

12<sup>th</sup> February 2018

Prof Alex Torpiano  
President, Kamra tal-Periti  
The Professional Centre  
Sliema Road  
Gzira GZR 1633

Dear Professor Torpiano,

I refer to your letter dated 31<sup>st</sup> October and subsequent meeting held at our offices together with our Chairman. Please find below our response to the points raised in your letter and at the meeting as mentioned above.

1. Valuations shall be carried out as established by Chapter 573 of the Laws of Malta.
2. In section 79 (3) (e) of CAP573, the law establishes as one of the valuation criteria “the comparable transactions, if any, with reference to which the property was valued;”. Periti have to be specific, and not generic on comparisons. There is no obligation to undertake archival searches to establish values of property in the vicinity, unless there was a specific situation, where the only comparison possible was through previous deeds.

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## LANDS Authority

3. Reports re expropriations are to be written in Maltese, whereas other reports are acceptable in English. Naturally, technical terms can always be expressed in international usage.
4. The Lands Authority has to stick to specific time frames, however, extensions can be granted in cases requiring difficult and complex analysis following a written extension request and approval by the Lands Authority Board.
5. Where the appointed Periti cannot come to a unified conclusion, the Lands Authority urges the three Periti to reach consensus, even if more time will be required for this (always with an extension granted by the Lands Authority Board). If it becomes impossible to reach consensus, the Lands Authority Board can appoint another three Periti.
6. The Lands Authority acknowledges that additional information or guidance may occasionally be required. Regarding expropriations, the Lands Authority has prepared templates for Lands Authority officials to compile as part of the brief for Periti assigned for the valuation.
7. In the case of expropriations, all assumptions necessary will be defined by the template, which has been prepared by the Lands Authority. In the case of non-expropriations, the cases could vary one from the other, and therefore the same system cannot be used. The principle would remain that Periti would need to consult the Lands Authority about such matters, but in any case, any assumptions have to be mentioned and included in the valuation report.
  - a. The document prepared by the Lands Authority is essentially based on international standards and should serve as a reference tool to facilitate matters.

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**LANDS**  
Authority

8. Regarding attendance for Court sittings, the Lands Authority acknowledges the issue, and the Lands Authority will pay any additional fees in accordance with Tariff K.
9. Fees due to Periti will always be paid directly by the Lands Authority.
10. When Government acquires title of specific immoveable assets Government would pay the relative fees.

Trust this is in order and that you can issue the letter to your members so we can start allocating the relevant assignments. If you need any further information, please do not hesitate to contact me.

With kindest regards,

**Carlo Mifsud**  
**Chief Executive Officer**

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