

Memorandum for the Cabinet by the Minister of Justice  
and Parliamentary Affairs

War Damage compensation relating to  
lining with marble in churches

The claim for compensation in respect of lining with marble the pilasters of the Basilica of Our Lady of Victory, Genglea, was first discussed in plenary session of the Commission in 1955. The amount claimed was £8,042. Similar claims submitted in respect of other churches amounted to £5,606. The Commission, after noting that payment of compensation in respect of Churches was made "ex gratia" and not "de jure", decided that, as it was doubtful whether the balance available from War Damage Funds was enough to pay compensation in respect of private dwellings, it could not, in fairness, authorize the payment of compensation in respect of such works at this stage.

This question was again discussed in plenary session and the Commission was of the opinion that as the amounts involved were not considerable, the claims submitted might be considered if the compensation payable, notwithstanding the fluctuation in prices, were in the region of the amounts claimed.

On 31st August, 1963, the Commission finally decided that should Government give an assurance that all third party claims will be met in full even if the war Damage Funds were exhausted, it would find no objection to meet the claims in respect of marble linings of walls in churches.

The Commission was eventually informed that it was decided in Cabinet on 18th May, 1964 that Government was prepared to contribute up to 2/3 of the cost of lining with marble in the Basilica of Genglea. The Commission could not, however, accept Government's decision, as it could not discriminate against other claimants who had submitted similar claims. This decision was duly communicated to Government whereupon, the Commission was informed that the Cabinet's decision should be understood to include all claims in respect of marble lining in Churches.

Mr. J. Leone Canado B.S. & A., A. & C.E., was eventually appointed consultant for the assessment of compensation in respect of marble works in the Basilica of Our Lady of Victory, Genglea and with the assistance of the Technical Member of the Commission, Mr. E. Xuerab, A. & C.E., B.S. & A., it was reckoned that the amount

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submitted for recommendation to the former Minister responsible for the War Damage Commission in 1963 will have to be increased to the region of £22,000.

The increase is mainly due to the fact that the pavement of the Basilica was lowered by 1 foot, to the substantial increase in wages and in the cost of material as well as to the increase in Customs duty and to the devaluation of the sterling.

The Hon. Ministers are therefore being asked to agree to the figures recommended above.

17th February, 1969.

L-ARKIVI NAZZJONALI TA' MALTA

md/ag