement of works or utilisation of the permission. Failure to submit the Commencement Notice (with all fields correctly completed) or failure to submit it within the required timeframe shall invalidate the Notice and shall result in the imposition of fines according to Schedule D of Legal Notice 277 of 2012, or its amendments, or its replacements. In addition, if the applicant fails to submit the Commencement Notice or the Commencement Notice submitted is invalid, the relative permission shall be considered as never having been utilised.

-PADCN-



PLANNING AUTHORITY

Full Permission Summary (Schedule 2)

Applicant Details

Tick If Applicant is a company	false
Company Name	
Company Number	<private>
Name	Kevin
Surname	Zammit
Address	<private>
Address Line 2	<private>
Address Line 3	<private>
Locality or Country	<private>
Post Code	<private>
ID / Passport	<private>
Tel. No.	<private>
Mobile No.	<private>
E-Mail	<private>
Applicant Type	Private Individual

Perit Details

Please complete

Full Name	Perit Mark Abela
Select Address	<private>
I.D. No.	<private>
Mobile No.	<private>
Warrant No. / Partnership No.	<private>

Duly Authorised Contact Person for Partnership

<private>

Your Ref. for this Application

<private>

Site Zoning

Tick as applicable

Development Zone

true

Design Priority Area

false

ODZ

false

UCA

false

Scheduled Site

false

Location of Proposed Development

Please complete

Property Name

Door No.

57,59

Street/Place Name(s)

Triq Eldorado c/w Triq Brigella

Locality

Hamrun

Local Council/s

Hamrun

Description of Proposal

List all project components, including development type, no. of units and additional storeys

Description

Demolition of existing two dwelling units, shop and store, and construction of two garages, class 4A office, and four apartments.

Development Type

New Dwellings (inc by conversion)

Confidential

In terms of the Proviso of Article 33(2) of the Development Planning Act, 2016, the development relates to national security, defence, banks, prisons, the airport and other institutions or premises whose security it is desirable to safeguard.

false

Indicate why the development falls within the scope of the Proviso to Article 33(2) of the Development Planning Act, 2016.

Previous Applications, Permissions, Clearances, Notifications and Enforcement Notices on this Site

Include all relevant PAPB, PA, PC, GDO/DNO, SE, ECF and CTB cases, providing the reference number as used by the authority

Ref. No.

PA 5527/01

Comments

Trees and Rubble Walls

This development includes Felling of trees

No

This development includes Demolition/alteration of rubble walls

No

This development includes New or altered vehicular access

Yes

If yes, location and species of affected trees/rubble walls and proposed access are shown on drawing number(s)

Other Information

Total site area (indicated in red on site plan) in m squared

109

Main existing use of site

residential

Maximum electricity demand of development in KVA

40

Estimated annual electricity consumption in KWh

9000

Use of renewable energy sources envisaged including type (if any)

PV panels

Fossil Fuel Energy - Gas Fuel

If any other source of energy, other than the electricity mains, is envisaged, please specify fuel type:

Tick if Bulk LPG Storage Tank is used

false

Capacity

Fossil Fuel Energy - Liquid Fuel

Liquid Fuel

Diesel

false

No. Of Tanks:

Total Capacity:

Kerosene

false

No. Of Tanks:

Total Capacity:

Petrol

false

No. Of Tanks:

Total Capacity:

Other Fuel Source

false

No. Of Tanks

Total Capacity:

None

false

What is the daily average Liquid Fuel energy required for this development (KWh)

Water and Sewage

Discharges: This development includes discharges to land, sea or surface waters

No

If yes, location of discharge is shown on drawing number(s)

RunOff management: How will water runoff from the site be collected or be disposed of?

To reservoir and overflow to street

Water Source (for development requiring irrigation from a non potable water supply)

For ODZ and Scheduled Areas:

Will the development necessitate trenching of a connection to the potable water distribution network or sewage system?

No

If yes, trenching details shown on drawing number(s)

Will the development necessitate the installation of a connection to the electricity distribution network through trenching or erection of poles?

No

If yes, trenching/pole details shown on drawing number(s)

Funding

EU Funding

false

Project of Common Interest

false

Other Funding

false

Fund Name

EU Regulations

Required for industrial/non-residential storage development handling dangerous substances

This development is within the scope of the COMAH Regulations (as per Schedule 1 of L.N. 37 of 2003 as amended by L.N. 6 of 2005, and any future amendments thereto).

No

Indicate whether application includes one of the substances falling under the scope of the SEVESO Directive or whether the application is within the consultation zones of one of the SEVESO sites.

This development is within the scope of EU Regulation 247 of 2003 (Guidelines for Trans-European Energy Infrastructure)

No

Indicate why the development is within the scope of the Guidelines for Trans-European Energy Infrastructure.

Applicant's declaration in terms of articles 71(4) and 71(5) of Act VII of 2016

Tick ONE box only

I apply for development permission and declare that, to the best of my knowledge, all the details and information contained in this application and on the submitted drawings/documents accompanying this application are correct and complete.

In addition I, the applicant certify that:

I am the sole owner of the entire site indicated on the site plan.

true

I am not the sole owner of the entire site(or part thereof) indicated on the site plan. However, I have notified (by registered letter, a copy of which is attached) the owner/s of my intention to apply and the owner/s has/have granted consent to such a proposal.

false

I am not the sole owner of the entire site(or part thereof) indicated on the site plan. However, I hold the site under an agricultural lease title or under a title of lease and I have notified (by registered letter, a copy of which is attached) the owner/s of my intention to apply to carry out works under a scheme of a Government entity.

false

In my capacity as the authorised public officer, the applicant is the Government of Malta, or any department, agency, authority or other body corporate wholly owned by the Government, and I have notified (by registered letter or through affixing a notice on site for 5 working days and through publication in a newspaper, a copy of which is attached) the owner/s of my intention to apply.

false

The site is partly or wholly owned by Government.

No

Signature

Name (in blocks)

o.b.o

Date

Perit Declaration

*I, the undersigned Perit, (duly authorised contact person for partnership, where applicable) hereby declare that I shall assume the direction and responsibility of the work referred to in this application, according to Article 97(1)(o) of the Code of Police Laws (Chapter 10), and I also declare that any information or specifications contained in this application and on the submitted drawings/documents are accurate and not misleading. I also declare that I am lawfully authorised, as prescribed by the relevant legislation, to exercise this function. I also hereby declare that the applicant signed the uploaded physical copy of this application form in my presence and recognise that I am legally obliged to retain the original signed form.

true

Perit Signature

Perit Official Stamp

Date

GSPO

I hereby declare that the applicant is a Government entity, a GSPO has been issued in relation to this application, and I have uploaded a copy of the GSPO with this submission

