

Nru. 385**MINISTERU GĦALL-FINANZI
U X-XOGĦOL****Ghotja għal First-time Buyers**

B'REFERENZA għan-Notifikazzjoni tal-Gvern numru 1605 ippubblikata fil-Gazetta tal-Gvern numru 20,748, tal-10 ta' Diċembru, 2021, l-iskema ta' ghotja 'Ghotja għal first-time buyers' qed tiġi emendata kif ġej.

Il-Ministeru għall-Finanzi u x-Xogħol nieda l-iskema li ġejja li għandha l-għan li tincentiva u tassisti lil first-time buyers li jixtru proprjetajiet residenzjali li jkunu fiż-Zona ta' Konservazzjoni Urbana (ŻKU), proprjetajiet li ilhom mibnija għal aktar minn għoxrin sena u huma vakanti għal aktar minn seba' snin, u għal dawk il-proprjetajiet godda mibnija u rfinati kif definiti mil-linji gwida stabbiliti u approvati mill-awtorità kompetenti.

1. Tifsir

F'din l-iskema, kemm-il darba r-rabta tal-kliem ma tehtiegħ xorta oħra:

'applikant' tfisser persuna residenti f'Malta li tkun first-time buyer u uffiċjalment rikonoxxuta li tkun is-sid tal-proprjetà residenzjali privata li tkun fiż-Zona ta' Konservazzjoni Urbana (ŻKU), jew is-sid tal-proprjetà residenzjali privata li ilha mibnija għal aktar minn għoxrin sena u li ilha vakanti għal aktar minn seba' snin, jew is-sid ta' proprjetà residenzjali privata ġdida mibnija u rfinata kif definiti mil-linji gwida stabbiliti u approvati mill-awtorità kompetenti u liema persuna qed tapplika għal ghotja taht din l-iskema;

'awtorità kompetenti' tfisser bord jew entità oħra nominata jew mahtura mill-Ministru responsabbli għall-finanzi għall-fini ta' din l-ghotja.

'data effettiva' tfisser it-12 ta' Ottubru, 2021;

'Malta' tfisser il-Gżejjer Maltin;

'applikazzjoni' tfisser applikazzjoni għall-ghotja taht din l-iskema li tkun saret b'dak il-mod kif mehtiegħ u skont din l-iskema;

'First-time buyers' tfisser dawk il-persuni li jakkwistaw l-ewwel proprjetà immobbli tagħhom, akkwistata *inter vivos* u li hija maħsuba għar-residenza ordinarja unika tagħhom. L-ebda proprjetà oħra qatt ma kellha tkun mixtrija qabel.

'proprjetà' tfisser, proprjetajiet li huma fiż-ŻKU, proprjetajiet mibnija għal aktar minn 20 sena u ilhom battala

No. 385**MINISTRY FOR FINANCE
AND EMPLOYMENT****Grant for First-time Buyers**

WITH reference to Government Notice number 1605, that was published on the 10th of December, 2021, in Government Gazette number 20,748, grant scheme 'Grant for first time buyers' is being amended as follows.

The Ministry for Finance and Employment has launched the following grant scheme, that aims to incentivise and assist first-time buyers that purchase residential properties within Urban Conservation Areas (UCAs), properties that have been built for more than 20 years and have been vacant for more than seven years, and new properties built and finished as defined by the established guidelines and approved by the competent authority.

1. Interpretation

In this scheme, unless the context otherwise requires:

'applicant' means any person who is a resident in Malta, who is a first-time buyer and officially recognised as being the owner of a private residential Urban Conservation Area (UCA) property, or the owner of a private residential property that has been built for more than 20 years and has been vacant for more than seven years, or the owner of a new private residential property built and finished as defined by the established guidelines and approved by the competent authority and which person is applying for a grant under this scheme;

'competent authority' means a board or other entity designated or appointed by the Minister responsible for finance for the purpose of this grant.

'effective date' means the 12th October, 2021;

'Malta' means the Maltese Islands;

'application' means an application for the grant under this scheme made in such manner as required and in terms of this scheme;

'First-time buyers' means those persons acquiring their first immovable property, acquired *inter vivos* and which is intended for their sole ordinary residence. No other property should have been bought before.

