
Government Property Division

Estate Management Department

DEPARTMENTAL OVERVIEW

The role of the Estate Management Department (EMD) is to help the Government Property Division shape and deliver Government's immovable property agenda by providing quality property-related advice and services. EMD helps the Government achieve its policy objectives by contributing to three key outcomes:

- Improved and more efficient property operations
- Sustaining Government finances
- Sustaining Government projects and initiatives.

PROPERTY OPERATIONS

Property Records

The update and maintenance of Government's property records is a fundamental task carried out by the EMD. The Department maintains a number of map-based property datasets each depicting particular aspects of the property inventory ranging from datasets showing ex-British Services property, to property that has been declared required for a public purpose under the Land Acquisition (Public Purposes) Ordinance and property that has been leased or otherwise transferred to third parties. The EMD also maintains several thousands deed packets containing contractual documents related to property source and status. A computerised database of property is also kept that keeps track of general lease conditions. The data kept by EMD does not include property that was transferred to the State by the Church/State Agreement of 1991 since such records are held by the Joint Office. In this context, EMD has however identified and drawn up an internal procedure to allow the gradual transfer of ex-church property records under its fold so as to better enable the provision of client services that are not available at Joint Office such as computerised rent-billing and payment.

During 2008 the EMD carried no less than 5,000 property inventory updates ranging from updating of data fields, creation of new GIS parcels, sub-divisions of land and changes in property status. A process of staff recruitment was also initiated to ensure that much needed consolidation of information may be initiated during 2009.

Property Information Requests

As with any business, information in property management is king since it underpins the very basis of action taken. In this context the databases maintained by EMD provide useful decision-making information in relation to Government's property management activities both regarding major property-based development projects (such as Grand Harbour Regeneration, privatisation of Enemalta's gas operations) as well as such other activities as housing projects, road infrastructure, public gardens and sale and leasing of property.

As in past years, during 2008, the EMD was the source of important property related information to a varied list of clients that ranged from private individuals and companies, to government ministries, departments, agencies and authorities. By way of example, the Housing Authority's ability to sell residential property under its various Home Ownership schemes is dependent upon information provided to

it by the EMD. Likewise Government's actions towards enforcing the proper use of government-owned property can only be initiated after the EMD's Property Terrier Unit has provided all relevant details on the property.

In 2008, the EMD handled over 4,800 requests for property information, apart from carrying 580 property inspections to confirm on-site status and drawing up 190 property status reports.

Property Plans

The preparation of property plans and drawings is an essential element in the management of government immovable property and the maintenance of a property terrier. The EMD utilises a custom-developed GIS-based Property Drawing System for the preparation of property drawings and plans. This system also interfaces with specific off-the-shelf computer aided design software to facilitate layout drawings. During 2008, the EMD put up a total of 710 property drawings in connection with leases, sales and permits over government-owned property. In addition, nearly 11,000 copies of plans were provided by the GPD in relation to such matters as parliamentary resolutions, land registrations, tenders etc. In addition to the above some 550 property information plans, depicting general and detailed information on government property registrations and ownership/disposal status were also drawn up to facilitate data interpretation as well as enable a historical snapshot of property.

Protecting Government's Title to Property

Malta's land registration law enables property owners to lay claims for their ownership by registering the land under the Land Registration Act. By doing so, owners would be provided with a certificate of title that may then serve as a single proof of ownership of the property without the necessity to have laborious property research undertaken. Under the said law, the first person to register a title may obtain a pre-emptive advantage over subsequent pretenders who will need to provide proof of a stronger title to the property. Technically this may give rise to situations where, should sufficient time elapse, Government may lose its claim over a property that has been registered by third parties.

To avoid such situations, one of the EMD's important functions is to check every single application for property registration made with the Land Registry so as to ensure that there is no attempt to usurp government property. In 2008, 1,080 such applications were checked, and where applicable, the necessary cautions raised. The Department also investigated and resolved 84 cases of cautions raised against it by private parties.

To further secure Government's title to its real estate, the EMD has for a number of years been registering title to thousands of properties by carrying out laborious ownership research and then submitting *ad hoc* applications to the Land Registry. During 2008, an added impetus was given to this process via the creation of an overtime-based land registration task force that managed to put up no less than 2,930 land registration applications/plans (c. 33% of all applications received by Land Registry) for a total land area of nearly 6 million square metres.

Operational Streamlining

At the EMD, operational streamlining is an ongoing process that is the subject of regular reviews in *ad hoc* meetings between senior management and heads of units for purposes of identifying means of speeding public service delivery. During the past year, greater use of e-mail to hasten delivery of correspondence as well as the use of the telephone to directly explain the status of requests were two measures that were undertaken with success.

SUSTAINING GOVERNMENT FINANCES

Sale of Property

The identification of government land to be issued for sale by tenders at market prices is a major activity of the EMD's business development function, thereby enabling a direct contribution to government finances. In carrying out this function, the EMD also ensures that the parcelling of land for sale is undertaken in a manner that is conducive to higher values being obtained. During 2008 the amount recovered from sales of land (excluding ex-church property) amounted to €13,164,131.

