

GOVERNMENT PROPERTY DIVISION

LAND DEPARTMENT

Auberge de Baviere, Valletta

**APPLICATION TO TRANSFER THE LEASE OF COMMERCIAL
PREMISES (SHOPS) VIA THE GOODWILL PROCEDURE**

SECTION 'A' – Details of commercial premises to be transferred			
Description of Property-:	as shown coloured on plan attached to this renunciation.		
Registration (Tenement No.) -:		Department Reference -:	

SECTION 'B' – Request for transfer by goodwill
<p>I the undersigned, as shown in Section 'C', apply for permission to transfer the lease of the business premises mentioned in Section 'A' above. To this end I am attaching a copy of the agreements entered into between myself and</p> <p>Mr./Ms. (I.D. No.) (my proposed transferee) on the,</p> <p>for the sole purposes of showing the amount which I am expecting to receive as goodwill/improvements/ furniture/fittings of the said premises. I undertake in favour of the Commissioner of Land to transfer the said goodwill/improvements/furniture/fittings to any person or persons whom the said Commissioner of Land shall decide to recognise as tenant/s (the prospective transferee) of the said premises after a call by him for tenders in respect of the lease thereof. I undertake to effect such transfer within fourteen days from the Commissioner of Land's notification to me of the name of the prospective transferee as above. The only condition for such transfer, irrespective of all other conditions of the said original agreement, is</p> <p>(i) the payment by the prospective transferee/s of the amount agreed upon and fixed as consideration for the said transfer of goodwill/improvements/furniture fittings, less 10% of the said amount that shall be paid to Government; or</p> <p>(ii) an undertaking by the prospective transferee/s to pay the amount agreed upon as consideration for the said transfer of goodwill/improvements/furniture/fittings under the same conditions of payment as agreed upon in the original agreement, less 10% of the said amount that shall be paid to Government.</p> <p>For the sole purpose of enabling the publication of new tenders required by my application under the terms of the Disposal of Government Land Act, I am hereby renouncing to the lease of the said property on condition that my proposed transferee, as above, is granted the right of first refusal in the adjudication of the tender. I understand that this renunciation does not exonerate me from fulfilling any obligations arising from the lease I have, including (i) the payment of rent up to the date of reletting of the property, and (ii) the payment of any difference in rent up to the date of expiry of my term of lease if the property is relet at a lesser rent than that currently obtainable. I also bind myself to open the property for inspection by any parties interested in the tender any time I am requested to do so even if by a simple telephone call.</p> <p>The above undertakings are to remain binding for a period of six months from the date of receipt by the Commissioner of Land of the present, within which time the Commissioner of Land may present to me as prospective transferee/s of goodwill/improvements/furniture/fittings of the said premises as above more than one person successively. I further undertake in favour of the Commissioner of Land that should I fail, without a just cause to the satisfaction of the Minister for Home Affairs & The Environment or his delegate/s, to fulfill the above undertaking, I shall vacate the said premises immediately upon intimation by the Commissioner of Land to do so, even if this implies the dissolution of the current lease.</p>

SECTION 'C' – Details and signature/s of the applicant/leaseholder			
Name and Surname		Mobile & Tel. Nos.	
Identity Card No.		e-mail address	
Address			
Signature			
Witness to Signature (Notary or Lawyer)	Signature and Stamp	Date:	

SECTION 'D' – Note of clarification
<p>This application for transfer of lease by goodwill does not by itself confer any rights over the property in question.</p> <p>This application form and declaration must be filled in and signed by the applicant/s, including both spouses in case of married persons, in the presence of a notary or lawyer. This application shall only be processed if applicant provides (i) a formal copy of the goodwill/lease transfer agreement with the prospective transferee, (ii) an electronic copy (in Autocad 2000) of the property's plan, (iii) a copy of the current trading licence and (iv) provided that rent is fully paid up.</p> <p>The information collected in this form shall be used in accordance with the provisions of the Data Protection Act 2001.</p>