Brincat Anna at Parlament-MT

From: Mercieca Keith at NAO
Sent: 07 March 2016 12:25
To: Fenech Tonio at Parlament-MT
Cc: Brincat Anna at Parlament-MT; Mifsud Anthony at NAO; Deguara Charles at NAO; Vella Josephine at NAO
Subject: 36 Old Mint Street Expropriation - Correspondence & Affidavit former DEM
Attachments: 2016_02_11 - Affidavit - former DEM.pdf; 2016_03_01 - Dr Arthur Azzopardi obo former DEM.pdf

Hon. Tonio Fenech
Chair
Public Accounts Committee

Reference is made to the report issued by the National Audit Office in January 2016, titled 'An Investigation of Government's Expropriation of Two One-Fourth Undivided Shares of the Property at 36 Old Mint Street, Valletta'.

The National Audit Office received correspondence relating to the above-cited report on 1 March 2016, wherein the legal representative of the former Director Estate Management submitted an affidavit made by his client.

After having reviewed the affidavit, this Office maintains that the conclusions of its report remain valid; however, the statements made by the former Director Estate Management shed new light on matters reported on. For reasons of completeness, this correspondence is being referred to the Public Accounts Committee.

Regards,
K. Mercieca

Keith Mercieca
Head, Special Audits & Investigations

N A O

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The Auditor General

Attn. Mr. Keith Mercieca

Head, Special Audits & Investigations

National Audit Office,

Notre Dame Ravelin,

Floriana FRN1600.

01/03/2016

RE.: 36, OLD MINT STREET, VALLETTA

Dear Mr. Mercieca,

I refer to your email dated 25th February 2016, sent by way of reply to my email dated 23rd February 2016 addressed to the Auditor General.

Attached please find for your perusal, an affidavit made by my client Mr. Carmel Camilleri [ID 668959(M)]. Kindly note that said affidavit was made prior to your invitation to submit such a document and this as can be attested both by my client and Notary Bugeja who administered the oath to my client.

I look forward to receiving your views and instructions in this regard. On behalf I my client, I reiterate once again Mr. Camilleri's further willingness to cooperate with your investigation.

Kind regards,

Avv. Arthur Azzopardi

cc. client

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Il-Kaz Gaffarena Fejn Jirrigwardja lili Carmel Camilleri (668959M)

Tajjeb nghid li l-ewwel darba li sirt naf b'din it-talba ghal espropjazzjoni ta' 36, Strada Zekka (L108/84) kien fil-31 ta' Lulju 2014, meta Clint Scerri, ufficjal tal-Ministeru li jiehu hsieb l-affarijiet tal-GPD, gie fl-ufficju flimkien ma' Marco Gaffarena, u qalli li kien mibghut minn Dr. Michael Falzon biex nara x'ghandu bzonn dan Marco. Jiena cert minn din id-data ghax f'dik id-data stess ktibt minuta 118 fil-file L108/84(kopja dok A).

Tajjeb nghid illi jien kont gejt imlaqqa' ma' Clint Scerri xi zmien qabel (granet wara li Dr. Michael Falzon gie mahtur Segretarju Parlamentari ghal-Lands). Hu kien gie ipprezentat lid-Diretturi fi hdan il-GPD mid-Direttur Generali tad-Dipartment bhala l-persuna li se tkun il-link bejn is-Segretarjat Parlamentari u d-dipartiment. Tajjeb nghid ukoll illi qabel il-31 ta' Lulju 2014, u qabel ma' gie ma' Clint Scerri, lil Marco Gaffarena kont rajtu darba biss meta kien gie l-ufficcju jistaqsi dwar xi ghalqa. Li hu zgur hu li dak li kien gie jistaqsi ma kellux x'jaqsam ma' l-espropjazzjoni ta' Triq Zekka, ghax kieku propabbli li kont niftakar.

Il-fond numru 36, Triq Zekka Valletta, huwa palazz privat illi ilu mikri lill-gvern sa mill-1902, u kien jintuza bhala skola, imma issa qed jigi uzat minn ufficini tal-gvern u cioe' mill-BICC (Building Industry Consultative Council).