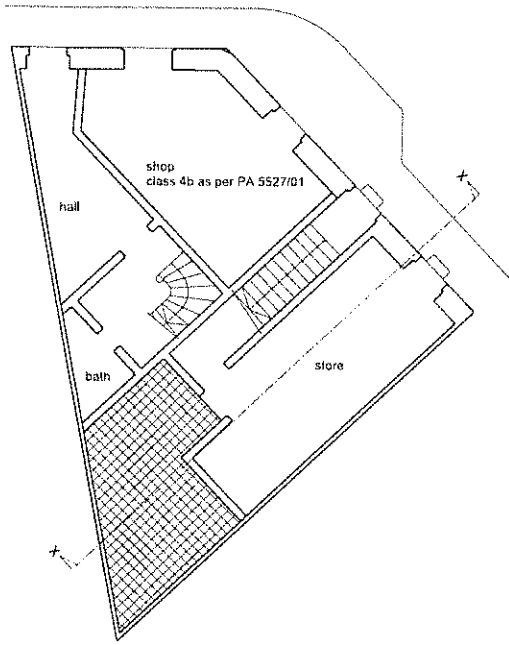
false

Order No

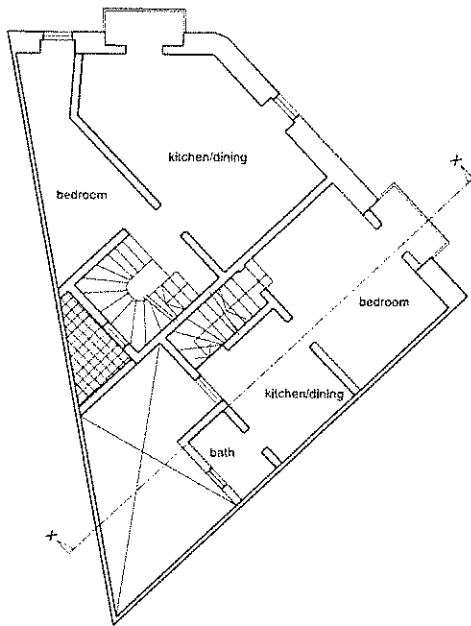
Commitment No



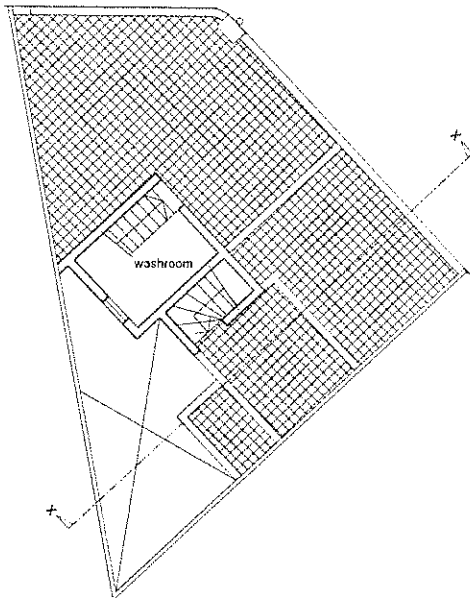
St. Francis Ravelin, Floriania.
Tel: +356 2290 0000, Fax: +356 2290 2295
www.pa.org.mt, mappingshop@pa.org.mt



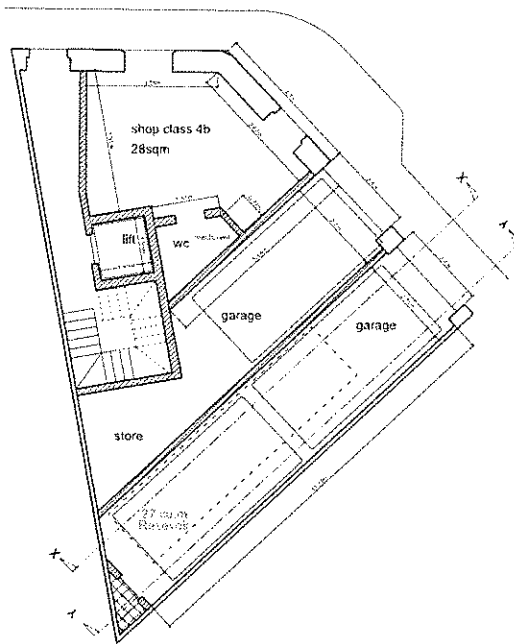
ground floor
as existing



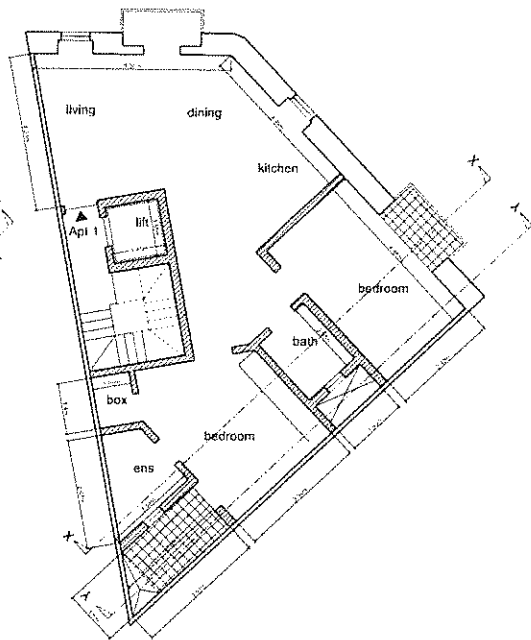
first floor
as existing



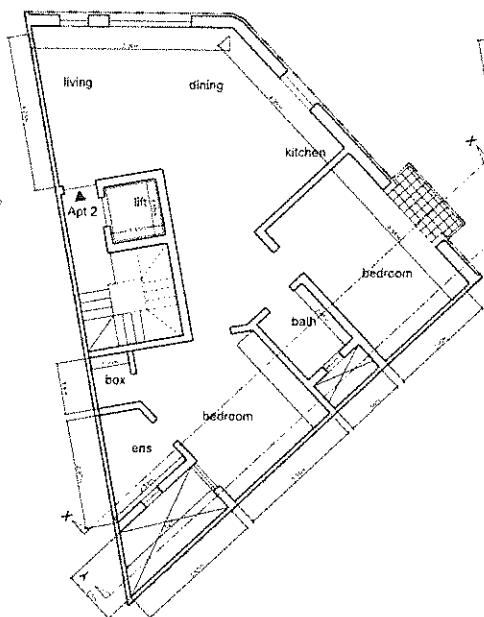
second floor
as existing



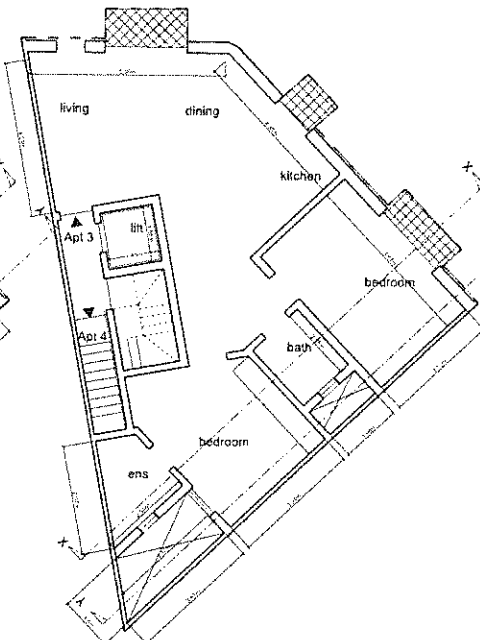
as proposed



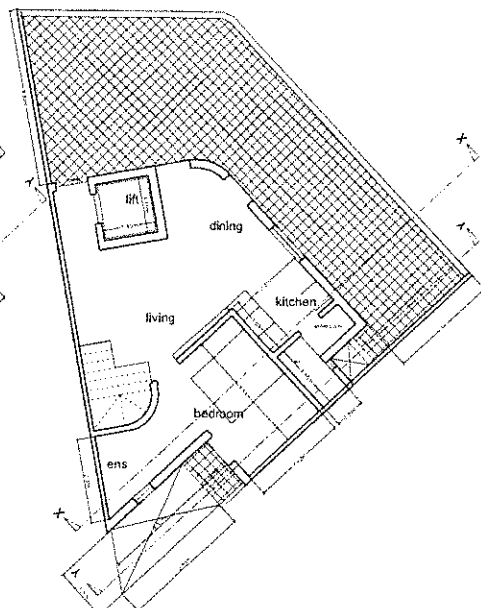
first floor
as proposed - 95sqm internal



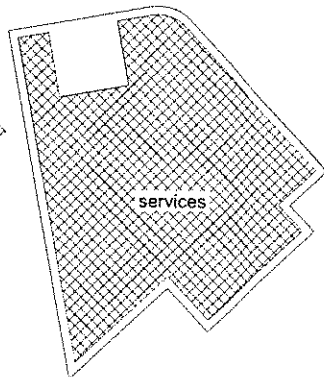
second floor
as proposed - 94sqm internal , 2 sqm external



