

Memorandum for the Cabinet
by the Hon. Minister of Justice.

New Policy regarding agricultural holdings.

Minister will recall that it was agreed to modify slightly the policy as set out in Memorandum No. 38 and approved in Cabinet on the 13th November, 1962, regarding the renewal of leases of Government owned rural land and the carrying out of repairs therein (Annexure A) in order to introduce measures likely to curtail further fragmentation of land, to regularise, in so far as practicable, the position arising from the ever increasing number of "absent" tenants and of the corresponding irregular sub-leases and to afford security of tenure to those actual cultivators of Government land who are not the recognised tenants.

It is essential, in the interest of agriculture, that a condition be inserted in the deed of emphyteusis ensuring that no Government land should in future be held, under any title, by any one farmer smaller in size than that resulting from the present sub-divisions of the land unless such land is capable of being divided into two or more economic units (namely about 20 tumoli for dry and semi-dry land and about six tumoli for irrigated land) and that where land would be so capable of sub-division no farmer would hold less Government land than one economic unit.

It is also desirable, both from an agricultural and from an administrative point of view, that where land is untenanted (i.e. in those cases where the long lease has expired and the land is occupied without title) or where land, although tenanted, is being cultivated by persons other than the "recognised tenant", the offer of the land in emphyteusis should, as a rule, be made to the actual cultivator. This would render necessary in many cases, the termination of the lease enjoyed by the recognised tenant but it is justified by the following considerations:-

(a) the main purpose of the new policy is that of affording a more secure tenure to farmers subject to measures allowing only a minimum of fragmentation, and only those farmers are deserving

of such a protection who are actually contributing to the Island's economy;

(b) the actual cultivator cannot be said to be fully protected unless he holds land directly from Government;

(c) absent tenants including mezzadri are a burden to the economy and an ever-present threat to the farmer's security of tenure, and should therefore be discouraged rather than protected;

(d) a direct offer to the actual cultivator would simplify considerably the administrative mechanism for the implementation of the policy.

Ministers are asked to confirm their agreement to the above modifications.

29th April, 1963.