Tajjeb nghid ukoll, illi fil-kapacita' ta' Director Estate Management, minbarra xogholijiet ohra, u minbarra illi kont qed niehu hsieb il-files tat-Tenement Section (section illi sfaxxat maz-zmien u illi issa il-files kienu qed jigu pprocessati biss minni), jiena kont nircievi t-talbiet kollha li jaslu kemm mill-pubbliku kif ukoll minn dipartimenti ohra tal-gvern li jkunu qed jitolbu xi propjeta' tal-gvern. Jiena kien ikolli hafna talbiet minn dawn specjalment ghal propjeta fil-belt, u naf kemm dawn it-tip ta' propjetajiet huma limitati. Xoghol iehor li kien isir minni huwa li nitlob valutazzjonijiet ta' propjeta' tal-gvern. Jiena kont gejt infurmat mid-Direttur tal-Finanzi Ms. Simone Mousu, li d-dipartiment kien gie nfurmat mill-Finanzi, li l-gvern ghandu jkollu l-valur tal-assi mmobbli li ghandu, u ghalhekk kull meta giet opportunita' li nikseb valutazzjoni ta' propjeta' tal-Gvern, dejjem ghamilt dan immedjatament.

Dakinhar tal-31 ta' Lulju 2014, hekk kif Clint taghni l-file tal-Lands L108/84, u waqt li kemm Clint u kemm Marco Gaffarena kienu quddiemi, ftaht il-file biex nara x'kien il-kaz. Go l-file rajt ittra minghand Dr. F. Zammit Dimech f'isem xi sidien tal-palazz bin-numru 36, Strada Zekka li kienet tghid illi ghalkemm il-palazz kien qed jintuza mill-gvern, is-sidien riedu jkeccu l-Gvern il-barra. Fl-istess file kien hemm ittra ohra, jekk niftakar sew mibghuta minn Avukat f'isem Marco Gaffarena li kienet tghid illi l-imsemmi Marco Gaffarena, kien sid ta' kwart indiviz ta' dan l-istess palazz u peress li kien jaf li l-palazz qed jintuza mill-gvern, xtaq li l-Gvern jespropija l-bicca tieghu bi tpartit ma' xi artijiet agrikoli tal-Gvern li pero' kienu diga mikrija lilu. Kont naf illi kellna cans sa' l-2028 ghaliex il-kera tispicca f'dik is-sena, imma peress li ilni f'dan id-dipartment sa mill-1980, u peress li naf kemm il-Gvern ghandu bzonn propjetajiet ta' certu kobor bhal ma' hu dan il-palazz, hsibt illi tkun opportunita' jekk il-gvern ikun sid ta' kwart indiviz ta' bini li diga' qed

jintuza mill-Gvern u għalhekk huwa zgur tajjeb għal hafna ghanijiet li jista jkollu l-gvern fil-Belt Valletta. Dak il-hin irragunajt ukoll li jekk il-gvern ikun sid ta' share minn dan il-bini, is-sidien l-ohrajn ma jkunux jistghu jizgumbraw lill gvern minn dan il-post. Barra minn hekk kont naf ukoll illi fil-passat il-Gvern kien esproprija nofs indiviz ta' propjeta' li hi sitwata fis-Swieqi fejn illum hemm il-bini tal-kunsill lokali, u ghalhekk hassejt li ma' kontx ser nohloq precedenti jekk il-Gvern kien ser jixtri kwart ta' dan il-palazz issa, u mbaghad jkompli jixtri l-kumplament matul is-snin.

Barra minn hekk, kelli lil Clint u lil Marco li kienu qed jistennew quddiemi biex nikteb il-minuta, ghaliex Clint qal li ried itella' l-file mieghu il-Ministeru dak il-hin stess. Jien fhemt lil Clint u lis-Sur Gaffarena li biex issir esproprijazzjoni, irid l-ewwel ikollna l-approvazzjoni ta' xi membru tal-kabinett u mbaghad irridu naraw minn fejn ser jigu il-fondi sabiex issir l-esproprijazzjoni. Tajjeb nghid illi il-parti li ghandha x'taqsam mal-fondi kienet issir mill-Asst. Direttur Margaret Falzon, u li jien m'ghandix x'naqsam ma' hlas, jew ma' fondi tal-gvern li jintuzaw ghall-espropjazzjoni. Jien ghidtlu ukoll illi ghalkemm dan id-dipartiment jipprocessa l-process biex issir l-espropjazzjoni, ikun il-membru tal-Kabinett li jawtorizza l-espropjazzjoni li kien ser ikun responsabbli ghall-esproprijazzjoni. Ghedtlu wkoll biex jitkellem ma' Margaret Falzon dwar il-fondi, ghax il-fondi li jkollu d-dipartiment ikunu gew ivvutati fil-budget biex jithallsu espropjazzjonijiet li kienu saru qabel l-1992 u mhux ghal-espropjazzjonijiet godda.