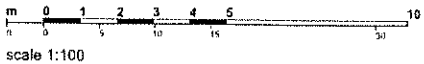
third floor
as proposed - 87sqm internal, 5.5sqm external



receded
as proposed - 62sqm internal, 46sqm external



roof
as proposed



43 Main Street, St. Julian's, Malta STJ1117
info@mkk.studio | www.mkk.studio

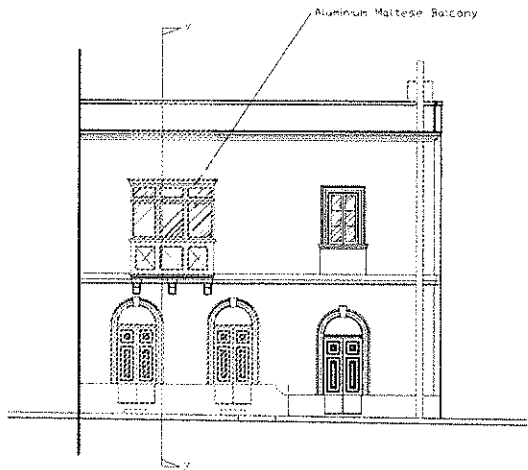
CLIENT
Kevin Zammit

TITLE
plans and section

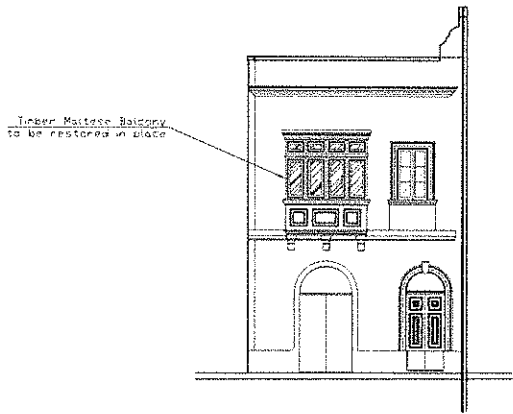
PROJECT
corner development
Tina Bugeja, Hibernia

SCALE
1:100

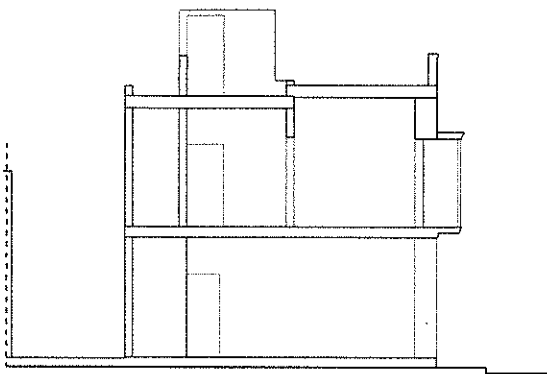
REVISION	DATE	APPROVED
01		
3		



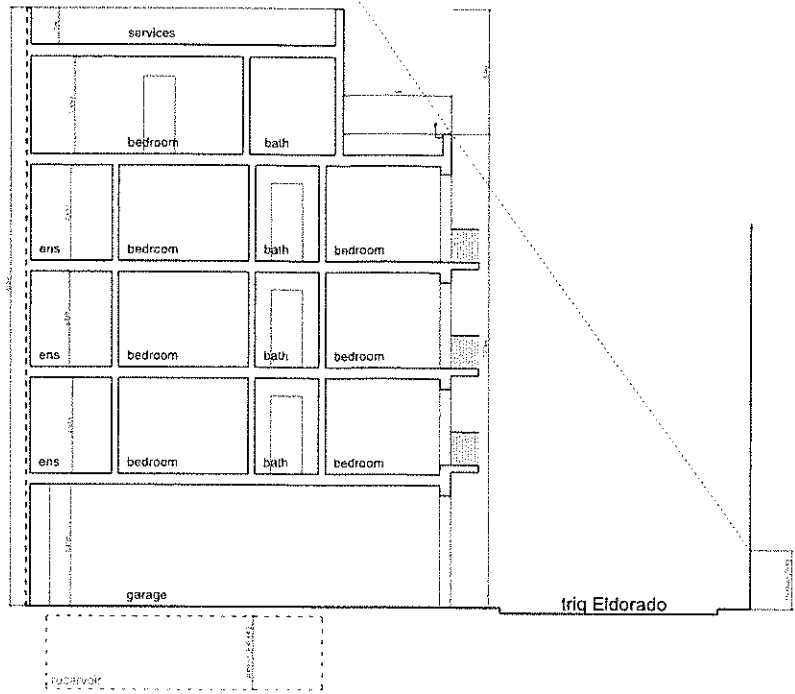
existing elevation
on TRIQ ELDORADO



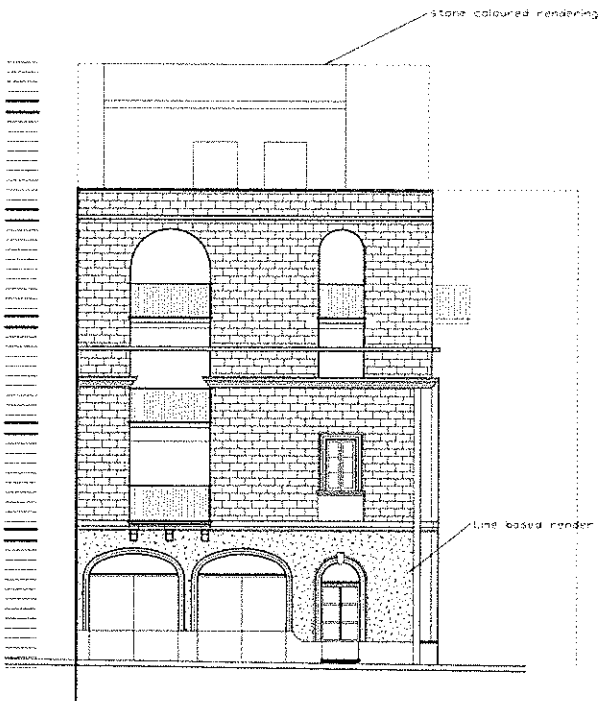
existing elevation
on TRIQ ELDORADO



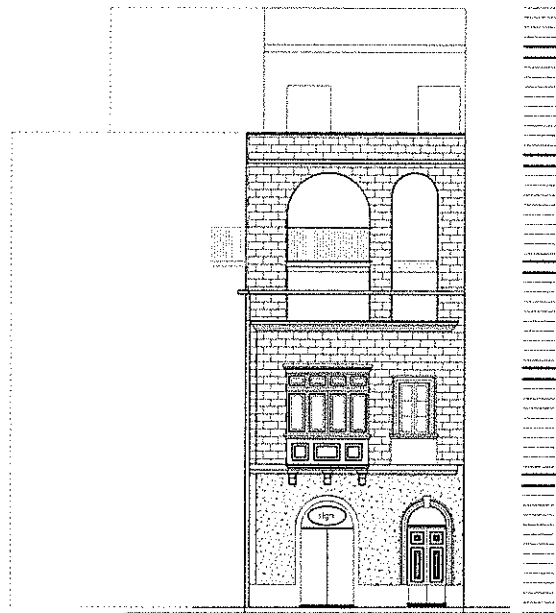
section XX
as existing



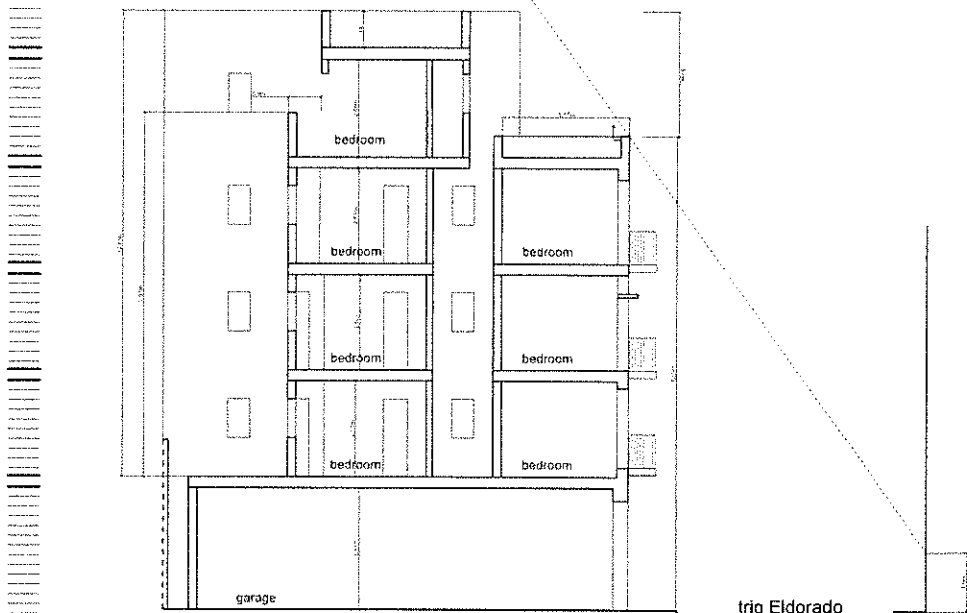
section XX
as proposed



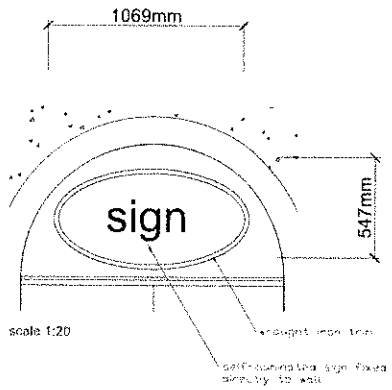
proposed elevation
on TRIQ ELDORADO



proposed elevation
on TRIQ ELDORADO



section YY
as proposed



scale 1:20

materials :
fair faced masonry
timber like apertures
wrought iron railings

m 0 1 2 3 4 5 10
ft 0 3 10 15 30
scale 1:100



HMK2STUDIO
18 Main Street, St. Julian's, Malta STJ10117
info@hmk2studio.com | www.hmk2studio.com

