**L.N. 100 of 2026**

# GOVERNMENT LANDS ACT
# (CAP. 573)

## Direct Disposal of Residual Sites of Government Property forming part of a Larger Development (Amendment) Regulations, 2026

IN EXERCISE of the powers conferred by article 31(g)(L) of the Government Lands Act, the Minister responsible for the Lands Authority has made the following regulations:-

Citation.

**1.** The title of these regulations is the Direct Disposal of Residual Sites of Government Property forming part of a Larger Development (Amendment) Regulations, 2026 and these regulations shall be read and construed as one with the Direct Disposal of Residual Sites of Government Property forming part of a Larger Development Regulations, hereinafter referred to as the "principal regulations".

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Substitutes regulation 2 of the principal regulations.

**2.** Regulation 2 of the principal regulations shall be substituted by the following new regulation:

"2. The purpose of these regulations is to allow the Lands Authority to transfer residual sites of Government property to owners of a larger development of which the residual site already forms part, or to owners of an adjacent site as defined in these regulations.".

Amends regulation 3 of the principal regulations.

**3.** Regulation 3 of the principal regulations shall be amended as follows:

(a) immediately after the definition " "Authority" or "competent authority" " there shall be added the following new definition:

" "adjacent site" means any immovable property, owned by the applicant, situated within the development zone as determined by:

(a) the Planning Authority’s official alignment;

(b) an approved development plan, or is deemed as a legal development by the approval of a development permission, whether it is already developed or otherwise;";

(b) the definition "residual site" shall be substituted by the following new definition:

" "residual site" means a site currently owned by the Government, which in its entirety is not larger than fifty square metres ($50m^2$):

Provided that a residual site shall be a site which:

(a) is in contact with an adjacent site; or

(b) forms part of a larger development; and

(c) is situated in a development zone as determined:

(i) by the Planning Authority's official alignment;

(ii) by an approved development plan, or is deemed as a legal development by the approval of a development permission, whether it is already developed or not:

Provided further that a residual site shall be considered as such whether it is already developed or otherwise, irrespective of the type and class of development use present on the site:

Provided further that for the purposes of these regulations, a site which is larger than fifty square meters ($50m^2$) up to a maximum of one hundred and fifty square metres ($150m^2$) shall also be considered as a residual site, provided that it satisfies all the criteria established in this definition and it is not deemed to be developable independently of the adjacent site, nor deemed to form part of an adjacent site belonging to third parties or to the Government.".

Substitutes regulation 4 of the principal regulations.

**4.** Regulation 4 of the principal regulations shall be substituted by the following new regulation:

"Application by an owner.

4. (1) Any person may apply to the Authority to acquire a residual site with a valid title:

Provided that an application shall not be considered by the Authority unless the applicant is the owner with a valid legal title of the adjacent site, saving cases as explained in sub-regulations (4) and (5), where the application may be submitted by one (1) person with the consent of all the owners.

(2) Where the applicant has a title of perpetual *utile dominium* on the adjacent site, the Authority shall transfer the residual site free and unencumbered.

(3) Where the applicant has a title of temporary *utile dominium* on the adjacent site, where the owner is the Government, the Authority shall transfer the residual site by title of temporary emphyteusis which expires on the same date as the temporary emphyteusis of the adjacent site.

(4) In cases where occupation of a residual site already exists on multiple levels *pro indiviso*, the Authority shall transfer them by separate titles, following an appropriate distribution exercise according to the relative titles of ownership.

(5) In the case of multiple occupations of a residual site *pro indiviso,* such as the common parts of a condominium, the Authority shall transfer the residual site *pro indiviso*, and the resulting costs shall be apportioned among the eligible applicants, according to the corresponding titles of ownership.

(6) All applications shall be subject to an initial and non-refundable submission fee of one thousand euro (€1,000). In the case of multiple occupations as established in sub-regulations (4) and (5), the right of submission shall be increased by five hundred euro (€500) for each relative ownership fee.".

Substitutes regulation 5 of the principal regulations.

**5.** Regulation 5 of the principal regulations shall be substituted by the following new regulation:

"Rates.

5. (1) The standard rates for the transfer of the residual site shall be of two hundred euro (€200) per square metre based on the plot size of the site in question for residential development, and four hundred euro (€400) per square metre for each other class of use. In cases including multiple tiers, the said rates shall be apportioned in accordance with the number of tiers:

Provided that the Minister in consultation with the Authority may establish different rates for specific locations.

(2) In cases where multiple levels include different use, rates shall be applied and apportioned according to use.

(3) For those cases where the Authority is transferring the site above mentioned by title of temporary emphyteusis, the annual rate of groundrent shall be equivalent to two per cent (2%) of the rates indicated in sub-regulation (1):

Provided that in any case, the annual rate of ground rent shall never be less than one euro (€1.00) per annum.

(4) In the case of residual sites which are larger than fifty square metres (50m$^2$), the applicable standard rates shall be as per the Schedule.

(5) No further charges shall be levied by the Authority for the occupation of a residual site without a valid title.".

**6.** Regulation 6 of the principal regulations shall be deleted.

Deletes regulation 6 of the principal regulations.

**7.** In regulation 8 of the principal regulations the words "to an application made in terms of these regulations are paid by the applicant." shall be substituted by the words "to an application, including but not limited to the initial submission fee, are paid by the applicant.".

Amends regulation 8 of the principal regulations.

**8.** Regulation 9 of the principal regulations shall be substituted by the following new regulation:

Substitutes regulation 9 of the principal regulations.

"Reservations.

9. (1) The Authority shall have the absolute and sole right to refuse any application made under these regulations. The refusal shall be in writing and there shall be detailed reasons for its decision.

(2) The Authority reserves the right to refuse any application in such case where the Authority deems it more advantageous to transfer the site as requested on its own or as part of a larger site.

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(3) In the case of a residual site which can be considered as such with more than one adjacent site, the Authority reserves the right to dispose of the residual site in terms of article 31 of the Act.

(4) The Authority reserves the right to terminate the application process made in terms of these regulations at any stage and, or to refuse to accept any application, if in its opinion, the property is located in a place of national importance, including but not limited, to properties scheduled in terms of the Cultural Heritage Act, the Environment Protection Act and the Development Planning Act.

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(5) There shall be no right of action against the Authority for any claim for damages and, or decision for compensation arising from the exercise of its functions in accordance with this regulation provided that the Authority has acted in good faith.".

Adds a new Schedule to the principal regulations.

**9.** Immediately after regulation 10 of the principal regulations there shall be added the following new Schedule:

"**SCHEDULE**

| Area ($m^2$) | 1-50 | 51-100 | 101-150 |
|---|---|---|---|
| | (€)/$m^2$ | (€)/$m^2$ | (€)/$m^2$ |
| Residential (including residential garages/parking spaces) | 200 | 400 | 600 |
| Commercial/Non-Residential | 400 | 800 | 1200 |

Notes

(i) Rates shall be charged in a sequential incremental scale.
Example: a 65 sq.m. residential site shall be charged at €200/$m^2$ for the first 50$m^2$ and €400/$m^2$ for the remaining 15$m^2$.".

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