Clint immedjatament qalli biex inhalli f'idejh biex jiehu hsieb jara jekk hemmx bizzejjed fondi ma' l-Asst. Direttur tal-kuntratti Margaret Falzon, u insista u ghamilli premura illi l-minuta ssir dak il-hin halli hu itella' l-file mieghu. Niftakar kien qalli " mhux 'Michael' ha jiddeciedi". Fil-minuta tieghi lid-D.G., (min. 118. Kopja annessa dok. A), jiena ma tlabtx approvazzjoni biex issir l-espropjazzjoni, imma staqsejt jekk jaqbilx li ghandna nikkunsidraw din it-transazzjoni, u ghedtlu li jekk jaqbel, ingibu l-istimi biex naraw jekk il-proposta tinkwadrax skont il-ligi. Skont artiklu 13 tal-iskeda li hemm annessa ma' Kapitlu 268 tal-Ligijiet ta' Malta, il-Gvern jista jaghti propjeta bi tpartit ma' propjeta li kienet giet espropjata, pero dan it-tpartit huwa soggett ghal-certi kundizzjonijiet. F'din il-minuta jiena hallejt f'idejn ta' fuqi jiddeciedu jekk jikkonsidrawx din it-talba jew le. Kont cert illi jekk is-Segretarju Parlamentari jahseb li r-ragunament tieghi kien hazin, u fil-fatt il-gvern ma kellux bzonn dan il-palazz, huwa kien ser iwaqqaf il-process kollu u l-esproprijazzjoni ma ssirx. Jien minn naha tieghi, peress li hassejtni li kont taht pressjoni kbira minn naha ta' Clint biex infittex naghmel il-minuta dak il-hin, u peress illi naf li jekk xi hadd minn ta' fuqi ma jaqbilx ma' l-icken haga fil-minuta ser jinfurmani, u peress li fl-ahhar mill-ahhar huwa is-Segretarju Parlamentari li jiddeciedi jekk din l-propjeta' ghandiex tigi esproprijata jew le, ghamilt dak li xtaq Clint, u ktibt minuta lid-Direttur Generali fejn ghedtlu li jekk jaqbel ma' dak li kien hemm miktub, jghaddi l-file ghall-approvazzjoni tas-Segretarju Parlamentari Dr.Michael Falzon. Immedjatament wara li ktibt il-minuta, Clint Scerri hareg mill-ufficju tieghi, fejn dan ha mieghu kemm lill Marco Gaffarena u kif ukoll il-file li kont ghadni kemm ktibt il-minuta fih. Ilum il-gurnata nista' nifhem illi Clint baqa sejjer bil-file ghand id-D.G.

Ftit taz-zmien wara, Clint Scerri kien gie wahdu fl-ufficcju tieghi, u f'idejh kellu l-file ta' 36, Triq Zekka. Huwa qalli li Dr. Michael Falzon, minn naha tieghu kien approva li ssir l-esproprjazzjoni u ghalhekk kien taghni l-awtorizzazzjoni biex isiru il-valutazzjonijiet mehtiega. Fil-fatt urieni minuta fil-file f'dan is-sens li kienet miktuba minn Dr. Falzon innifsu, liema minuta kienet datata 11 t'Awissu 2014 (din il-minuta tidher f'dok A anness). Minn naha tieghi, issa kien imiss illi nitlob lill-iskrivan inkarigat mill-istimi, Josef Agius li jqabbad perit sabiex jaghmel il-valutazzjoni tal-palazz fi Triq Zekka. Ghal darb ohra, bi pressjoni kbira fuqi dwar dan il-file partikolari, Clint Scerri baqa' fl-ufficju sakemm jien ghamilt il-minuta lill-iskrivan u cioe' Josef Agius. Clint hareg mill-ufficju u ha l-file immedjatament mieghu. Tajjeb nghid illi xogholi kien biss li nitlob lill-iskrivan iqabbad perit jahdem stima. Peress li Clint kien qalli biex nghagglu l-process, u peress li l-perit Dr. Joseph Spiteri kien l-aktar Perit li jgib l-istimi malajr, u peress li l-perit Spiteri ghandu d-dottorat, jghallem l-Universita lill-istudenti kif isiru l-istimi, u dejjem kien jaghtina stimi dettaljati, jiena kont issugerejt lil Josef Agius biex iqabbad lilu. Fl-ebda mument tul il-process sakemm gew l-istimi ma' tkellimt la ma Clint, la ma' Josef u lanqas mal-Perit li ghamel l-istima.

