

MEMORANDUM FOR THE CABINET BY THE
MINISTER OF JUSTICE AND PARLIAMENTARY AFFAIRS
Hubbalit Development (Malta) Limited

By a deed signed on the 3rd February, 1965 Government granted on a 150 year emphyteusis to Messrs. Hubbalit Developments (Malta) Limited the land at Qamnieh measuring 315 tumoli for a yearly ground rent of £750.

the following:-

- (18) Among the conditions of the grant was
- The Government shall have the right to dissolve the present emphyteusis for any of the following reasons:-
- (i) if there are no visible signs that the construction of the recreational centre and the first one hundred (100) residential units, which the Company has undertaken to build in accordance with condition three (3), has been commenced within six (6) months from the date of the Commissioner of Land's approval granted under condition nine(9); or if within fifteen (15) months from the date of the Commissioner of Land's approval granted under condition nine (9) there are no visible signs of progress in the building of the said centre and units, provided that such progress shall be deemed in any case to exist if the Company proves that it has incurred' in the construction of the said centre and units within the said period an expenditure of one hundred thousand pounds (£100,000).

- (ii) if there are no visible signs that the construction of the second hundred residential units, which the Company has undertaken to build in accordance with condition five(5), has been commenced within two years from the date of the Commissioner of Land's approval granted under condition nine (9), or if within two years and nine months from the date of the Commissioner of Land's approval granted under condition nine (9) there are no visible signs of progress in the building of the said units, provided that such progress shall be deemed in any case to exist if the Company proves that it has incurred in the construction of the said units within the said period an expenditure of one hundred thousand pounds (£100,000);

- (iii) if there are no visible signs that the construction of the boat club and the villas, which the Company has undertaken

to build/.....

to build in accordance with condition seven (7) has been commenced within three (3) years and six (6) months from the date of the Commissioner of Land's approval granted under condition nine (9) or if within five years from the date of the Commissioner of Land's approval granted under condition nine (9) there are no visible signs of progress in the building of the said boat club and villas, provided that such progress shall be deemed in any case to exist if the Company proves that it has incurred in the construction of the said boat club and villas within the said period an expenditure of two hundred and twenty thousand pounds (£220,000);

- (iv) if the Company fails to comply with any of conditions one, two, three, four, five, six, seven, eight, fourteen, fifteen and sixteen (1, 2, 3, 4, 5, 6, 7, 8, 14, 15, 16) hereof;

The plans submitted by the Company were approved by the Commissioner of Land on the 14th December, 1966 and the works of the first phase costing not less than £100,000 should have been completed by the middle of March, 1967.

So far the Company has only constructed five small rooms and carried out some works on an approach road. The cost incurred to date by the Company does not appear to exceed £5,000. Government therefore is entitled to terminate the grant.

The site is very valuable and is being held by the Company at a ground rent of only 2s. 2d. per square cane.

Hon. Ministers are requested to decide whether in the circumstances action should be taken to terminate the emphyteusis aforesaid granted to Messrs. Hubballit Developments (Malta) Limited on the grounds of the Company's new performance.

9th December, 1968.

Land/1082/63.

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