

# Characters make a party

Entrusted with managing public property, Parliamentary Secretary Jason Azzopardi has been one of the more active Cabinet members. He talks to **Kurt Sansone** about changes to expropriation laws and the Nationalist Party's internal squabbles.

**The amendments to the Land Acquisition Ordinance (expropriation law) are intended to ensure transparency, accountability and justice, but wouldn't it have been better if the changes were entrenched in the Constitution to put people's minds at rest?**

It is a valid point but it creates complications. The law has been in place since 1937 and nobody has felt the need to entrench it in the Constitution. The changes we're proposing intend to create a level playing field between the government and the people whose land would be expropriated. Anybody can still challenge the law in the Constitutional Court but the amendments now provide an additional ordinary remedy. A person can challenge the public purpose for the expropriation.

**What new rights will the changes give individuals whose land is to be expropriated?**

Today the Presidential decree is only published in the *Government Gazette*, which is not everybody's favourite bedtime reading. The amendments would oblige the Lands Commissioner to affix the decree somewhere on the land in question, just like Mepa permits.

Furthermore, when an individual receives the decree he will have 21 days to revert to the Land Arbitration Board to contest it without the need to file a Constitutional case.

The Land Arbitration Board, composed of a magistrate and two architects, will also be reformed.

**The law still allows the government to proceed with the work on the expropriated site even if the case is still being contested. Is this fair?**

Presidential decrees are issued in their dozens throughout the year. It is only in very rare cases that somebody contests the public purpose behind the expropriation. The Constitutional court until today could award damages if it found there was no public purpose. This is not going to change, but in addition, a person could have recourse to the normal court, and we are not limiting the type or extent of compensation it may award.

**Many people have been waiting years to receive compensation for land that was expropriated from them. When will they get paid?**

Last year the government paid around €10 million in compensation money and every year the finance minister allocates money to this end. There are still some €47 million in outstanding payments to be made and some date back to the 1960s.

I sympathise and empathise with these people, especially the elderly, who would want to settle the compensation issue before they die so as not to create problems for their children. However, we cannot expect to solve a 40-year-old problem in one or two years.



In the not-too-distant future the finance minister and I will be announcing legislative measures to address these arrears.

**What type of measures?**

We will be looking into the issue of securitisation but I cannot divulge any details as yet. We are committed to finding a solution over a period of time but we must also keep in mind that we are passing through a recession and the priority now is to safeguard jobs.

**But these people have been waiting years to receive compensation and they got nothing even when there wasn't a recession.**

The question is legitimate but I can only answer for this period. We will shortly be investing in a computerised system for the Lands Department to replace the antiquated and cumbersome manual system. This will help us manage government property in a better way and for the first time it will also enable us to have a comprehensive

The bigger problems were created in the 1970s and 1980s when it was the order of the day for Labour governments to expropriate large tracts of land on the premise of possession and use. They were not outright expropriations where the owners were paid the value of the land but the government simply paid an annual rent, which was a pittance.

To capitalise the value of these properties today runs into millions. We are suffering for the sins perpetrated in the past. They were legal decisions but very irresponsible ones.

**Government recently bought a large tract of land at Fomm ir-Rih to allow public access to the foreshore. Will you buy other coastal areas occupied by private developers as beach concessions?**

If the law allows me to do so I would, but the law does not allow me to interfere with private contracts. Irrespective of their merits, they are contracts entered into between the government of the day and private developers, and God forbid that the government should start interfering with contracts because it would create legal and commercial instability.

However, we have established the principle that the foreshore should belong to the public and as far as is legally possible government will continue with similar exercises in the future.

**Government does not intend to renew the lease for the Labour Party club in Siggiewi. Is this a witch hunt to shackle Labour's political activity?**

Absolutely not. My work over the past 18 months confirms that I took decisions to evict people who occupied property illegally irrespective of who they were.

The property in Siggiewi is a prime site and also has historic value. The local council on behalf of all residents has a feasible project to turn the place into a day care facility for the elderly.

Moreover, the way the Labour Party was awarded the lease for the place back in 1981 left much to be desired. The address of the property advertised in the *Government Gazette* just a couple of weeks before the 1981 election was incorrect. The property was listed as being in St Nicholas Street, which exists and is not a prime site, rather than St Nicholas Square, where it is actually situated. The odds were that fewer people would have been interested to lease a property, in St Nicholas Street and in fact, nobody had tendered for it. The publication of the wrong address was a big mistake, not to say malicious.