Wara li tlestiet l-istima ta' triq Zekka, kien Clint Scerri li gabli l-files tal-propjeta' li Gaffarena ried ipartat mal-kwart indiviz li kellu tal-palazz. Minn zmien ghal zmien kont nircievi valutazzjonijiet ta' propjeta' illi Gaffarena ried ipartat maghhom. Clint kien kwazi kuljum jistaqsini jekk il-valutazzjonijiet waslux. Jien minn naha tieghi, peress li Clint kien membru fis-Segretarjat Parlamentari ta' Dr. Michael Falzon, kont nghidlu jekk waslux jew le. Peress li spiss kien jistaqsini dwarhom, jista jkun ukoll li jiena gieli staqsejt lil Josef Agius jekk l-istimi ikunux waslu jew le. Meta l-istimi kienu jaslu, Josef Agius kien, skont il-procedura tad-dipartiment jibghatli l-file, u hemm Clint Scerri kien isir jaf kemm kienu ghax kien jara l-file, pero' minn naha tieghi qatt ma tajt informazzjoni lill Marco Gaffarena.

Minn naha tieghi qatt ma tajt pariri lil Marco Gaffarena dwar liema propjeta' ghandu jpartat mal-palazz. Qatt ma ddiskutejt artijiet jew propjeta' mieghu. Kien ikun jew Marco, jew Clint Scerri li jghiduli liema huma l-propjetajiet li ried ipartat Marco. It-talbiet ta' l-istimi ma sarux kollha f'daqqa, u minn naha tieghi kont nimxi mal-procedura, u nitlob lill-iskrivan inkarigat, Josef Agius, biex jitlob il-valutazzjonijiet lil perit.

Wahda mill-artijiet mitluba kienet dik ta' Bahar ic-Caghaq, u niftakar illi Clint Scerri kien gabli s-site plan taghha, u kien qalli li jrid stima ta' dik l-art. Meta staqsejtu minn fejn kien gab il-pjanta kien qalli li kien gabha minghand l-istess Marco Gaffarena.

It-talba ghall-istima ta' tas-Sliema kont ukoll baghattha ghand Josef Agius. Fit-talba ghedtlu biex l-istima jitlobha lil xi perit tad-dipartiment. Jiena hallejt f'idejn Josef Agius biex jaghtiha lil liema perit irid hu. Seta kieku ried talabha wkoll lil perit Spiteri. Meta ghedtlu biex jaghtiha lill perit tad-dipartiment seta taghha lil min ried mill-pool ta' periti li jahdmu ghad-dipartiment, ghax jiena nqis bhala periti tad-dipartiment sew lil periti mgjegati full time mad-dipartiment, u sew il-periti privati li jitqabbdu jaghmlu xoghol f'isem id-dipartiment. Wara sirt naf li kien tqabbad il-perit Stefan Scotto fuq insistenza ta' Clint Scerri. Kien Clint innifsu li qalli li kien qal lil Josef biex jaghtiha lil perit Scotto. Li din il-propjeta kienet fi stat hazin, ma niftakarx jekk kienx Clint jew

Marco li kien qalli. Jiena niftakar li din ir-rimarka kont ktibtha fit-talba ghal-valutazzjoni biex naccerta ruhi li l-perit li kien se jaghmel l-istima jmur jispezzjona din il-propjeta.