CLIENT	PROJECT	REVISOR	DESIGNER	DATE
Kevin Zammit	corner development Triq Dinghies Hamrun	02		3
TITLE	SCALE	PAPER SIZE	DRAWN	CHECKED
elevations and sections	1:100	A1		

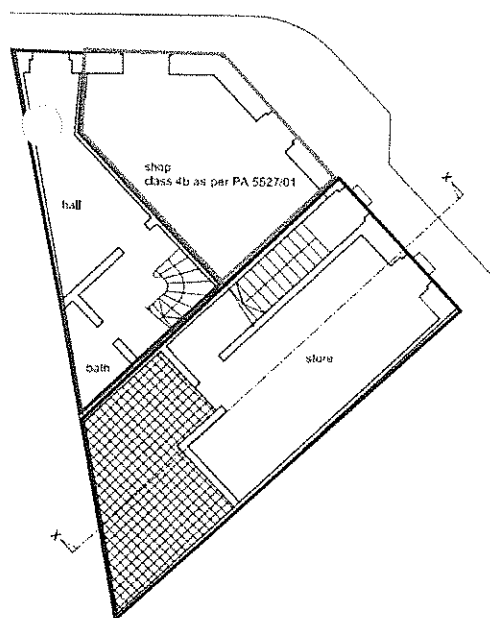
WSC Response

Developers are advised to view requirements in:

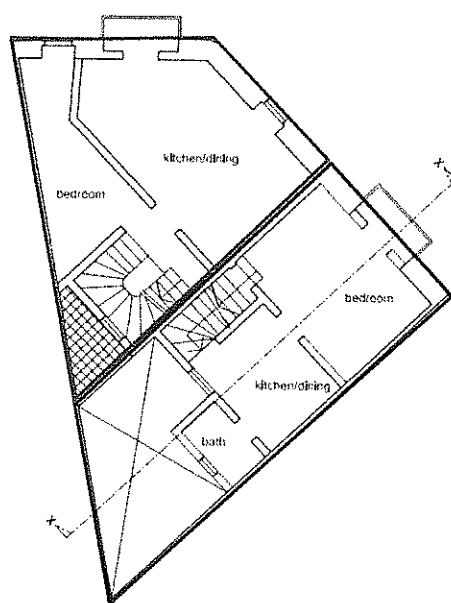
1. Sewage Discharge Control Regulations L.N 139 of 2002 as amended by L.N 378 of 2005.
2. L.N 29/10 Part III (Roads in Inhabited Areas) Clause 12.
3. DC 2015 Clause 4.3.3 Provision of Water Reservoirs and Second Class Water Policy P47.
4. Building Regulations Technical Guidance Document F where these apply to the proposed development.

Developers are advised to check with the Manager Region Office WSC the invert level to the sewer and the provision of water up to the new level where water tanks shall be installed.

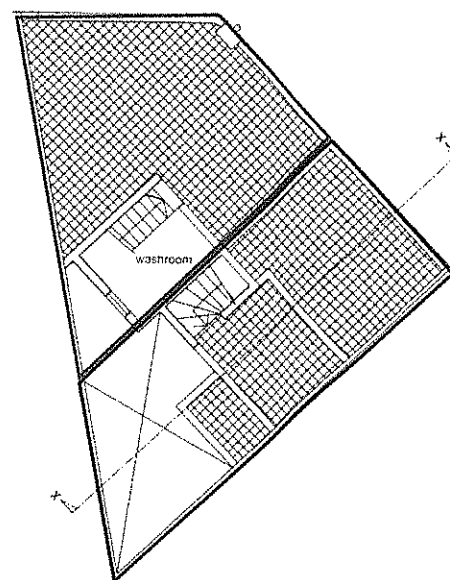
For non-residential uses, developers are requested to submit floor plans (1:100) of the drainage system (rainwater and wastewater) to the Discharge Permit Unit, WSC, Luqa.



ground floor



first floor



second floor

E t t mill-pjanta Doc 84a tal-permess ta' l-ippjanar b'riferenza PA/07004/18
li turi l-proprjeta' qabel ma sar it-twaqqiegħ

- ☐ Dar 57/59, Triq Eldorado
- ☐ Manut
- ☐ Dar 22, Triq Brighella

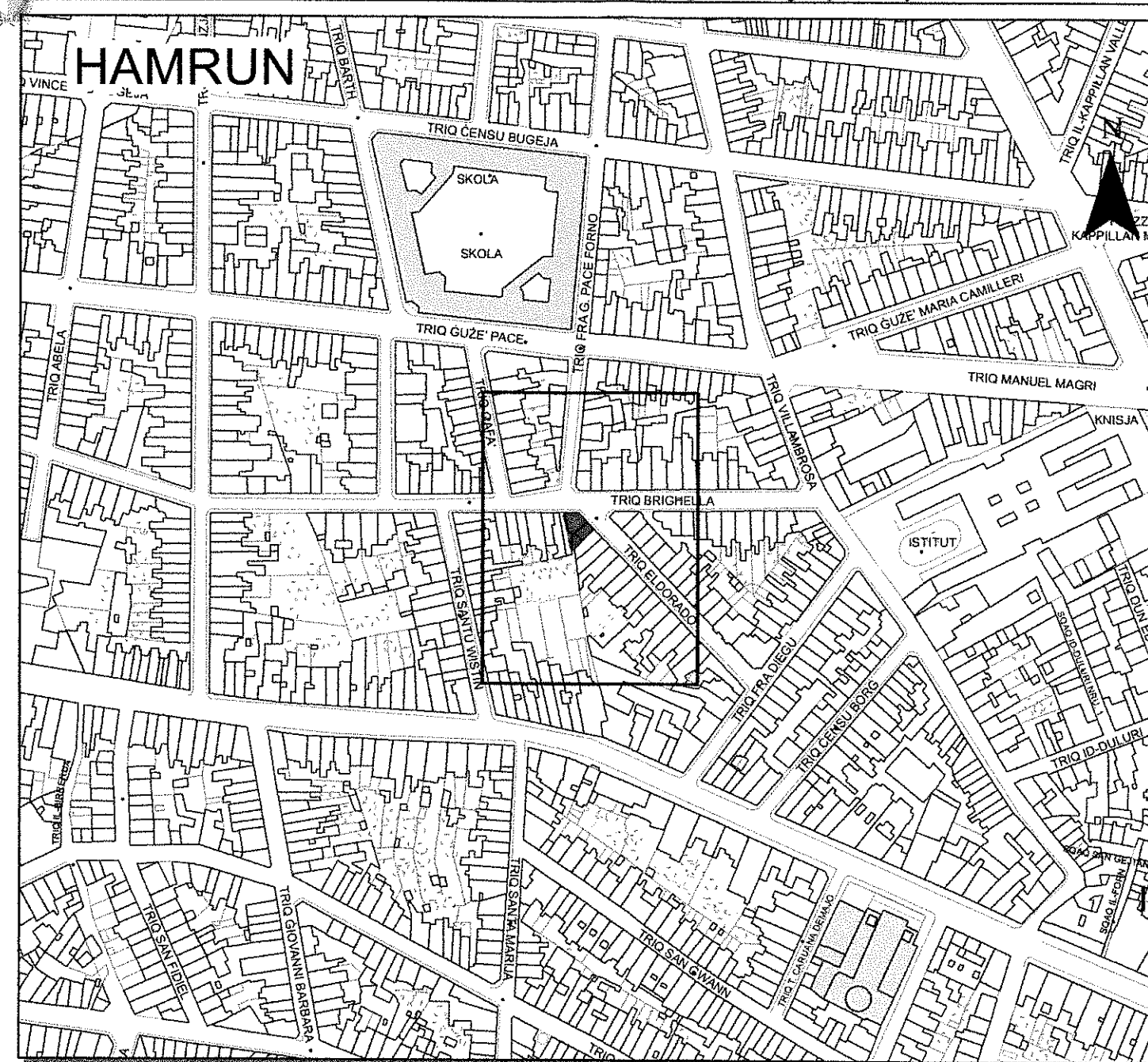
Anness 7

Pjanta tar-Registru ta' l-Artijiet



NOT FOR LAND REGISTRATION
PURPOSES

Scale 1:500



Pjanta tas-Sit 1:2500 Site Plan

Aġenzija għar-Reġistrazzjoni tal-Artijiet

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



Land Registration Agency

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

Nru tal-Mappa: **230473 E**
Map Number:

Pozizzjoni Ċentrali: **x = 53659**
Centre Coordinates: **y = 71854**

Parti min S.S.: **5271**
Extracted from S.S:

Data: **22/09/2021**
Date:

Perit: **KONRAD BUTTAGIAR**
Architect: **AP VALLETTA**

03/02/2022

Qies (metri kwadri): (footprint) **111 m²**
Area (square metres):

Timbru tal-Perit:

Architect's Stamp:

AP Valletta
4, Sappers Street,
Valletta VLT 1320, Malta
Tel: +356 21 243981

Firma ta' l-Applikant:

Applicant's Signature:

LR

228222

Dritt imhallas
Fee Paid



KARATTERISTIČI FIŽIČI TAL-PROPJETA' IMMOBBLI

Lokaliċa'	Hamrun
Indirizz	57 / 59, Triq Eldorado 22, Triq Brighella Hanut minghajr numru, Triq Brighella
Qies tal-Binja kollha trasferita *	111 metri kwadri

IMMARKA FEJN APPLIKABBLI (imla kaxxa waħda f'kull każ minbarra fejn indikat mod ieħor)

Tip ta' Propjeta'	☐ Villa	☐ Semi-Detached	☐ Bungalow	☐ Flat/Appartment
	☐ Penthouse	☐ Mezzanin	☐ Maisonette	☐ Farmhouse
	☒ Terraced House	☐ Terran		
Kemm ilha mibnija	☐ 0-20 sena	☒ Aktar minn 20 sena	☐ Qabel it-Tieni Gwerra	
Il-Madwar	☐ Veduta tal-baħar	☐ Veduta tal-kampanja	☒ Urbana	
Ambjent	☒ Zona kwieta	☐ Zona Traffikuża	☐ Zona ta' divertiment	☐ Zona Industrijali
Stat ta' Kostruzzjoni	☐ Ġebel u saqaf	☐ Nofs Lest**	☐ Lest*** Sit	
Kundizzjoni	☐ Tajjeb	☐ Adekwat	☒ Hażin	
Facilitajiet Tista' timmarka aktar minn waħda	☐ Bil-Gnien	☐ Bil-Pool	☐ Bil-lift	☐ Bil-Basement
	☐ Bla Garaxx	☐ Garaxx karozza waħda	☐ Garaxx żewġ karozzi	☐ Garaxx ta' aktar karozzi
Arja	☒ Bi-arja tiegħu	☐ Minghajr l-arja	☐ Bi-arja ma' terzi	

* Jinkludi l-artijiet kollha u għonja imma jinkludi sulari addizzjonali, saqfa u washrooms

*** Jinkludi tikħil, elettriku, ilma u madum

** Jinkludi ** kif ukoll kmamar tal-banju u aperturi

Data: 07/02/2022

Firma tal-Perit: Konrad Buhagiar
obo AP Valletta

Numru tal-Warrant: 154 | P/2 (AP Valletta)

Timbru: AP Valletta
4, Sappers Street,
Valletta VLT1320 Malta
Tel: +356 21 243981



Fil-Prim Awla' tal-Qorti Ċivili

**Fl-atti tas-Subbbasta numru
31/21 fl-ismijiet:**

Malik Mohamedreda Hanka

vs

**Administration Investment
Management Services Limited
(C1809)**

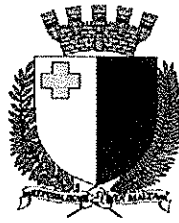
A tenur ta' digriet moghti fil-Prim' Awla, Qorti Ċivili datat 24 ta' Awwissu, 2021.

Qiegħed jappunta lill-Perit Arkitett Konrad Buhagiar bħala espert biex tagħmel deskrizzjoni tal-fond u jfisser il-piżijiet, kirjiet u jeddiet oħra, sew reali kemm personali, jekk ikun hemm, li għalihom dan il-fond jew fondi ikun sugġett, kif ukoll l-aħħar trasferiment tiegħu, skont l-informazzjoni li jkun ha mill-kreditur jew mid-debitur.

Qiegħed jappunta lil John Gingell Littlejohn bħala irkantaur sabiex imexxi l-irkant.

Illum, 27 ta' Awwissu, 2021

Gaetana Aquilina
Deputat Registratur



QORTI ĊIVILI PRIM'AWLA

ONOR. IMĦALLEF TONI ABELA LL.D.

Illum, it-Tnejn, 28 ta' Diċembru, 2020

Mandat ta' Inibizzjoni Numru 1726/20TA

Malik Mohamedreda B Hanka ID 147373A

vs

**Administration Investment Management Services Ltd C19809
u IAS Limited C12202**

Il-Qorti:

Rat ir-rikors ta' Malik Mohamedreda B Hanka ID. 147373A tad-9 ta' Diċembru 2020;

Rat id-digriet tagħha tad-9 ta' Diċembru 2020;

Rat ir-risposta tal-intimati Soċjetajiet tal-21 ta' Diċembru 2020;

Rat l-atti u dokumenti kollha ta' dawn il-proċeduri;

Rat li permezz ta' verbal magħmul fl-udjenja fejn il-partijiet qablu li l-mandat mertu ta' dawn il-proċeduri jiġi milqugħ fir-rigward tas-Socjeta' Administration Investment Management Services Limited (C 19809) biss u limitatament għas-segwenti żewġ propjetajiet u cioe'

- i. 18, Bellavista Court B, Bellavista Street , San Ġwann u
- ii. 57 u 59 , El Dorado Street, Hamrun.

Rat ukoll in-noti ta' insinwa ai fini ta' dawn il-proċeduri presentati seduta stante bid-deskrizzjoni u rjiġat skont il-liġi ta' dawn iż-żewġ propjetajiet (a' fol 34 u 35).

Għaldaqstant għar-raġunijiet fuq imsemmija l-Qorti, fil-waqt li qed tvarja d-digriet tagħha tad-9 ta' Diċembru 2020, billi tirrevokah inkwantu jirreferi u jirrigwarda s-socjeta IAS Limited (C 12202) u inkwantu jirrigwarda kull propjeta' oħra tas-Socjetajiet intimati salv għall-propjetajiet fuq imsemmija u tikkonfermah fil-konfront tas-Socjeta' Administration Investment Management Services Limited (C 19809) u tilqa' għalhekk definittivament it-talbiet tar-rikorrent fir-rigward tal-imsemmija Socjeta' Administration Investment Management Services Limited (C 19809) u limitatament għas-segwenti propjetajiet: 18, Bellavista Court B, Bellavista Street, San Ġwann u 57 u 59, El Dorado Street, Hamrun, kif aħjar deskritti fin-noti ta' insinwi fuq imsemmija.

Mandat Inibizzjoni 1726/20TA

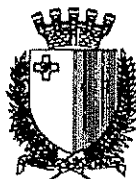
Il-Qorti qed tordna li dan id-digriet jiġi notifikat lill-Awtoritijiet kompetenti u cioe', lir-Reġistratur tal-Artijiet u Direttur tar-Reġistru Pubbliku biex jagħmlu dak li titlob minnhom il-liġi.

Spejjes ta' dawn il-proċeduri a' karigu tas-Socjeta' intimata Administration Investment Management Services Limited.

