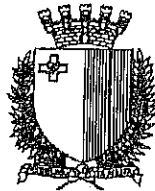


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MALTA

MINISTRY FOR
PUBLIC WORKS
AND CONSTRUCTION

The Minister

Il-Ministru

Att: Hon. Dr Alfred Sant
Prime Minister
Auberge de Castille
Valletta

13 August 1997

Hon. Prime Minister

The Malta Labour Party has found a buyer for one of its properties at St Andrews. However, during the course of finalising the contract documents, the notary, Dr Alex Sciberras Trigona came up against a legal problem.

It seems that the Malta Labour Party has not paid the Lands Department ground rent for the premises it occupies at St Andrews for some years. The outstanding amount is of the order of Lm250,000. It seems that there is a condition in the original lease agreement between the Lands Department and the Malta Labour Party that, besides suing the Party for such an outstanding sum, the government can terminate the lease agreement and take back this property.

To enable the publication of the contract between the Malta Labour Party and the third party (the buyer), Dr Sciberras Trigona has asked that to enable the commercial banks to advance the required monies to the buyer these two conditions by the Lands Department should be waived. He has drafted a proposed waiver.

I have asked the Attorney General to look at this waiver. He is of the opinion that such a waiver constitutes a change in the conditions of the lease agreement and since such an agreement was approved by a parliamentary resolution and since the Ombudsman has stated that in such cases a parliamentary resolution is required he feels it is only politically correct that such a waiver be approved by parliamentary resolution. From his side Dr Sciberras Trigona is insisting that this matter is urgent

In view of the above, I would appreciate if you could recommend the way forward.

C Buhagiar
Minister