Nhar l-24 ta' Novembru 2014, Clint Scerri ghal darbohra kien gie fl-ufficju tieghi flimkien ma' Marco Gaffarena b'xi files f'idu. Jiena cert minn din id-data ghax dakinhar stess ktibt il-minuta numru 123 fil-file L108/84 (kopja annessa dok B). Clint indikali bic-car liema kienu l-propjetajiet li kellhom jitpartu. Hu stqarr mieghi li Marco kien jaf kemm gew l-istimi u qalli ukoll li Marco ser jaccetta li dawn il-propjetajiet minflok il-kwart indiviz li kellu minn 36, Triq Zekka, il-Belt Valletta, u jiehu d-differenza fi flus. Jien minn naha tieghi, nerga' nsostni li lill Marco qatt ma tajtu figuri ta' kemm gew stmati il-propjetajiet li kien qed jitlob.

Fost il-propjetajiet li Marco kien originarjament identifika, kien hemm ghalqa li l-laqam taghha huwa Ta' Harram. Din l-ghalqa wkoll kienet intalbet stima taghha. Innotajt li din l-ghalqa ma kienetx inkluza fil-lista li Clint kien gabli issa ta' propjetajiet li Marco ried ipartat. Meta staqsejt lil Clint ghaliex ma kienx ser jinkludi il-propjeta' ta' Harram, huwa wegibni li jekk kien ser jinkludiha, il-valur totali kien ser jaqbez il-valur tal-kwart indiviz tal-Palazz. Kien qalli 'dik ghalissa halliha hemm'. Dan ifisser li meta kellimni Clint kien diga sar l-'homework' u gie kkalkulat sew kif ghandha ssir il-permuta.

Ghal darb'ohra, Clint rega' qalli biex immedjatament naghmillu l-minuta dak il-hin halli jtella' l-file mieghu Kastilja ghand Dr. Falzon ghall-'approval'. Din kienet minuta 123 (kopja dok B), u biex zgur infittex naghmilielu, Clint baqa jistenna quddiemi. Wara ndunajt li bl-ghaggla kont hadt zball f'figura minnhom meta qlibt l-ahhar zewg numri f'item 1, u spiccajt ktibt 01 minflok 10. Important li wiehed jghid li din il-minuta jiena baghattha lid-D.G., u li fiha jiena elenkajt liema huma l-propjetajiet li ried ipartat Marco Gaffarena, u li fl-ebda hin jiena m'ghedt li ghandna npartu. Ghedt biss kif kienu l-affarijiet, u spiccajt il-minuta "You may wish to direct way forward". Mela d-direzzjoni ma tajtiex jiena, imma ergajt hallejt f'idejn ta' fuqi biex jiddeciedu huma jekk nespropjawx jew le. Kif ktibt il-minuta, Clint rega' ha l-file mieghu hekk kif telaq.

Irrid ukoll nghid, illi jiena qatt ma tlabt meetings ma' Marco Gaffarena, jew qatt ma ghedtlu biex jigi jkellimni. Il-bicca l-kbira tad-drabi li gie f'ufficcju tieghi kien ma' Clint Scerri. Wara li kont ktibt il-minuta 123, jigiefiri wara l-24/11/14, gieli kont ix-xoghol, u hekk kif nohrog mill-ufficju sabiex immur f'xi ufficju iehor, kont insib li Marco ma' wicci bilqeghda fuq skrivanija li hemm fil-kuritur barra l-ufficcju tieghi. Hu kien jistaqsini f'hiex wasal il-file. Jien, ghax naf li mhux permissibbli li tghati informazzjoni fuq xoghol intern, u ghax fil-verita' ma kellix l-icken idea ta' fejn wasal il-file ta' 36, Triq Zekka ghax qatt ma segwejtu, kont inwiegeb lil Gaffarena bil-kliem 'Il-file miexi'. F'hamsa u tletin sena li kien ilni nahdem fid-dipartiment, qatt ma tajt xi informazzjoni li ma kellix naghti la lill Gaffarena u lanqas lill hadd, u ma kontx ser naghmel dan issa.