**Should government lease properties to political parties?**

In principle, in today's world I do not see it useful and meaningful for the government to issue new leases for property to political parties. But there are realities that date back years when the social and economic circumstances in the country were different and these cannot be ignored.

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Photos: Matthew Mirabelli

**Will the Siggiewi case repeat itself in other localities?**

I have no information or facts that indicate that what happened in Siggiewi will be repeated in other places. I cannot exclude it categorically because I do not know whether in the future somebody will come forward with a reasonable demand for the use of public property for the benefit of the community. It would be presumptuous of me to be categorical.

**Are you saying the government's decision not to renew the lease in Siggiewi was motivated by the local council's request and not because of a blanket decision not to renew similar leases when they expire?**

In the Siggiewi case there was a concrete project that would benefit the whole community. The property in question is a prime site that is part and parcel of the community's social fabric. It was even a school in the past.

**What will happen to the Nationalist Party club in Paola, your district, which is also in the main square?**

The two cases are totally different. The PN has had a presence in Paola since 1928. The party used to rent a place from somebody, who used to lease the property from the government. The place stood where the polyclinic stands today. Towards the end of the 1950s or the beginning of the 1960s the government

wanted to build a civic centre in Paola and as a result a number of houses were knocked down. One of the buildings housed the PN club and by law the government had to find an alternative property. This is the reason the PN has a government-leased property in the main square.

**Will you be contesting the fifth electoral district in the next election?**

I smiled when I read a newspaper report last Wednesday speculating about my possible candidature in the fifth district. My district is the fourth. It has always been the case and will remain because the fourth district is my home. However, if the PN feels it requires my services elsewhere, something normal for political parties to do, I would think about it and evaluate the possibility. But as we speak I have not been asked by the PN to contest the fifth district.

**Have there been informal suggestions?**

I have not been approached formally or informally. In June, before the European Parliament election, the party asked all ministers and parliamentary secretaries to conduct house visits as part of the campaign. Apart from my district I was also detailed to visit people in the fifth district where I was welcomed. This may have given rise to the impression in people's minds that I will be contesting the fifth district. People should not read too much into those actions.

**So you are not Lawrence Gonzi's crutch in the fifth district to mitigate the problems created by Franco Debono's divergent views.**

No. The Prime Minister does not need any crutches. He is the head of government and the Nationalist Party. I have absolute trust in him and his abilities to steer the boat in bad times and good. The country is passing

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through an economic storm and we have to be careful because if we were not strong the country would have been swamped like many others.

As for Dr Debono, he is doing a good job, including the recent

initiative to set up a parliamentary committee to review our laws. After all, every MP has his own individual style and I have no doubt Dr Debono, who is my friend, is working to the best of his abilities for the people in his district.

**There are other MPs who are complaining about lack of consultation. Jeffrey Pullicino Orlando, Robert Arrigo and others who may not want to go public with their discontent.**

We are a party made up of various colours, styles, characters and abilities. There is nothing wrong with people wanting to offer their capabilities but let us not read too much into the situation. Dr Pullicino, Dr Debono and Mr Arrigo are competent people who do sterling work for their constituents. There is nothing wrong if somebody's enthusiasm pushes a person further ahead, but these people have always clearly declared their absolute loyalty towards the Prime Minister. There are no internal problems.

As for consultation, I have been in the parliamentary group since 1998 and it has never met as much as it has in the past 12 months.

**The complaint is that the parliamentary group is not being consulted but simply informed of decisions already taken.**

I think it is a misconception or wrong perception. In the

parliamentary group there is the space for everyone to speak freely. The reports that have appeared in various newspapers of what had been said in parliamentary group meetings did not reflect the truth in its entirety.

**Your minister, Tonio Fenech was recently embroiled in a controversy for flying with two businessmen on a private jet to watch an Arsenal match. What is your assessment of this?**

Mr Fenech is a conscientious person with absolute moral integrity. The controversy over the Arsenal game was a storm in a teacup. As he said, the Prime Minister had also given him approval for the trip. There was nothing underhand.

**Did he make a mistake?**

When I was younger I read the book *To Kill a Mocking Bird* and in one of the passages a protagonist says: "Never judge a person unless you have gone in his boots and walked a mile around with them". Your question is uncomfortable because I cannot judge a person, a colleague, a friend who in my opinion did nothing wrong.

Somebody tried to maliciously harm Mr Fenech because of the courageous decisions he took related to the gaming sector. He closed gaming shops that also belonged to one of the businessmen on the trip. At least he should be applauded for having the courage to take decisions that were long overdue.