'property' means, properties that are within an UCA, properties that have been built for more than 20 years

għal aktar minn seba' snin, u proprjetajiet godda mibnija u rfinati kif definiti mil-linji gwida stabbiliti u approvati mill-awtorità kompetenti u liema proprjetà tintuża mill-applikant għal skopijiet residenzjali biss;

'proprjetà privata residenzjali' tfisser binja li s-sid huwa persuna privata u li liema proprjetà hi għal użu residenzjali privat biss;

'proprjetajiet godda' tfisser proprjetajiet mibnija u rfinati kif definiti mil-linji gwida stabbiliti u approvati mill-awtorità kompetenti;

'persuna' tfisser persuna fiżika u ma tinkludix xi entità organizzattiva;

'persuna residenti f'Malta' tfisser persuna fiżika li jkollha dokument ta' identifikazzjoni legalment maħruġ skont l-Att Dwar il-Karta tal-Identità u Dokumenti Ohra tal-Identità (Kap. 258) jew li jkollha permess ta' residenza jew dokument ekwivalenti maħruġ minn awtorità nazzjonali kompetenti;

'Żona ta' Konservazzjoni Urbana (ŻKU)' tfisser żona fil-Gżejjer Maltin li hija legalment desinjata bħala żona ta' bini li għandu valur ta' wirt kollettiv skont l-Artikolu 57 tal-Att dwar l-Ippjanar tal-Iżvilupp tal-2016, kif sussegwentement emendat u skont il-Pjan Strategiku għall-Ambjent u l-Iżvilupp TO8 UO2, UO3 u oħrajn u kif elenkat fil-Pjanijiet Lokali.

2. Min jista' japplika għall-ghotja taht din l-iskema

(i) Din l-iskema tirrigwarda applikanti eligibbli li qed jakkwistaw l-ewwel proprjetà tagħhom. Il-proprjetà li għaliha qed issir applikazzjoni għall-ghotja għandha tkun l-ewwel proprjetà immobbli tal-applikant akkwistata *inter vivos* mill-applikant u tkun akkwistata għal residenza unika u ordinarja u liema proprjetà hija proprjetà residenzjali privata hekk kif definiti fl-ewwel sezzjoni, liema proprjetà ntraxx mid-data effettiva jew wara, kif ippruvat mid-data tal-Att tal-Akkwist tal-proprjetà.

(ii) Biex ikunu eligibbli għall-ghotja, l-applikanti jridu jkunu konformi u l-ewwel ikunu rreġistraw il-kuntratt tagħhom mal-Uffiċċju tal-Kummissarju tat-Taxxi skont l-Avviz Legali 461 tal-2021, Regoli tal-2021 dwar Helsen mit-Taxxa fuq l-Income u mit-Taxxa fuq Dokumenti u Trasferimenti fuq Ċerti Trasferimenti ta' Proprjetà, u skont l-artikolu 13 tal- Avviz Legali jkunu pprezentaw prova legali u dikjarazzjoni li huma first-time buyers u li din hija l-ewwel proprjetà immobbli tagħhom akkwistata *inter vivos* skont ir-rekwiżiti tal-Artikolu 3 tal-Leġiżlazzjoni Sussidjarja 364.12, Ordni dwar Eżenzjoni mit-Taxxa għall-finijiet tal-artikolu 23.

and have been vacant for more than seven years, and new properties built and finished as defined by the established guidelines and approved by the competent authority and which property is used by the applicant for residential purposes only;

'privately owned residential property' means a building owned by a private person and which property is used for private residential purposes only;

'new properties' means properties built and finished as defined by the established guidelines and approved by the competent authority;

'person' means a natural person and does not include any organisational entity;

'person residing in Malta' means a natural person who holds a legally valid identification document issued in terms of the Identity Card and Other Documents Act (Cap. 258) or who has a residence permit or equivalent documentation issued by a competent national authority;

'Urban Conservation Area (UCA)' means an area within the Maltese Islands that is legally designated as an area of buildings having collective heritage value according to Article 57 of the Development Planning Act of 2016, as subsequently amended and in accordance with the Strategic Plan for the Environment and Development (SPED) TO8 UO2, UO3 and others and as listed in the Local Plans.

2. Area of applicability

(i) This scheme relates to eligible applicants that are acquiring their first immovable property. The property for which the grant is being applied for must be the applicant's first immovable property acquired *inter vivos* by the applicant and is acquired for sole and ordinary residence and which property is a privately owned residential property as defined in section one, which property was purchased from the effective date or afterwards, as proven by date on Deed of Acquisition of property.

(ii) To be eligible for the grant applicants must be compliant and have first registered their contract with the Office of the Commissioner for Revenue in terms of Legal Notice 461 of 2021, Relief from Income Tax and from Duty on Documents and Transfers on Certain Property Transfers Rules, 2021 and as per article 13 of the Legal Notice have submitted legal proof and a declaration that they are first-time buyers and that this is their first immovable property acquired *inter vivos* in line with the requisites of Article 3 of Subsidiary Legislation 364.12, Exemption of Duty in terms of Article 23 Order.