Din li kont insib lil Marco fil-kuritur barra l-ufficju tieghi qatt ma hadt pjacir biha. Jien minn naha tieghi, minhabba nuqqas ta' sigurta' ta' min kien diehel u hiereg gewwa d-dipartiment, kemm

'il-darba ddiskutejt mad-diretturi l-ohrajn, kif ukoll ma' Simone Mousu' li hija d-Direttur tal-Finanzi u l-Amministrazzjoni fi hdan il-GPD, fejn ghidtilha illi ghalkemm suppost kien hemm messaggier isfel fir-reception biex jara li hadd ma jidhol jekk ma jkunx awtorizzat, xorta wahda Gaffarena kien jirnexxilu jidhol gewwa u jitla fuq. Jiena gieli kellimt lil dan il-messaggier dwar dan. Huwa kien jghidli li peress li qieghed wahdu fir-reception, meta jwarrab biex jaghmel il-bzonnijiet tieghu, ma jkun hemm hadd fir-reception, u min ried seta jdhol. Darba sahansitra inzilt isfel f' ufficcju iehor u kif hrigt sibt lill-Gaffarena ma' wicci. Huwa kien qed jitkellem ma' messaggier tar-registry (Christopher Portelli). Dan kien fit-23 ta' Lulju 2015. Huwa qalli li gie jkellem lili. Jiena waqaft biex nara x'ried jghidli, huwa kompla jitkellem ma' Christopher Portelli, u lili ma niftakarx li qalli xejn. Wara fettilli niccekkja biex nara jekk kienx imnizzel fuq il-ktieb tal-vizitaturi li Marco kien dahal go d-dipartiment, u rrealizzajt li Gaffarena kien imnizzel, u fuq il-ktieb kien jidher li tela' jkellem lili. Is-security qaluli li qalilhom li kien ser imur jixtri flixkun x'jixrob mill-vending machine li hemm fil bitha u baqa diehel. Dakinhar kull ma kellimtu kien fil-prezenza ta' Christopher Portelli u ma tellajtux fl-ufficcju tieghi. Jiena tant hassejtni urtat li kont baghatt email lil Ms. Simone Mousu dwar dan (kopja annessa dok C).

Xorta jibqa' l-fatt li l-bicca l-kbira li rajt lil Marco Gaffarena fil-bini tad-dipartiment, kienu d-drabi li kien jigi ma' Clint Scerri. Peress li Clint huwa ufficjal tas-Segretarjat Parlamentari, ma kienx jiffirma fuq il-ktieb tal-vizitaturi. Apparti minn hekk, min kien jigi mieghu, mid-dehra ma kienx jitnizzel fuq il-ktieb, u ghalhekk il-bicca l-kbira tad-drabi li Gaffarena kien jigi l-Lands, kellu 'free pass' ghax kien jidhol ma' Clint Scerri. Din is-sitwazzjoni kienet qed iddejjaq sew lili kif ukoll lid-diretturi l-ohrajn, tant li wassalna l-ilment lis-Segretarjat Parlamentari, u ghamilna pressure li ghandu jkollna security sura ta' nies, u mhux messaggier fir-reception. Eventwalment gabulna kumpanija tas-sigurta biex jiehdu hsieb min jidhol u johrog fid-dipartiment.

Tajjeb ukoll nghid illi jien kemm il-darba gbidt l-attenzjoni ta' Clint biex joqghod attent ghal kif kien qed jaghmel l-affarijiet. Kont narah li qed jghaggel wisq, u meta taghmel l-affarijiet bl-ghaggla hemm chance kbir li tizbalja ghax l-affarijiet ma tkunx hsibthom sew.

Importanti nghid ukoll li tant ma kellix interess, u ma kontx qed insegwi l-process ta' dan il-file wara li telaq min ghandi, illi kellu jkun Clint li qalli li l-kuntratt notarili kien sar. Wara sirt naf ukoll li Clint kien spiss imur fil-Contracts Section u ghid lil min kien qed jahdem fuq il-file biex ihaffu. Fost dawn hemm Joseph Sammut, Margaret Falzon, u n-Nutar innifsu.