Property Leasing

EMD also sustains government finances by processing and approving the disposal of government-owned land and buildings via emphyteutical grants, leases and temporary permits – with the final legal document being issued by the Land Department. This involves such properties as land, shops, garages, stores, mobile kiosks, filming, tables and chairs permits etc. During 2008 the EMD processed 60 cases for temporary activities on government land, 402 permits for repairs/works and 58 tables and chairs permits. In addition the EMD also approved another 140 properties for leasing and emphyteutical grants. During 2008 new leases were affected for a total yearly rent in excess of €300,000.

SUSTAINING GOVERNMENT PROJECTS AND INITIATIVES

Devolution of Property to Local Councils

As part of its efforts to promote subsidiarity, Government regularly devolves the management of properties to the respective local council. The EMD's task in this regard is that of evaluating requests by local councils for the devolution of properties, preparing necessary plans and *ad hoc* contract conditions and, following government approval, refer the matter to the Land Department for finalisation of the contract of devolution. During 2008 the Government Property Division concluded the devolution/leasing agreements for nine properties as approved by EMD, including properties at Vittoriosa, Floriana, Hamrun, Msida, Santa Luċija, Ġhaxxaq, Santa Venera, Żejtun and Fontana.

Property Expropriation Assistance for Infrastructural Projects

As part of the country's drive towards enhancing its road network infrastructure, as well as ensuring the provision of such public goods as drainage and water services, it is not uncommon for private property to be expropriated for a public purpose under the Land Acquisition (Public Purposes) Ordinance. In this context the EMD plays a crucial role in that, when a project is planned that may be required to make use of non-government land, it is the EMD that identifies what land needs to be expropriated. The Department gathers all relevant technical and legal data, takes measures to ensure reduced use of privately-owned land (by for example proposing re-alignment of project configuration with government-owned land), liaises with the sponsoring department and prepares the necessary plans for the expropriation. The EMD also provides technical assistance to the Land Department in acquisition cases taken in front of the Land Arbitration Board. During 2008 EMD's efforts enabled the Land Department to issue 70 new cases of expropriation.

Where previously expropriated land is found to have remained unutilised, action may be taken to have land released back to the original owners or their successors in title. In 2008 the EMD approved the release to the original owners of more than 100,000 square metres of such land.

Special Projects

It is part of Government's development strategy to make use of government-owned property for purposes of enhancing economic activity via private investment in property redevelopment and urban regeneration

projects. The EMD makes a valid contribution in this regard through the identification of land boundaries, property status and burdens, participation in the preparation of project documentation, drawing up of property disposal plans and also participation in the preparation of tender documents. During 2008 the EMD played an active part in such projects as the privatisation of the Malta Shipyards, Selmun Palace Hotel, Hal-Ferh Holidays and Enemalta's Gas Operations. Other projects included the Valletta Lift Project and the Barrakka Heritage Park.

Land Transfer to Government Entities

During 2008 the EMD also played a major role in other government projects via the provision of government-owned land for such purposes as the North Malta Sewerage Treatment Plant, South Malta Sewerage Treatment Plant, land for Enemalta substations and also land for afforestation purposes.

Facilitation of Home Ownership Schemes

As in previous years, the EMD continued to sustain Government's efforts to promote home ownership by authorising the transfer to the Housing Authority of 342 properties for eventual sale to tenants. The EMD also issued 37 objections to sale requests by the Housing Authority - normally in view of the heritage value of subject property or other estate management considerations militating against sale.

Agricultural Land Scheme

This scheme was a corporate initiative that enabled cultivators of government-owned agricultural land to register for the possibility of acquiring a new title to the land even where occupation was irregular. During 2008 the EMD processed and approved for leasing 450 applications.

Support Services

The EMD also provides support services by providing property related information to such government bodies as the Planning Authority, Works Division, Department of Social Housing, Land Registry, MIMCOL, Malta Industrial Park, Malta Transport Authority, Malta Maritime Authority and Housing Authority.

OTHER INITIATIVES

Policy Collection Exercise

During 2008 the EMD undertook a laborious policy collection exercise whereby scores of policy documents, *ad hoc* policy decisions and legal advices that guide property decision-making across the whole Government Property Division were researched, sourced and organised into one collective database.

Training Programme

During 2008 the EMD undertook the initiative of organising a complete work-based training programme aimed at all Division employees that involved some 2,000 man-hours of training in such issues as data protection, concepts of property law, Disposal of Government Land Act, Land Acquisition (Public Purposes) Ordinance, property disposal policies and procedures, land expropriation procedures, evaluation of property requests, sale of land, property enforcement, processing of applications for agricultural land, and IT systems training.

GPD Website

During 2008 the EMD undertook several amendments to the website of the Government Property Division including the preparation of updated versions of policy and procedural documents. A new webpage was also prepared in conjunction with the Freephone 1577 initiative launched by the Parliamentary Secretary for Revenues of Land for purposes of promoting the reporting of abuse of government property. The EMD also prepared two sets of Frequently Asked Questions for the website, one set related to Data Protection issues and another set related to the Freephone 1577 service.

Green Initiatives

The EMD has also contributed to Government's green initiatives by reducing the use of paper and fuel particularly by resorting to the use of technological innovations such as the use of orthophotos to reduce the need for site inspections and hence fuel consumption, and also promoting the use of electronic means of storing documentation as opposed to hard-copy printing, when and as appropriate.

JOSEPH CARUANA

Director (Estate Management)