Mogħti kameralment illum 28 ta' Diċembru, 2020.

Imħallef Toni Abela

Deputat Reġistratur



**QORTI CIVILI
PRIM'AWLA
ONOR IMHALLEF ANNA FELICE**

Illum 09 ta' Dicembru, 2020

Rikors Guramentat Nru: 893/2020 AF

Malik Mohamdreda B Hanka

VS

**Administration Investment Management Services
Limited (C-19809)**

U

IAS Limited (C-19809)

Il-Qorti:

Rat ir-rikors ġuramentat ta' Malik Mohamdreda B Hanka, li permezz tiegħu wara li ġie premiss illi:

Fit-18 ta' Awwissu 2018, l-attur u s-socjetà konvenuta IAS Limited, ffirmaw konvenju (Dok. MH 1) għal bejgh u trasferiment tal-proprjetà 18, Bellavista Court B, Bellavista Street, San Gwann. Fil-konvenju s-socjetà konvenuta IAS Limited obligat ruhha li tittrasferixxi din il-proprjetà lill-attur sat-30 ta' Gunju 2019.

Il-konvenju kien ġie estiz sat-30 ta' Gunju 2020 (Dok. MH 2).

Jirrizulta li l-proprjetà ma kienitx ta' IAS Limited, izda kienet tas-socjetà konvenuta Administration Investment Management Services Limited.

Fl-1 ta' Lulju 2020 il-partijiet ffirmaw skrittura (Dok. MH 3), fejn is-socjetà konvenuta Administration Investment Management Services Limited obligat ruhha thallas lill-attur mija u wiehed u sebghin elf u mitt Ewro (€171,100) f'kaz li ssir kuntratt ma jsirx sal-31 ta' Lulju 2020.

Fit-3 ta' Awwissu 2020 is-socjetajiet konvenuti gew interpellati sabiex iħallsu s-somma hawn fuq imsemmija permezz ta' ittra ufficcjali (Dok. MH 4).

L-imsemmi ammont mija u wiehed u sebghin elf u mitt Ewro (€171,100) huwa dejn cert, likwidu u dovut u li ma jikkostitwix fl-ezekuzzjoni ta' xi fatt, mis-socjetà intimata lis-socjetà rikorrenti u għalhekk fil-fehma tas-socjetà rikorrenti jikkonkorru l-elementi preskritti mill-Artikolu 167 et seq tal-Kap. 12 tal-Ligijiet ta' Malta, sabiex din il-kawza tigi deciza bid-dispensa tas-smiegh, billi fil-fehma tal-istess socjetà rikorrenti, s-socjetà konvenuti m'għandhiex eccezzjoni xi tressaq kontra t-talba għall-hlas tal-imsemmi ammont.

Ghalkemm saru diversi interpellazzjonijiet, dana l-ammont baqa' ma thallasx mill-bastiment konvenut u ghalhekk kellha ssir din il-kawza.

Intalbet din il-Qorti sabiex:

1. Taqta' l-kawza bid-dispensa tas-smigh ai termini tal-Artikoli 167 *et sequitur* tal-Kap. 12 tal-Ligijiet ta' Malta;
2. Tiddikjarahom debituri lejn l-atturi ghas-somma ta' mija u wiehed u sebghin elf u mitt Ewro (€171,100);
3. Jigu kkundannati jhallsu lill-atturi s-somma ta' mija u wiehed u sebghin elf u mitt Ewro (€171,100), oltre l-imghax legale.

Bl-ispejjez, inkluz l-ittra ufficcjali tat-3 ta' Awwissu 2020 u bl-ingunzjoni tal-konvenuti ghas-subizzjoni.

Rat id-dokumenti annessi.

Rat li, minkejja li saret lilhom id-debita notifika tal-kawza ebda wahda mis-socjetajiet intimat ma kienet rapprezentata fl-udjenza biex twiegeb ghall-kawza.

Fic-cirkostanzi, ghaldaqstant, il-Qorti taqta' u tiddeciedi billi:

1. Tilqa' l-ewwel talba;
2. Tilqa' t-tieni talba u tiddikjara illi Administration Investment Management Services Limited u IAS Limited huma debituri ta' Malik Mohamdreda B Hanka fl-ammont ta' mija u wiehed u sebghin elf u mitt Ewro (€171,100);
3. Tilqa' t-tielet talba u tikkundanna lil Administration Investment Management Services Limited u IAS Limited ihallsu lil Malik Mohamdreda B Hanka is-somma ta' mija u wiehed u sebghin elf u mitt Ewro (€171,100), bl-ispejjez kif mitluba fir-rikors promotur.

L-ispejjez tal-kawza jtihallu mill-intimati in soldium bejniethom.

IMHALLEF

DEP/REG

Fil-Prim Awla tal-Qorti Civili

Malik Mohamedreda Hanka, bin
Monhamedreda Hanka u Madia Ali
Ahmed Musrati, imwieled fl-14 ta'
Jannar 1991 u bil-karta ta' l-identita
numru 147373A

V

Administration Investment
Management Services Limited
(C1809) 198091

Rikors għall-mandat ta' qbid eżekuttiv fuq il-fwejjeġ immobbli u bejgħ bis-sub basta ta' Malik Mohamedreda B Hanka
Jesponi bir-rispett

Illi dina l-Onorabbli Qorti fi 28 ta' Dicembru 2020 laqgħet mandat ta' inibizzjoni fl-ismijiet Malik Mohamedreda B Hanka (ID 147373A) v Administration Investment Management Services Limited u IAS Limited (mandat Nru: 1726/20TA), fejn gie ordnat is-socjeta Administration Investment Management Services Limited sabiex ma tbiegħx zewg propjetajiet 18, Bellavista Court B, Bellavista Street, San Gwann u 57 u 59, El Dorado Street, Hamrun;

Illi fid-9 ta' Dicembru 2020 dina l-Onorabbli Qorti permezz ta' sentenza fl-ismijiet Malik Mohamedreda B Hanka (ID 147373A) v Administration Investment Management Services Limited u IAS Limited (Rikors Guramentat Nru: 893/2020 AF), ordnat is-socjeta intimat thallas is-somma mija u wiehed u sebghin elf u mitt Euro (€171,100), altre l-ispejjes skond it-taxxa hawn anness u mmarkata bhala Dok A);

Illi l-Intimat m'ghamel l-ebda depositu mid-data tas-sentenza u baqa inadempjenti;

Illi l-propjeta 57 u 59, El Dorado Street, Hamrun hija Registrata Land Registry Certificate numru LR 202158 (Dok B);

