

MEMORANDUM FOR THE CABINET
BY THE HON. MINISTER OF WORKS AND HOUSING

New Policy regarding agricultural holdings

In 1961, the previous Administration reviewed the policy governing the renewal of leases and the carrying out of repairs in Government-owned rural tenements.

2. This review showed that of 1,318 such tenements, 636 had been granted on long lease, of which 102 had expired and had continued to be occupied without any title at law and without payment of rent. The remaining 682 tenements were held on short leases which were being renewed from year to year at the pre-war rental. The total annual rental yield from the former class of tenements was £3,744, and that from the latter, £8,456, an overall total of £12,200. A rough estimate of the cost of repairs to all rural tenements amounted to £314,000, against a provision of £7,700 in the Estimates for such repairs.

3. In the light of these facts, it was decided to introduce a policy aimed at preserving the entity of the various agricultural holdings and encouraging farmers to maintain a reasonable standard of cultivation, subject to measures to allow only a minimum level of fragmentation of land. This policy, which is given on Annexure A, 'inter alia' removes the obligation, and financial burden, on the Government for the repair of these tenements.

4. The Gozo Civic Council, who by law are responsible for the administration and management of Government tenements in Gozo, which on the 7th July, 1961, were rent-producing, were informed of the new policy, and asked to give their views as to how it could best be implemented in the sister Island. The Council have reported their agreement in principle with the new policy and are asking whether the Government agrees that they should proceed to consider the practical means whereby it could be carried out.

5. Ministers are asked whether they agree that the new policy as approved in 1961 should now be implemented.

Policy regarding agricultural holdings

(a) With the exception of lands which were obviously ripe for development (either as building sites or for another public purpose) all rural tenements were to be offered to the tenants or occupiers on a 99 year emphyteusis, at a newly assessed groundrent, subject to a groundrent re-valuation every 30 years, under the specific condition that such lands should be used only for agricultural purposes. All such lands were, as far as possible, to be offered in their existing state (i.e. "tale quale") under the condition that the emphyteuta should be bound to repair all damages existing on the day of the grant within a period to be established by the Director of Public Works depending on the entity of the damage.

(b) As a first step action as at (a) above was to be taken in connection with tenements, excluding those at Ghajn Tuta and l-Ahrax tal-Madonna (these lands being required in connection with hotel development at Mellieha, the emphyteuta by specific condition in the lease, being entitled to first refusal or a renewal of the lease on expiry, for 8 years firm and 24 years optional), in respect of which the emphyteusis had expired and the tenements had continued to be occupied without any title at law and without payment of rent.

(c) A condition report of the tenements referred to under (b) was to be started immediately by a Public Works Department Engineer together with a representative of the Director of Agriculture and, on such occasions as might be required, with a representative of the Accountant General. This, in addition to determining the period for the repair of damage, was intended to establish the rent to be charged. Such a report was not to take more than about three months.

(d) As soon as action as at (c) had been completed a condition report was to be drawn up of all Government lands then on lease with a view to granting them, with the consent of the tenant, on a 99 year emphyteusis under the conditions at (a).

(e) The survey referred to at (c) was gradually to be extended to cover the tenements currently on emphyteusis so that preventative action could be taken regarding repairs in the case of those emphyteusis which had not yet expired as well as to bring all such emphyteusis eventually under the above policy; and

(f) A system of inspection at least once every ten years was to be adopted by Public Works Department Engineers, to ensure that the repair obligations were being observed.