CHAPTER 169

COMMISSIONER OF LAND ORDINANCE

To provide that certain rights and liabilities of the Accountant General shall be transferred to the Commissioner of Land.

9th February, 1962

ORDINANCE XI of 1962, as amended by Acts XXII of 1991, III of 2004, XIV of 2006, XXVIII of 2007 and XXVI of 2015.

Short title.

1. The short title of this Ordinance is the Commissioner of Land Ordinance.

Transfer of rights and liabilities. *Amended by: XXII. 1991.2; III. 2004.65; XXVIII. 2007.19; XXVI. 2015.4.*

2. All rights and liabilities, whether vested or contingent, relating to immovable property belonging to, or possessed, held or administered by the Government, or relating to the administration thereof, to which the Accountant General was entitled or subject immediately before the date of commencement of this Ordinance shall by virtue of this Ordinance be transferred to the Commissioner of Land:

Provided that in respect of such land that may from time to time be specified in an Order of the President published in the Gazette, the Malta Development Corporation established under article 3 of the Malta Development Corporation Act shall exercise the rights and responsibilities referred to in this article, and the provisions of the Land (Compulsory Eviction) Act, and the Disposal of Government Land Act, shall for the purpose of any such land be read and construed as if any reference therein to the Commissioner of Land were a reference to the Chairman of the Malta Development Corporation, and the provisions of article 181, Subtitle VI and VII of Title VIII of Part I of Book Second, article 590(2), article 627, article 637, article 837(2) and article 873 of the Code of Organization and Civil Procedure shall apply, in relation to such land, to the Malta Development Corporation and the Chairman of the Malta Development Corporation, as the case may be:

Cap. 202.

Cap. 228.
Cap. 268.

Cap.12.

Provided further that with effect from such date as the Minister responsible for economic affairs may by notice in the Gazette appoint, the rights and responsibilities exercised by the Malta Development Corporation or its Chairman under this Act or any other law specified in the foregoing proviso of this Act, including any litigious rights arising therefrom, shall, in respect of such land as shall have been or shall from time to time be specified in an Order of the President published in terms of the same proviso, vest in any other authority or person designated by regulations prescribed for this purpose in virtue of this proviso by the said Minister to be the competent authority in place of the Malta Development Corporation, or in the Chairman of the said competent authority as the case may be:

Provided further that in respect of such immovable assets that may from time to time be specified in an order made by the President and published in the Gazette in terms of article 12 of the Housing Authority Act, and any other immovable assets acquired and administered in terms of paragraph (a) of article 4(2) of the said Act, the Housing Authority established under article 3 of the Housing Authority Act shall exercise the rights and responsibilities referred to in this article, and the provisions of the Land (Compulsory Eviction) Act shall for the purpose of any such land be read and construed as if any reference therein to the Commissioner of Land were a reference to the Chairman of the Housing Authority, and the provisions of article 181, of Subtitle VI and VII of Title VIII of Part I of Book Second, article 590(2), article 627, article 637, article 837(2) and article 873 of the Code of Organization and Civil Procedure shall apply, in relation to such immovable assets, to the Housing Authority and the Chairman of the Housing Authority, as the case may be.

Cap. 261.

Cap. 228.

Cap. 12.

Assignment of duties.
Added by: XIV. 2006.105.

3. (1) The Minister responsible for land may, with effect from such date as he may, by notice in the Gazette, appoint, assign any of the duties in the exercise of the rights and responsibilities of the Commissioner of Land in accordance with article 2, to any other person to be designated in such notice, which duties shall be specifically designated in such notice.

(2) Notwithstanding the provisions of subarticle (1), all rights and responsibilities to which the duties assigned in accordance with subarticle (1) relate shall, by virtue of article 2, remain vested in the Commissioner of Land.