

MEMORANDUM FOR CABINET BY THE
MINISTER OF JUSTICE AND PARLIAMENTARY AFFAIRS

Acquisition by outright purchase tenements held
on possession and use outside "Reconstruction Areas"

According to the Land Acquisition Ordinance Government may acquire land for a Public Purpose either:-

- a) By Absolute Purchase
- b) For Possession and Use for a limited time
- c) On Public Tenure.

When land is held by Government on Possession and Use for more than 10 years the owner may require Government to purchase said land or to acquire it on Public Tenure or to vacate it.

In view of the high values of property as compared with the comparatively low yield from rent, owners naturally are considerably better off when the property is purchased outright.

On the 1st September, 1960 Government issued a statement of its future policy as regards land in Reconstruction Areas (i.e. Valletta, Floriana, the three cities, Luqa and Kirkop) then held on Possession and Use terms.

The policy announced in that statement was as follows:-

- 1) All land in Reconstruction Areas then held on Possession and Use terms was to be acquired on Public Tenure and the increase of 40% in rent was to be effective from the 1st July, 1960 or from the 1st day of the eleventh year after acquisition, whichever was

the earlier/.....

the earlier day.

2) All future acquisitions in Reconstruction Areas were to be by Outright Purchase - without prejudice to the Government's right to acquiring land on Possession and Use terms where necessary.

It will be noted that this statement of policy made no reference to land held on Possession and Use terms outside the aforesaid Reconstruction Areas.

While therefore - except in two or three cases where this was unavoidable - land held on Possession and Use terms in Reconstruction Areas before 1st September, 1960 was not acquired by Outright Purchase, this did not occur in other areas, where no fixed policy was laid down and where, while some land has been acquired by Outright Purchase, other land continues to be held on Possession and Use terms.

There have been many requests from owners of land held on Possession and Use terms both inside and outside Reconstruction Areas, for Government to purchase such land outright. Many of these owners have put up a strong case on the grounds of the hardship they are suffering.

While to accede to these requests in the case of land within Reconstruction Areas, would run counter to the statement of policy aforesaid, there would be no 'policy' objection to acceding to the requests in cases of land outside Reconstruction Areas.

In accordance with the statement of policy all land taken over after 1st September, 1960 was taken over by Outright Purchase.

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Enclosed is a list of cases of land outside

Reconstruction/.....

Reconstruction Areas acquired on Possession and Use terms prior to 1st September, 1960 and still held by Government but not purchased outright.

While as already stated, there is no policy objection to acquiring these properties outside Reconstruction Areas by Outright Purchase, the cost of such acquisition would be very high at present day prices.

Hon. Ministers are asked to confirm that:-

a) All requests by owners of property in Reconstruction Areas held on Possession and Use terms before 1960 for the Outright Purchase of that property should, as in the past, be refused.

b) The property wherever situate taken over after 1960 should continue in all cases to be purchased outright.

Hon. Ministers are further requested to decide whether in the case of properties outside Reconstruction Areas held on Possession and Use since before 1st September, 1960, these properties should or should not be purchased outright.

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LIST OF TENEMENTS CEASED RECONSTRUCTION AREAS HELD ON LEASE OR POSSESSION AND USE

