

Government Property Division Joint Office

INTRODUCTION

The roles of the Joint Office are:

- managing and administering the immovable estate transferred to Government by the ecclesiastical authorities in terms of the Ecclesiastical Entities (Properties) Act, Chap. 358;
- validating and verifying the data being transferred to it by the ecclesiastical entities to determine the exact value of all the properties transferred so that the necessary adjustments will be made to the original amount of Lm28,067,000 which the Government issued in Bonds in terms of the 1991 Agreement with the Ecclesiastical Authorities;
- to register at the Land Registry all the properties which it administers, as well as those retained by the ecclesiastical entities.

Property Administration and Alienations

In 2006, the following properties were alienated:

As per 1996 Scheme	17
As per 2002 Initiative	403
As per original deed	22
Through Tenders/Exchange/Direct Disposal	65
Total	507

In terms of Article 2 of the agreement between the Government and the Holy See, 13 portions of land in Birkirkara, Fgura, Kirkop, Luqa, Msida, Siġġiewi, Żabbar and Żebbuġ (Malta), having a total area of 25,262m² were transferred to the Housing Authority by Legal Notice Nos. 242 and 284 of 2006 to be allocated for social housing projects. The Joint Office also transferred 11 vacant or substandard premises to be rehabilitated under the Urban Regeneration Scheme by the Housing Authority utilizing funds provided by the European Union for this purpose. These were transferred by Legal Notices Nos. 85/2006 and 108/2006. All the properties were transferred to the Housing Authority at a nominal price.

Plots of land were transferred to Enemalta Corporation for the construction of substations. The Department also received and processed requests for the recognition of emphyteutae and tenants in their respective properties.

2002 Initiative

By the end of the year, the Joint Office had received 4,765 applications for the redemption of ground rent and for the purchase of leased premises. This resulted from the announcement, made by Government in the Budget Speech for the year 2002, that the Government was putting on the market all the properties being administered by the Joint Office and which are either resident-occupied or used as a summer residence.

Of the 3,472 applications processed so far, 670 applications were invalid and a further 2,505 applicants were informed of the amount of redemption or of the selling price, as determined by established criteria and 297 applicants were given an interim reply. With a view to hastening the process, the Joint Office farms out to architects in private practice the valuation of certain properties.

Agriculture Leases Scheme

The Joint Office is also processing applications received by February 2001 in terms of a scheme whereby persons occupying government-owned land for agricultural purposes without title were given the opportunity to regularise their position.

Reconciliation, Verification and Registration

Transfer of Information on Properties

During 2006, the transfer of information from the Church Administrative Offices to the Joint Office regarding properties transferred to the Government by the Church continued at a steady pace. Up to the end of the year, 24,431 forms concerning properties listed in Annex 8 of the Church/State Agreement were forwarded to the Joint Office by the ecclesiastical entities.

A large number of correction forms had to be raised or confirmed regarding this information, which corrections, have to be approved by the Control Committee in terms of Section 4(2) of the Agreement. These corrections entail additions of properties inadvertently left out of the Annexes to the Agreement, deletion of others that were erroneously included, and correction to the capitalised amounts of properties.

In 2006, the Control Committee approved 1,507 of these corrections. The Committee also signed 395 property forms, thus confirming the final amount due to the ecclesiastical entities in respect of the properties concerned.

During 2006, the Joint Office continued to reconcile the values of properties previously owned by the 99 different ecclesiastical entities. During the year the Joint Office verified and determined the exact value of the properties transferred to the Government of another nine such entities, bringing the total of reconciled entities at 47.

Registration of Properties

The Department continued with the registration of property with the Land Registry in terms of Cap 358. During the year, 877 properties were registered. The related work entailed the drawing up of relative plans. This brought the total number of properties registered as on 31 December 2006 to 10,552. The following figures show the number of properties registered during the past three years:

	2004	2005	2006
Registered Properties	889	731	877

Administration

Revenue Collection

Besides the collection of rent of leased properties, the Department identified properties available for disposal in terms of the Disposal of Government Land Act. The following figures show the comparative figure of revenue collected during the past three years:

	2004	2005	2006
	<i>Lm</i>	<i>Lm</i>	<i>Lm</i>
Rent	502,675	511,702	513,211
Sales	1,668,328	1,836,297	4,653,995
Total	2,171,003	2,347,999	5,167,206

50% of the amount of rent collected during 2006 consisted of arrears. This was the result of an enforcement exercise undertaken by the Department in conjunction with the Land Department.

The Control Committee

The Control Committee is a body set up in terms of Article 17 of the 1991 Agreement between the Holy See and the Government of Malta. Two members of the Committee are nominated by the Holy See and two members are nominated by the Government of Malta. Chairmanship of meetings is by rotation. The present members representing the Government of Malta were nominated in January 2002.

The functions of the Control Committee are promoting and monitoring the correct and timely application of the provisions of the above-mentioned Agreement with particular reference to the approval of corrections to the Annexes; the alienation of property and in particular the issue of bonds in favour of the Foundation for Church Schools.

Co-ordination with the Estate Management Department and the Land Department

With the amalgamation of the Joint Office within the Government Property Division, at the beginning of 2002, the Joint Office worked hand in hand with the Land Department, which is responsible for the legal aspects of government property management, and also with the Estate Management Department, which is entrusted with the role of promoting the effective management of Government immovable property. This co-ordination and related co-operation with these two other departments falling under the Division, has been essential for uniformity in adopting the common policies of the Division.

JOSEPH SCIRIHA
Director (Joint Office)