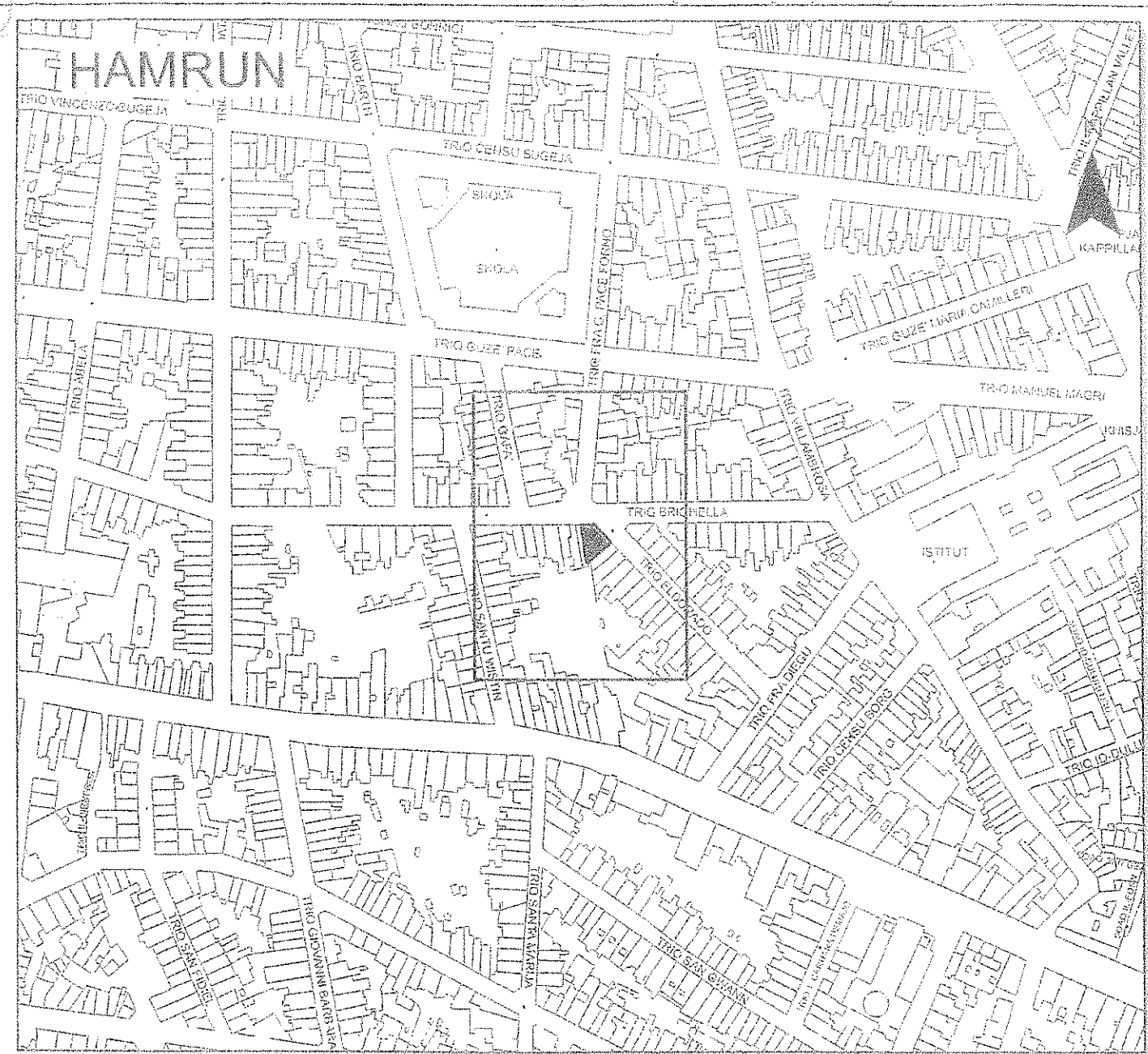
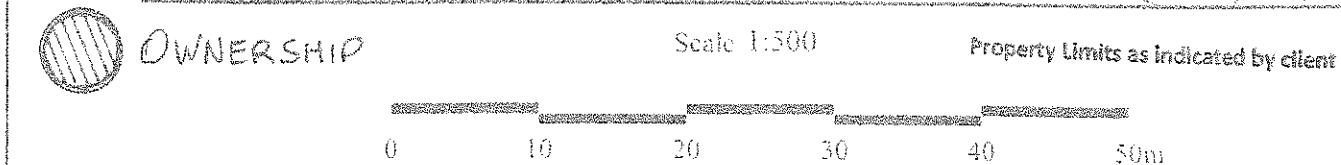
Għaldaqstant, is-socjeta' esponenti titlob bir-rispett li din l-Onorabbli Qorti :-

- joġġhobha tordna l-ħruġ tal-mandat ta' qbid eżekuttiv b'dan illi tordna l-bejgħ in sub basta tal-propjeta' 57 u 59, El Dorado Street, Hamrun;
- tappunta l-espert tal-Qorti biex jeċċedi fuq il-post u jagħmel il-valutazzjoni tiegħu liema valutazzjoni għandha tinkludi ukoll evidenza dokumentata tal-kirjiet li għalihom huma suġġetti dawn il-fondi;

c) tiffissa jum, ħin u lok għall-bejgħ tal-propjeta' imsemmija

u dan in sodisfazzjon tal-kreditu tagħha hawn fuq imsemmi.

Avv. Malcolm Mifsud
123, Melita Street
Valletta VLT 1123

Pjanta las-Sit 1:2500 *Site Plan*

116, Casa Bolino. Triq il-Pinkeni, Il-Belt Valletta

116. Casa Bolino, Trig il-Pincent, Il-Beli Vallenca

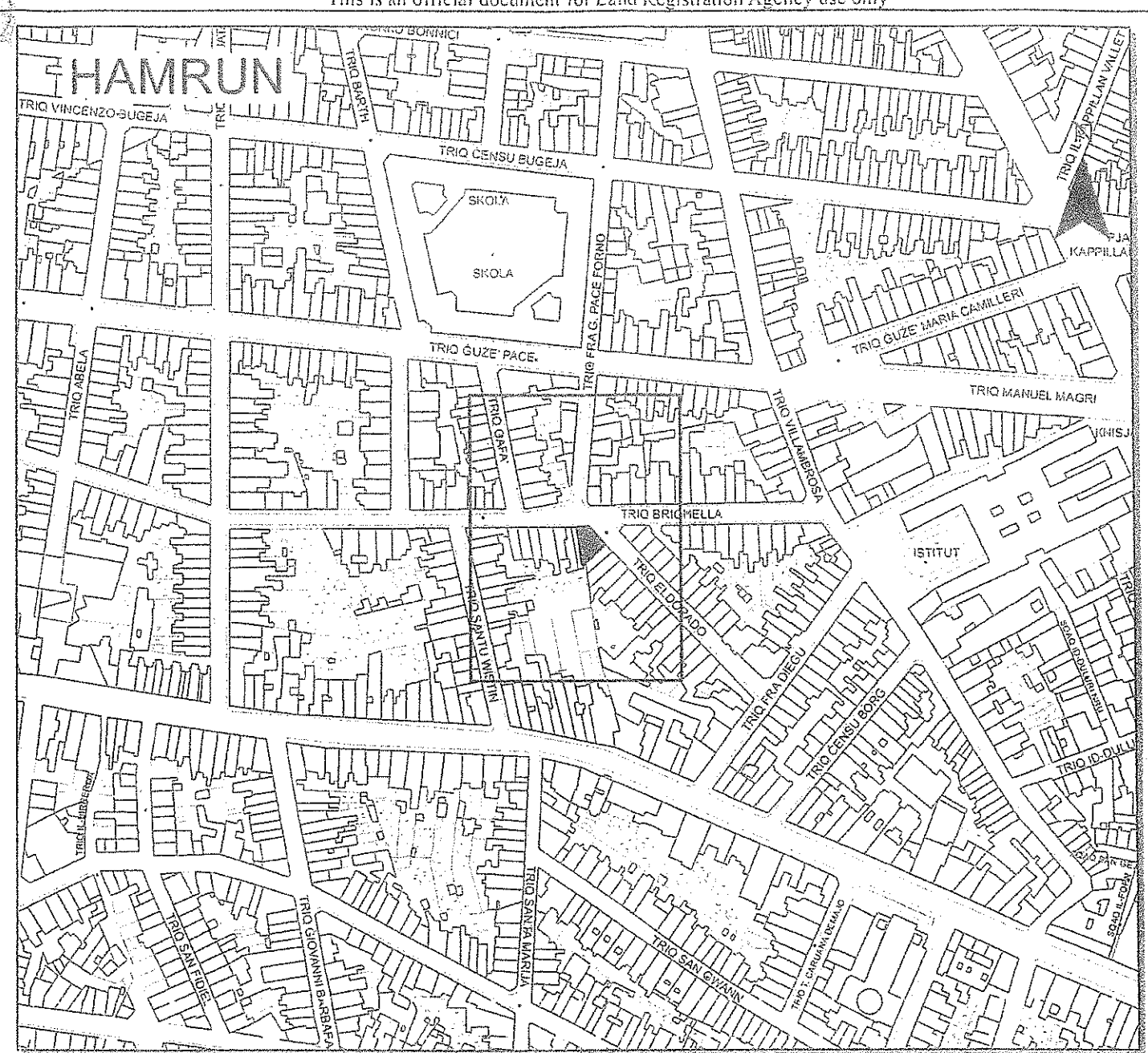
Date: 06/04/2021



Qies (meiri kwadrit): CIRCA 1115m
Area (square metres):
Firma ta' l-Applikant:
Applicant's Signature:

LR 202158

Dritt imhallas
Fee Paid



Pjanta las-Sit 1:2500 Site Plan

Land Registration Agency

116, Casa Bolino, Triq il-Pument, Il-Belt Valletta

116, Casa Bolino, Trig il-Punent, Il-Belt Valletta

Date: 06/04/2021
Date:

seyler & sullivan
architects & civil engineers
17, sir adrian dingli street,
silema, slm 1904, malta.
tel: 21337777, 21346772
e-mail: info@seylerandsullivan.com

Firma ta' l-Applikant:
Applicant's Signature:

LA 202158

Dritt imballas
Fee Paid

Lil: Kevin Zammit
f/ Administration Investment Management Services Limited
11
Triq Hal Sajd
Żebbuġ
Malta

Rif Tagħna: C00877.00_G01

4 ta' Ottubru 2021

Sur Zammit,

Għandi ngħarrfek li jiena ġejt maħtur bħala espert mill-Prim Awla tal-Qorti Ċivili biex nagħmel stima tal-valur ta' dan il-fond:

57 u 59, Triq Eldorado, Hamrun, Malta

Dan skond il- Mandat ta' Qbid ta' Hwejjeg Immobbli b'riferenza 31/21 maħruġ mill-istess Onorabbli Qorti.