Din l-Għotja tapplika għal proprjetajiet eliġibbli li nixtra w bejn it-12 ta' Ottubru, 2021 u l-31 ta' Diċembru, 2024. Madankollu, fejn jidhlu sidien ta' proprjetajiet godda, dawn jistgħu japplikaw biss għall-għotja galadarba l-proprjetà tkun mibnija u lesta kif definit mil-linji gwida stabbiliti u approvati mill-awtorità kompetenti.

Din l-Għotja tapplika wkoll għal daww li fit-12 ta' Ottubru, 2021, kienu fuq wiegħda ta' bejgħ (konvenju) u kienu għadhom ma għalqux il-kuntratt.

(iii) Il-proprjetà li tibbenefika mill-għotja ma tistax tiġi diviżta, fejn in-numru ta' units residenzjali jibqa' l-istess. Jekk il-proprjetà tiġi sussegwentement żviluppata mill-gdid f'unitajiet residenzjali separati, l-applikant ikollu jhallas lura l-ammont sħiħ tal-għotja mħallsa lilhom taht din l-iskema.

(iv) Proprjetà waħda biss għal kull applikant hija eliġibbli biex tikkwalifika għal għotja taht din l-iskema u applikant jista' jkun eliġibbli għal għotja taht din l-iskema biss darba.

4. Kif wiegħed japplika u dokumenti li għandhom jiġu provduti

Applikazzjonijiet taht din l-iskema għandhom isiru biss permezz ta' portal/s elettroniku/ċi ufficċjali u għandu jkun fihom dak it-tagħrif, dettalji u dokumentazzjoni kollha kif meħtieġa fl-imsemmija formola u skont din l-iskema.

(i) L-applikant għandu jissottometti wkoll kwalunkwe dokumenti li l-Ministeru responsabbli mill-finanzi jista' jirrkjedi minn żmien għal żmien. Applikazzjoni ma titqiesx li giet sottomessa sakemm ma tkunx sħiħa u kompluta fl-aspetti materjali kollha u sakemm ma jkunx fiha l-informazzjoni kollha u tkun akkumpanjata mid-dokumentazzjoni kollha mitluba fiha.

(ii) Ikkwalifikaw biss għall-għotja msemmija fis-sezzjoni 5 ta' din l-iskema daww l-applikazzjonijiet li jkunu jikkonformaw mad-dispożizzjonijiet ta' din l-iskema. F'każ ta' applikazzjoni frawdolenti tittiehed azzjoni kriminali kontra l-applikant skont il-Kodiċi Kriminali (Kap 9).

(iii) Fejn jidhlu sidien ta' proprjetà residenzjali privata ta' Żona ta' Konservazzjoni Urbana (ŻKU), jew is-sidien ta' proprjetà residenzjali privata li ilha mibnija għal aktar minn 20 sena u li ilha vakanti għal aktar minn seba' snin, applikazzjonijiet taht din l-iskema għandhom jiġu sottomessi sa mhux aktar tard minn sitt xhur mix-xiri tal-proprjetà kif muri mid-data tal-Att tal-Akkwist tal-proprjetà. Applikazzjonijiet li jaslu 'tard', jiġifieri wara l-perjodu ta' sitt xhur, għandhom jitqiesu bħala applikazzjonijiet invalidi

(iv) Għal perjodu ta' mhux inqas minn sentejn mid-data tal-applikazzjoni sottomessa l-applikanti jistgħu jintalbu jipprezentaw id-dokumenti oriġinali li fuqhom tkun qed issir

This Grant applies to eligible properties that were purchased between 12th October, 2021 and 31st December, 2024. However, when it comes to owners of new properties, they can only apply for the grant once the property is built and finished as defined by the established guidelines and approved by the competent authority.

This Grant also applies to those that on the 12th of October, 2021, were on a promise of sale (konvenju) and had not yet closed the contract.

(iii) The property that benefits from the scheme cannot be divided, whereby the number of residential units will remain the same. If the property subsequently re-developed into separate residential units, the applicant will have to refund the full amount of the grant paid to them under this grant.

(iv) Only one property per applicant is eligible to qualify for support under this scheme and an applicant can only be eligible for a grant under this scheme once.

4. Manner of application and supporting documents required

Applications under this scheme shall be made only via the official electronic portal/s and must contain all the information, details and documentation as required in the said form and in terms of this scheme.

(i) The applicant must also provide any other document which the Ministry responsible for finance, may from time to time require. An application shall not be deemed to have been submitted unless it is full and complete in all material respects and unless it contains all the information and is accompanied by all the documentation requested therein.

(ii) Only those applications that are found to conform with the provisions of this scheme shall be eligible for payment of the grant referred to in section 5 of the scheme. In the case of a fraudulent application criminal action in terms of the Criminal Code (Cap 9) will be taken against the applicant.