	<u>Deed</u>	<u>Owner</u>	<u>Rent payable to</u>
68, 69, 70, St. James Bqr., Zabbar.	144/27.10.56 Not.R 17/55	Jane Farrugia	Fr. Joseph Zarb
72, St. James Square, Zabbar	205/9.10. 57 Not.R 17/53 f.3.4.5.	Joseph Ila A.& C.E.	Fr. Joseph Zarb
73, St. James Square, Zabbar	205/ 9.10.57 Not.R 17/53 f.3.4.5.	Joseph Ila A.& C.E.	Fr. Joseph Zarb
74, St. James Square, Zabbar	205/ 9.10.57 Not.R 17/53 f.3.4.5.	Joseph Ila A.& C.E.	Fr. Joseph Zarb
81/82, St. James Square, Zabbar	21/14. 1.56 Not.R 17/53-8	Carmel Barbara	Fr. Joseph Zarb
3/5, Alley I, Sanctuary Street, Zabbar	164/18. 8.56 Not.R 68/49 f.6/7	Carmelo Zarb	Carmelo Zarb
57, Fawwara Lane, Sliema	47/ 5. 6.54 Not.R 25/53 f.5	Margherita Bartolo	Mrs. M. Bartolo
58, Fawwara Lane, Sliema	90/17. 3.56 Not.R 25/53 f.6	Margherita Bartolo	Mr. Albert Micallef
85, 85a, Fawwara Lane, Sliema	268/ 7. 9.57 Not.R 25/53 f.2	Francesco Spiteri	Mrs. Giuseppa Spiteri
160, Paola Bqr., C/W/2/3, Cospius Road, Paola	41/5. 3. 60 Not.R 81/49 f.1 & 2.	Kitty Farrugia	Miss Carmela Farrugia
84, Fawwara Lane, Sliema	No deed signed	George Cini	No rent being paid.

LIST OF TENEMENTS CEASED RECONSTRUCTION AREAS HELD ON PUBLIC TENURE CONTINUED

13, Almazza Lane, Sliema	52/ 4. 8.56 Not.R 25/53 f.14	Carmela Debono	Mrs. Josephine Debono.
13, Fawwara Lane, Sliema	7/ 4. 7.56 Not.R 25/53/11	Armando Mfsud I.P.	Anthony Caesar

	<u>Deed</u>	<u>Owner</u>	<u>Rent payable to</u>
14, Fawwara Lane, Sliema	16/12.3.55 Not.R 25/53 f.12	Peter Paul Cassar	Peter Paul Cassar
15, Fawwara Lane, Sliema	58/ 8.2.58 Not.R 19/57 f.7	Peter Paul Cassar	Peter Paul Cassar
59, Fawwara Lane, Sliema	181/22.12.56 Not.R 25/53 f.7	M'Assunta Solciuna	Mr. Paul Solciuna
60, Fawwara Lane, Sliema	305/10.11.54 Not.R 25/53 f.8	Mary Galea	Miss M'Anna Galea
61, Fawwara Lane, Sliema	59/11. 2.56 Not.R 25/53 f.9/10	Carmel Bonnici	Mr. John P. Aquilina
62, Fawwara Lane, Sliema	55/11. 2.56 Not.R 25/53 f.9.10	Carmel Bonnici	Mr. John P. Aquilina
128/130, High Street, Sliema	98/13. 4.68 Not.R 20/53/1	Edgar Farrugia	Mr. Amelio Aea
131a, High Street, Sliema	33/ 6. 8.60 Not.R 20/53 f.4/6	Margherita Gussan	Mrs. M'Olga Overend
86D/2/F, Tigne Street, Sliema (Part of)	75/ 3. 8.55 Not.R 45/54	Rosa Holland	Mrs. Rose Holland
87/91, Tigne Jkarrf, Sliema (Part of)	76/ 3. 8.55 Not.R 45/54	Rose Holland	Mrs. Rose Holland
42A/B, Tower Road, Sliema	76/ 3. 8.55 Not.R 45/54	Rose Holland	Mrs. Rose Holland
81, 81A, 81B, Tower Road, Sliema	32/ 6. 8.60 Not.R 20/53 f.5/6	Margherita Gussan	M'Olga Overend
83A/85, Tower Road, Sliema	143/29. 4.67 Not.R 20/53/8	Paoline Farrugia	Mr. Joseph Muscat
35, Gnejnu Street, B'kara	107/14. 4.55 Not.R 80/49	Rev. Can. S. Ptery	Dr. O.G. Vella M.D.,
35, Gnejnu Street, B'kara	106/14.11.53 Not.R 80/49	Can. Vzo. Saliba	Rev. Can. V. Saliba
F/Hse tal-Barrunbara, Paola	24/2/1949	O. Attard Montalto	O. Attard Montalto
F/Hse tal-Idedna		A. Camilleri	A. Camilleri.