

Memorandum to Cabinet

Compensation to Outgoing Tenants of Rural Land

L-Arkiyji Nazzjonali ta' Malta

The Agricultural Leases (Reletting) Act, 1967 lays down the criteria for the payment of compensation payable to persons deprived of their fields by termination of lease by the owner.

Act No. XXIX of 1969 which amends the Land Acquisition (Public Purposes) Ordinance was consequential to the enactment of the Agricultural Leases (Reletting) Act, 1967, and it introduced in the matter of compensation payable to persons deprived of their fields by expropriation, the same principles governing the compensation payable by a private owner to his tenant, where the latter is deprived of the field (which was let to him) for the purpose of the construction thereon by the owner of "buildings for dwelling, business or industrial purposes".

Such compensation is limited to agricultural produce only and a farmer, who rears animals, is not compensated in respect of animal produce. The situation is considered unfair on the farmer/breeder and is against the Government policy of affording all justified protection to persons engaged in agriculture.

It is, therefore, proposed to amend the Agricultural Leases (Reletting) Act, 1967 and Act XXIX of 1969 which itself amends the Land Acquisition (Public Purposes) Ordinance by the attached amendments which have been vetted by the Crown Advocate General.

Hon. Ministers are asked to agree to the proposed amendments.

MAPC/89/66

13th March, 1971

Proposed amendment to Land Acquisition Act

1. This Act may be cited as the Land Acquisition (Public Purposes) Amendment Act 1971, and shall be used and construed as one with the Land Acquisition (Public Purposes) Ordinance, herein referred to as "The Principal Law".
2. Immediately after section 19A(3) there shall be inserted the following new section:
 - (4) In this section "sale of the products gathered by the tenant" shall be deemed to include animal products such as milk, meat and other similar products. In such cases the period shall be two years instead of four.
3. This amendment shall have effect with regard to any rural land in respect of which the declaration referred to in sub-section (1) of section (8) of the Principal Law as published in the Government Gazette on or after the twentieth June 1967.

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Proposed amendment to Agricultural Leases Act

1. This Act may be cited as the Agricultural Leases (Reletting) Amendment Act 1971 and shall be used and construed as one with the Agricultural Leases (Reletting) Act 1967, herein referred to as "The Principal law".
2. Immediately after section (6) shall be inserted the following new section:

"The words 'value of products gathered' shall be deemed to include animal products such as milk, meat and similar products; but in such cases the period shall be two years instead of four years".
3. This amendment shall have effect from the same date as the principal law.