Permezz ta' korrispondenza elettronika tal-21 ta' Settembru 2021, is-sottoskritt għarrfek li kien ser isir aċċess fit-28 ta' Settembru 2021 fis-18.00pm. Fit-tali ħin u għurnata hadd ma kien preżenti fil-fond sabiex jiftaħ lis-sottoskritt sabiex ikun jista' jsir l-aċċess.

Għaldaqstant, inti mgharraf li ser isir tentattiv ieħor għal aċċess mis-sottoskritt fil-fond msemmi nhar **l-Erbgħa, 20 ta' Ottubru 2021, fit-15.00pm**. Inti mitlub li tkun preżenti fid-data u l-ħin indikat, u li ttiprovdi aċċess sħiħ għall-fond lis-sottoskritt.

Inti mitlub wkoll biex ġentilment ttiprovdi l-informazzjoni segwenti lis-sottoskritt fid-data ta' l-aċċess:

- Kopja tal-kuntratt ta' akkwist tal-fond;
- Kopja ta' permissi tal-ippjanar maħruġa fuq il-fond jekk applikabbli;
- Kejl tal-fond (survey).

Inti mgharraf li, f'każ li ma ttipprovdux aċċess għall-fond msemmi fid-data u l-ħin indikati, ma jgħalli l-ebda alternattiva flief li l-Qorti tordna li jsir aċċess skond kif ttiprovdi l-ligi.

Jekk għandek bżonn xi kjarifika, jew sabiex tiġi ffixxata data u/jew ħin alternattiv, tista' tikkuntattja lill-uffiċċju tas-sottoskritt fuq in-numru tat-telefon 21243981 jew billi tibgħat email fuq info@apvalletta.eu.

Dejjem tiegħek,

Perit Konrad Buhagiar
f/ AP Valletta



REGISTERED MAIL

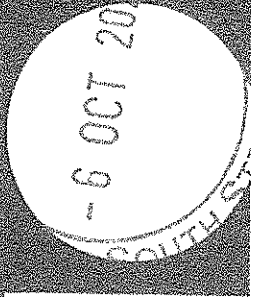
RR427585341MT



TAPC

Sent to:

Kevin Zammit - Admin
ITV Man, Secur. Ltd



Simone Vella Lenicker

From: Simone Vella Lenicker
Sent: 02 February 2022 18:01
To: Kevin Zammit
Cc: Konrad Buhagiar
Subject: RE: M Hanka -v- Administration Investment Management Services Limited

Dear Mr Zammit,

We have not yet received the deed of title (contract of purchase) in relation to the property. Can you send us a scan by not later than tomorrow close of business?

Kind regards,

Simone

From: Simone Vella Lenicker
Sent: 08 November 2021 17:03
To: Kevin Zammit <ias555@yahoo.com>
Cc: Konrad Buhagiar <konrad@apvalletta.eu>; Malcolm Mifsud - Mifsud Advocates <mmifsud@mifsudadvocates.com.mt>; davinasu60 <davinasu60@gmail.com>
Subject: RE: M Hanka -v- Administration Investment Management Services Limited

Dear Mr Zammit,

Kindly note that the Court has ordered forced entry of the property. The appointed date is the 22nd November at 09.30am.

If you are not present to open the property, the inspection will proceed accordingly.

Kind regards,

Simone

From: Kevin Zammit <ias555@yahoo.com>
Sent: 03 November 2021 10:26
To: Simone Vella Lenicker <simonevl@apvalletta.eu>
Subject: Re: M Hanka -v- Administration Investment Management Services Limited

Hi Simone

Sorry to bother again but unfortunately I have to postpone for One Last time tomorrows appointment to Thursday 11th same time.

Thanks and regards
Kevin

Sent from my iPhone

On 28 Oct 2021, at 16:15, Simone Vella Lenicker <simonevl@apvalletta.eu> wrote:

Dear Kevin,

Kindly note that the inspection will be carried out on the 4th November 2021 at 13.30.

Kindly note that if access is not provided at this time, the other party will be requesting the Court to order forced entry to the property.

Kind regards,

Simone

From: Simone Vella Lenicker

Sent: 27 October 2021 00:20

To: 'Kevin Zammit' <ias555@yahoo.com>

Cc: Konrad Buhagiar <konrad@apvalletta.eu>

Subject: RE: M Hanka -v- Administration Investment Management Services Limited

Dear Kevin,

I confirm that tomorrow's planned visit is cancelled.

I will email you again regarding the 4th.

Kind regards,

Simone

From: Kevin Zammit <ias555@yahoo.com>

Sent: 26 October 2021 08:44

To: Simone Vella Lenicker <simonevl@apvalletta.eu>

Subject: Re: M Hanka -v- Administration Investment Management Services Limited

Hi Simone

Am preparing docs. Also please fix an appointment for Thursday 4th, possibly morning.

Thanks in advance

Kevin

Sent from my iPhone

On 25 Oct 2021, at 12:19, Simone Vella Lenicker <simonevl@apvalletta.eu> wrote:

Dear Mr Zammit,

Kindly note that an inspection of the property will be carried out on Tuesday 28th September 2021 at 6pm. You are requested to be present on such date and time, and to provide access to all parts of the property.

You are also requested to provide the following information on the date of inspection:

- Copy of the deed of acquisition of the property
- Copy of all planning permits issued on the property, including approved drawings
- Survey of the property

You are hereby notified that, should you not provide access to the property on the indicated date and time, the Court shall be provided to issue the necessary instructions for access to be provided.

Should you require any clarification, or wish to set an alternative date and time, kindly advise by return email.

Yours sincerely,

Simone

Simone Vella Lenicker
Planning & Valuations / Design Director

<image001.jpg>

AP Valletta Ltd.
4 sappers street, valletta, vlt 1320, malta
tel +356 2124 3981 – www.apvalletta.eu

ISO 9001:2015 Certified Company by Dimitto Sa Certification Services. Certificate number 85-MT

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I have tried calling you to confirm the below but cannot get through. Kindly confirm that the below date is suitable.

Yours sincerely,

Simone

From: Simone Vella Lenicker
Sent: 21 October 2021 15:30
To: ias555@yahoo.com
Cc: Konrad Buhagiar <konrad@apvalletta.eu>
Subject: RE: M Hanka -v- Administration Investment Management Services Limited

Dear Mr Zammit,

Further to our call yesterday, kindly confirm your availability for an inspection to be carried out on Wednesday 27th October at 3pm.

Yours sincerely,

Simone

From: Simone Vella Lenicker
Sent: 27 September 2021 14:51
To: ias555@yahoo.com
Cc: Konrad Buhagiar <konrad@apvalletta.eu>
Subject: RE: M Hanka -v- Administration Investment Management Services Limited

Dear Mr Zammit,

A kind reminder re appointment tomorrow.

Yours sincerely,

Simone

From: Simone Vella Lenicker
Sent: 21 September 2021 16:22
To: ias555@yahoo.com
Cc: Konrad Buhagiar <konrad@apvalletta.eu>
Subject: M Hanka -v- Administration Investment Management Services Limited

Dear Mr Zammit,

Kindly be informed that Perit Konrad Buhagiar, in copy, has been appointed by the Court to carry out a valuation of the property located at 57 / 59, Triq Eldorado c/w Triq Brighella, Hamrun, as part of the proceedings in the judicial sale by auction with reference 31/21 (Malik Mohamedreda Hanka vs Administration Investment Management Services Limited).