

Case No U 0227

2 October 2025

The Honourable Prime Minister
Office of the Prime Minister
Auberge de Castille
Castille Place
Valletta

Honourable Prime Minister

In terms of Article 22(4) of the Ombudsman Act (Cap. 385), your attention is drawn to the Final Opinion dated 17 September 2024 (copy attached) addressed to the Ministry responsible for Lands and the Implementation of the Electoral Programme as well as the CEO of the Lands Authority in connection with the shipyard concessions granted over land abutting over the Grand Harbour. This was preceded by an Interim Report issued on 23 May 2024 dealing with the same subject matter addressed to the same parties as well as the Environment and Resources Authority and the Principal Permanent Secretary. This Office identified a number of issues regarding the management of said concessions by the public administration including the lack of a proper delegation by Government to an entity or department to carry out the requisite compliance checks and thus take ‘ownership’ of the concessions. A number of recommendations were, therefore, made by this Office to address these concerns.

By means of a letter dated 18 December 2024, this Office was informed that the Lands Authority would take overall responsibility for the concessions on behalf of Government. Moreover, by means of an email dated 4 February 2025 it was further informed that the Environment Resource Authority, Transport Malta and the Department of Industrial and Employment Relations were formally delegated by Government to assist the Lands Authority with the carrying out of the necessary compliance arising out of the concession agreements.

The newly appointed Permanent Secretary was informed of the case by email dated 16 June 2025 and this Office was informed on 10th July 2025 that the Ministry would provide a reply. No reply was received. Subsequently a reminder was sent on 2 September 2025, but again no reply has been received to date.

Whilst this Office acknowledges that inroads have been made to ensure that the concessions are properly managed by the public administration, the action taken falls short of the recommendations made by this Office to ensure both transparency and accountability in the management of said concessions. In particular, no commitment has been made to implement the recommendations made in the Final Opinion.

In view of the above, I am bringing the matter to your attention in the hope that it can be settled through your good offices, thus obviating the need of further procedures in terms of the aforementioned Article 22(4).

Yours sincerely

Joseph Zammit McKeon
Ombudsman

Encl: Reply to Interim Report from Permanent Secretary MLI – 9 August 2024
Final Opinion – 17 September 2024
Final Opinion letter – 17 September 2024
Reply from Permanent Secretary MLI – 17 October 2024
Reply from Permanent Secretary MLI – 4 February 2025
Letter to Permanent Secretary MLI – 18 February 2025
Reply from Permanent Secretary MLI – 11 March 2025
Letter to Permanent Secretary MLI – 22 April 2025
Reply from Permanent Secretary MLI – 14 May 2025
Email to Permanent Secretary MCLG – 16 June 2025
Reply from Permanent Secretary MCLG – 10 July 2025
Letter to Permanent Secretary MCLG – 2 September 2025

Copy: The Principal Permanent Secretary
Office of the Prime Minister

Mr Oreste Cassar
Director (Coordination and Implementation)
Office of the Prime Minister