

Government Property Division

Estate Management Department

INTRODUCTION

The Estate Management Department is entrusted with the primary activity role of promoting the effective management of government immovable property.

The principal activities of the Estate Management Department are:

- maintenance and upkeep of government's property terrier, including property plans and property disposal details;
- investigating the nature and extent of government immovable property, including identification of illegal usurpation of land;
- protection of government property through ownership registration under the Land Registration Act;
- identification of suitable property to be offered for sale/lease by tender;
- authorisation of repairs and maintenance works required on government-owned property;
- provision of property to government departments and other entities;
- consideration of requests made for the lease of government property including preparation of *ad hoc* lease conditions;
- valuation of government property;
- provision of technical support to the Land Department;
- property inspections and plan preparation in relation to property being acquired by Government under the Land Acquisition Ordinance.

The Estate Management Department's administrative set-up is constituted of two main branches, each falling under the responsibility of an assistant director. These are the Government Property Branch - responsible for the property terrier and ancillary activities - and the Services Branch - responsible for the property management function mainly in terms of such aspects as

sales, leases and also technical support for the acquisition of property.

GOVERNMENT PROPERTY BRANCH

The Government Property Branch is charged with the onus of maintaining the datasets that make up the terrier for government-owned immovable property. Whilst it should be evident that a comprehensive property terrier is one of the fundamental requirements for effective property management, the construction and maintenance of such terrier is not an easy matter. Government real estate records are hitherto predominantly manual in nature and extraction of information is rendered laborious through the presence of the multiple datasets involved and the vast quantity of such data that at any one time has to be checked and maintained. In some respects the task is rendered more laborious by the simple fact that government property ownership records date back from the time of the knights and has been and is still being subjected to vast transactions all of which have to be properly tracked and recorded.

Given the varied and sometimes fragmented way in which government property records have had to be compiled over the last 40 years the exact extent and configuration of immovable property may not be immediately and readily discernible. In this regard the Estate Management Department has to dedicate extended time and efforts to investigate property issues particularly questions of origin, ownership title and extent. This investigative work has a high value-added content in terms of the revenue generation potential it offers. In this regard it is not unusual for such property scrutiny to expose illegal encroachment and usurpation of government property, that when regularised would yield thousands of Maltese liri.

The registration of property ownership under the Land Registration Act is another cadastral activity carried out by the Property Branch. This involves the drawing up and tracking of land plans and related registration documents. Related to this process is the need to ensure that no third party usurps ownership of government-owned property by taking advantage of the pre-emptive rights available under the Land Registration Act in favour of the first-accepted registration. To safeguard government's rights the Estate Management Department vets every single application for property registration made with the Land Registry Department and if necessary apposite legal cautions are filed.

The Government Property Branch also keeps records of all government leases within a computerised database.

During 2001, KPMG, as sub-contractors to MITTS Ltd., completed the greater part of the Analysis Stage of the LEMIS Project which intends to capture property records and processes into a comprehensive GIS-based property management computerised system. As part of the short-term improvements contemplated under this project, a Property Registration System was commissioned during 2001 that will enable the Department to electronically capture pre-defined and pre-determined property for onward cadastral registration. This system will greatly facilitate the speed and efficiency of property registration.

SERVICES BRANCH

During 2001 this Branch handled thousands of requests for information on government property, including requests for the lease of individual property units such as shops, garages, stores and agricultural land. This Branch also handles other requests for the temporary use of government property for such purposes as tombolas, fairs, luna parks, discos etc. These requests originate from a number of sources including government departments, corporations, limited liability companies and also individuals.

The Services Branch considers these requests and provides the necessary feedback to the Department's clients either by forwarding the requested information - with the assistance of the Property Branch - or otherwise by preparing the conditions, including plans, under which a title is to be granted over government property. The matter is then referred to the Land Department for the issue of relative legal documents including, where applicable, publication of tenders and eventual finalisation of lease agreements. During 2001, some 1,700 property information requests were handled.

The Services Branch also handles requests made by government departments for the expropriation of private property for public purposes. The related work involves the collection of technical data, establishment of apparent owners, preparation of plans and valuations of properties. With a view of hastening the process of acquisition, the Estate Management Department farms out to architects in private practice the valuation of acquired property. During 2001, the efforts and assistance of the Services Branch helped the Land Department finalise acquisition proceedings to the value of Lm3.9million.

2001 HIGHLIGHTS

Special Projects

The Estate Management Department has continued to play an active role in the Valletta Cruise Terminal Project. The Department's role consists in the proper identification of relative government property, the drawing up of all necessary plans and, where applicable, the provision of alternative properties to occupiers of affected property. In November 2001 the lease of the Valletta Cruise Terminal Project was finalised. In late 2001, the Department also commenced work on the Malta International Airport Privatisation Project including the vetting of the contractual agreement as well as the drawing up of all necessary plans. The work related to plans and drawing was facilitated through close collaboration with MIA personnel.

Sports Complexes

The Department also played a major role in the Government's initiative of transferring sports complexes and other government property to non-governmental organisations. In fact during 2001 all necessary inspections and preparation of plans were completed to enable the presentation, in early 2002, of a Parliamentary Resolution authorising the transfer of 38 government properties to sports associations and clubs.

Local Councils

The Estate Management Department also participates in the Government's initiative towards decentralisation as reflected in its policies towards local councils. In this regard, during 2001, the Estate Management identified a number of properties that could be passed over to local councils and finalised all the preparatory work for publication of contracts by the Land Department. The number of properties so transferred in 2001 was 12.

Government Agriculture Land Scheme

February 2001 was the closing date for applications received under the Agricultural Land Scheme launched by the Ministry for the Home Affairs in 2000. Nearly 10,000 applications were received under the scheme, and the Estate Management Department was entrusted with the task of checking and organising applications in preparation for the Public Screening Process as advertised in the scheme. During 2001 all applications were first sorted by locality and properties applied for distinguished between government-owned and ex-church property. The land parcels were then captured by Land Registry personnel on an electronic mapping system appositely developed by MITTS under the supervision of the Estate Management Department. Subsequently the applicant details for most localities in

Malta were inputted into the computer system by Estate Management staff.

The Agricultural Land Scheme made provision for the implementation of a Public Screening Process (PSP) in which any interested party could check what applications were made and, if deemed necessary, submit an objection in relation to individual applications. During 2001 the PSP for applications received under 40 different localities was implemented. This PSP process was made possible with the close collaboration of the Local Councils Department and of the individual local councils themselves.

Leasing of Government Property

During 2001 a total of 545 cases were referred to the Land Department for the drawing up of the necessary legal documents. These included 103 cases of new leases, 236 use permits, 132 works permits and 34 sales. The leases finalised during 2001 netted a total yearly rent of Lm152,000. Property sales amounted to Lm615,000; but the preparatory work for an additional Lm1,030,000 worth of property sales was also finalised. The latter amount is expected to be recovered during 2002.

Support Services

The Estate Management Department also provides support services by providing property-related information to such government bodies as the Planning Authority, the Works Division, the Department of Social Housing, the Land Registry and the Housing Authority.

CO-ORDINATION WITH THE LAND DEPARTMENT

The Estate Management can only carry out its role properly if it works hand in hand with the Land Department which is responsible for the legal aspects of government property management. Continual co-ordination and co-operation between the two departments is essential. During 2001 this co-operation has continued with the full support of the staff of the two departments.

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