

MEMORANDUM FOR THE CABINET
BY THE MINISTER OF JUSTICE AND PARLIAMENTARY AFFAIRS
AND
THE MINISTER OF COMMONWEALTH AND FOREIGN AFFAIRS

Sub-letting of Government Premises held on
lease by External Affairs Officers serving abroad

Ministers will recall that, on 23 February, 1967, they had agreed in principle that External Affairs Officers should be allowed to sub-let their residence in Malta, if the premises were Government property, during the period of their duty abroad. The Commissioner of Land, in pursuance of this decision, drew up a set of conditions under which he proposed that such sub-letting should be allowed. These conditions are attached as Appendix A.

2. The Minister of Justice and Parliamentary Affairs has, however, reconsidered the matter, and feels that the grant of permission to sub-let could present certain difficulties because the sub-lessee, except in the case of de-controlled property, might be able to resist a demand to vacate the premises as he would be protected by the provisions of the Reletting of Urban Property (Regulation) Ordinance (Chapter 109) of the Laws of Malta.

3. Complications could also arise in that the evicted sub-lessee, or the officer himself should he be unsuccessful in recovering possession, would apply for alternative accommodation from the Housing Department.

4. The Minister therefore feels that the implementation of the decision already taken in Cabinet would present serious practical difficulties, and he considers that the decision should be reversed.

5. The Ministry of Commonwealth and Foreign Affairs, on the other hand feel that before it is decided to reverse the original decision, the proposal should at least be given a trial, in order to establish whether in fact the anticipated problems, or any other problems, would arise. It is stressed that, with regard to the specific difficulty

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about recovering possession, the officers themselves appreciate the problem, and realise that it would be in their own interest to choose the right tenant as sub-lessee.

6. Ministers may wish to consider the above submissions and to decide what line of action should be adopted.

2nd January, 1971.

APPENDIX A

Conditions for the sub-letting of
Government owned premises by External Affairs
Service Officers posted abroad

1. The sublease shall be agreed for a period of one year, and the sublease should thereafter be renewable quarterly.
2. Within one month of his return to Malta at the termination of his posting abroad, the Officer shall be bound to give notice to the sub-lessee of the termination of the sublease on expiry of the period then current. The Officer shall moreover take all action which may be necessary to resume possession of the premises.
3. The sub-lessee shall not be allowed to sub-let the premises or to make over the lease.
4. The agreement of sub-lease shall be drawn up in writing and a copy thereof shall be sent to the Commissioner of Land.
5. Failure on the part of the Officer to comply with any of the above conditions will entitle the Government to terminate the principal lease and any sub-lease forthwith.