(iii) When it comes to owners of a private residential Urban Conservation Area (UCA) property or the owners of a private residential property that has been built for more than 20 years and has been vacant for more than seven years, applications under this scheme, should be submitted by not later than six months from the purchase of the property as evidenced by the date on Deed of Acquisition of property. Applications received 'late', that is after the six months period, shall be deemed to be invalid applications.

(iv) For a period of not less than two years from the submitted application applicants may be requested to present the original documents upon which the claim is

it-talba. Fin-nuqqas li jipproduci tali dokumenti, l-applikanti jkunu obbligati li jhallu lura l-ammont mogħti taħt l-iskema u f'kaz ta' applikazzjonijiet frawdolenti tittieħed azzjoni kriminali skont l-artikolu 309 tal-Kodiċi Kriminali (Kap 9).

5. Għotja li tiffallas taħt din l-iskema

Applikanti eliġibbli jistgħu japplikaw għal għotja massima ta' €15,000 jekk il-proprjetà mixtrija tkun f'Malta u €30,000 jekk il-proprjetà mixtrija tkun f'Għawdex.

L-għotja finali li se tingħata tiġi stabbilita fuq bażi prorata skont is-sehem tal-proprjetà li tkun qed tiġi akkwistata.

6. Hlas tal-għotja

L-għotja tiffallas lill-applikant, permezz ta' kreditu dirett fil-kont bankarju indikat fl-applikazzjoni.

7. Emendi għall-Iskema

Il-Ministeru responsabbli għall-finanzi jzomm id-dritt li jagħmel kull tibdil f'din l-iskema bil-pubblikazzjoni ta' dak it-tibdil fil-Gazzetta tal-Gvern.

8. Tul tal-iskema

Din l-iskema għandha titqies li bdiet fit-12 ta' Ottubru, 2021, u għandha tibqa' fis-seħħ sal-31 ta' Diċembru, 2024. Din l-iskema tista' tiġi modifikata jew mitmuma permezz ta' Notifikazzjoni fil-Gazzetta tal-Gvern u tista' tiġġedded skont il-ħtieġa permezz ta' avviż ieħor fil-Gazzetta tal-Gvern.

9. Dizpożizzjoniet Transitorji

Applikazzjonijiet għall-għotja li jkopru l-perjodu bejn u waqt id-data effettiva u d-data tal-pubblikazzjoni ta' Notifikazzjoni tal-Gvern numru 1605, ippubblikata fl-10 ta' Diċembru, 2021, fil-Gazzetta tal-Gvern numru 20,748, għandhom jitqiesu bħala applikazzjonijiet validi taħt din l-iskema sakemm l-applikazzjoni taqa' taħt il-kriterji ta' eliġibbiltà.

F'dawn il-kazijiet transitorji, fejn jidhru proprjetarjiet residenzjali privati li jkunu fiż-Zona ta' Konservazzjoni Urbana (ŻKU), jew proprjetarjiet li ilhom mibnija għal aktar minn għoxrin sena u huma vakanti għal aktar minn seba' snin, l-applikazzjonijiet għandhom jintbagħtu fi żmien sitt xhur mid-data tal-pubblikazzjoni tal-Avviż tal-Gvern numru 1605, ippubblikat fl-10 ta' Diċembru, 2021, fil-Gazzetta tal-Gvern numru 20,748.

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being made. Failure to produce any such documents upon request, applicants will be obliged to refund the amount paid under the scheme and in the case of a fraudulent applications criminal action in terms of article 309 of the Criminal Code (Cap, 9) will be taken.

5. Grant payable under this scheme

Eligible applicants may apply for a maximum grant of €15,000 if the property purchased is in Malta and a maximum of €30,000 if the property purchased is in Gozo.

The actual amount allocated will be established on a pro rata basis according to the share of the property being acquired.

6. Payment of Grant

The grant will be credited to the applicant, in the bank account that is indicated in the application.

7. Amendments to the Scheme

The Ministry responsible for finance reserves the right to make any amendments to this scheme by the publication of the said amendments in the Government Gazette.

8. Duration of the scheme

This Scheme shall be deemed to have commenced on the 12th of October, 2021, and shall remain in force till the 31st of December, 2024. This scheme may be modified or terminated by means of a Notice in the Government Gazette and shall be renewed as deemed necessary through another notice in the Government Gazette.

9. Transitory Provisions

Applications for the grant that cover the period between and during the effective date and the date of publication of Government Notice number 1605, published on the 10th of December, 2021, in Government Gazette number 20,748, shall be deemed to be valid applications under this scheme provided that the application falls within the eligibility criteria.

In these transitory cases, when it comes to private residential Urban Conservation Area (UCA) properties or private residential properties that have been built for more than 20 years and have been vacant for more than seven years, applications shall be submitted within six months from the date of publication of Government Notice number 1605, published on the 10th of December, 2021, in Government Gazette number 20,748.

12th April, 2022