Ftit granet qabel is-27 ta' Frar 2015, ghal darbohra gie fl-ufficju tieghi Clint Scerri flimkien ma' Marco Gaffarena. Jiena cert min dan iz-zmien, ghax naf li ftit wara ktibt il-minuta numru 159 fil-file L108/84 (kopja annessa dok D). Marco kien qal lil Clint li issa kien imiss li jaghmlu it-tieni bicca u Clint wiegbu li l-ewwel irid ikellem lill Dr Falzon dwarha. Jiena kont staqsejtu x'kienet din it-tieni wahda, dak il-hin Cint jew Marco qalli li Marco kien xtara share iehor, u li ried ukoll ibieghu lil Gvern. Sa dak il-hin, jiena ma kontx naf li Marco kien qed jixtri share iehor mill-istess propjeta'. Niftakar fis-27 ta' Frar 2015, kien rega' gie Clint Scerri, din id-darba wahdu b'ittra tas-Sur Marco Gaffarena f'idu u riedni immedjatament naghmel minuta ghall-'approval' ta' Dr. Falzon. Jekk niftakar sew l-ittra kienet iffirmata minn Marco Gaffarena. Bil-fixkla, bil-ghaggla u

bil-pressjoni li kien jitfa' fuqi Clint kull darba li kien ikellimni dwar dan il-file, fuq il-minuta ma ktibtx id-data. Din il-minuta ktibha ghax kien diga hemm precedent tal-ewwel espropjazzjoni. Din il-minuta ma ktibthiex direttament lis-Segretarju Parlamentari, imma 'thro' D. G.' Niftakar li Clint kien jqalli li se jiehu l-file mieghu, kif fil fatt ghamel. Fit-3 ta' Marzu 2015 kien rega gie Clint bil-file u qalli li t-tieni espropjazzjoni kienet giet approvata u qalli biex inkomplu l-process. Jiena ghedtlu li l-file mhux lili ried itih ghax il-process li kien ghad baqa ma jaqax tahti. Jiena ghedtlu li kont se nirreferi l-file lill-Kummissarju tal-Art biex jitkompla l-process. Din il-minuta hija minuta 161 li tidher f'dok. D. Minn naha tieghi dik kienet l-ahhar darba li rajt dan il-file, u ovvjament ma segwejtux izjed, ghax ma kelli l-ebda nteress jekk eventwalment l-espropjazzjoni ssirx jew le. Wara sirt naf li sar it-tieni kuntratt ghax qalli Clint.

Il-propjetajiet li gew impartin fit-tieni espropju kienu l-ghalqa ta' Harram, li stima taghha kienet diga saret qabel peress li kienet giet identifikata minn Marco ghall-ewwel espropjazzjoni, u bicca art ohra f'Bahar ic-caghaq li tmiss ma' l-art li Marco kien ha fl-ewwel kuntratt. Irrid nghid li kien Clint li qalli biex naghmlu l-istima tat-tieni bicca art f'Bahar ic-Caghaq.

Rigward il-kuntratt , nitlobkom tistaqsu lill Margaret Falzon li kienet Asst. Director Contracts u Joseph Sammut li hu skrivan fl-istess 'section' u jghidulkom huma min kien jigri warajhom u jippresshom biex jghagglu halli jigi konkluz il-kuntratt finali. Dan zgur li ma kontx jiena ghax jiena ma kelli l-ebda nteress.

Nixtieq nghid illi jien dejjem uzajt l-'open door policy' u l-bieb tal-ufficju tieghi dejjem kien ikun miftuh. B'dan il-mod, kull darba illi kellimt lil Marco Gaffarena dejjem kelli l-bieb tal-kamra miftuh. Dan jistghu jikkonfermawh Malcolm Scerri u Manuel Darmanin li ghandhom l-ufficcju jinfed ma' tieghi u li dejjem setghu facilment jisimghu dak li jien kont inkun qed nghid. Jiena dejjem tkellimt b'mod normali, u mhux min taht l-ilsien, ghax ma kellix x'nahbi u qatt ma kkonfoffajt xejn ma' hadd. Pjuttost nghid li kemm-il darba is-Sur Gaffarena gie jfittixni l-ufficju u hekk kif gejt ikkuntattjat mis-security t'isfel, ghidtilom biex jghidulu li ma kontx f'posti. Dan jistghu jixhduh ukoll Malcolm Xerri u Manwel Darmanin. Kien hemm ukoll okkazjoni ta' darba fejn iddecidejt li nohrog ma' Malcolm Scerri u Josef Agius biex niehu break f'nofs inhar, ghax normalment fil-break kont nibqa nahdem. Ahna u nezlin isfel qaluli li kien hemm Marco fir-reception. Jiena spiccajt dort lura biex ma niltaqax mieghu u spiccajt ma mort imkien.

Nixtieq issa niccara xi affarijiet dwar it-transcript li hareg mill-interview ta' l-NAO.

Nixtieq nghid li minn naha tieghi, fejn jidhlu affarijiet teknici, jien hdimt bhal ma dejjem hdimt kull file, m'ghandi l-ebda rimors ghad-decizjonijiet li hadt. L-uniku rimors li ghandi hu illi hallejt lil Clint Scerri jghaggilni. Hekk kif kont narah quddiemi jistenna li jien naghmel dik il-minuta jew li niehu decizjoni, kont inhossni marsus. Qisu hemm xi hadd jigri warajja. Kont qed nigi pressat biex naghmel xi haga li generalment tiehu iktar hin biex issir. Nixtieq nghid li veru, li meta gejt mistoqsi mill-ufficjali ta' l-NAO jekk kellix pressjoni minn xi hadd jiena wegibt li le, ma kontx qed nigdeb ghax jiena ghedt li ma kellix pressjoni fis-sens li hadd ma ppressani biex nikteb dak li ktibt. Pero important li nghid li qabel l-interview, Clint Scerri gie kemm il darba fl-ufficcju tieghi

u ghamilli premura sabiex is-Segretarjat Parlamentari jew lilu insemmihom mill-inqas halli 'nippruvaw ma jidhrux koroh'. Hu kien jghidli biex ma nghidx li kien joqghod jigri warajja biex immexxu l-file kemm jista' jkun malajr u li kien jigi ma' Gaffarena. Zammejt pass lura milli nghid kollox ghax hassejtni mhedded, u hsibt li jekk nghid x'kien jaghmel Clint stajt nispicca hazin ma' ta' fuqi. Bzajt nghid li l-fatt li kelli lill Clint u lil Marco quddiemi jistennew li jiena nikteb il-minuta dak il-hin stess, jiena kont ippressat.

Dwar il-kumment li sar mill-NAO li ma nzammux minuti tal-meetings li saru ma' Marco Gaffarena, irrid nghid li ma kienx hemm minuti x'jinzammu ghax jiena qatt m'ghamilt l-ebda tip ta' negozjati biex isir xi ftehim dwar din l-espropjazzjoni. Meta kien jigi ghandi Marco Gaffarena kien biss biex isegwi jekk il-process kienx ghadu miexi jew jekk waqafx. Li kieku kelli nikteb il-minuti kull ma kont nikteb kien ikun li Marco Gaffarena staqsieni f'hiex wasal il-process, u li jiena wegibtu li miexi. Jiena ma kontx inkun naf f'hiex wasal il-process u kont nghidlu hekk biex nehles minnu.

Ta' min jghid illi dawn l-ahhar sentejn kont qed nahdem mis-07:30 ta' filghodu u kont nasal lura d-dar fis-19:00 ta' filghaxija fix-xitwa, u fis-sajf waqt li konna nkun bin-nofs ta' nhari kont nibqa nahdem wahdi u nasal lura d-dar fil-17:00 jew fis-18.00 ta' filghaxija. Hin mal-familja ma tantx kien qed jibqghali u l-ftit hin li jkolli kont inkun mitluf fi hsibijiet fuq ix-xoghol. Irrid nghid ukoll li minbarra xogholi kont irrid naghmel ix-xoghol li qabel kienu jaghmlu it-Tenements Section (li sfaxxat ghax l-iskrivani kollha marru x'imkien iehor), kont irrid nattendi ghall-kumitat li kien qed ifassal linji gwida ghall-Outside Catering, nattendi ghal-laqghat tat-Tenders Committee tad-Dipartiment, gurnata fix-xahar immur l-ufficju tal-GPD Ghawdex biex nara xi problemi ghandhom, kif ukoll kont membru tal-Executive Committee tal-BICC. Dan minbarra li kont nghin lill-ufficjali tal-Customer Care tad-Dipartiment li kienu jigu jistaqsuni dwar kif jistghu iwiegbu ghal xi diffikultajiet ta' nies li jigu fid-dipartiment, kif ukoll nattendi ghal-meetings mad-Direttur Generali jew ma' xi wiehed mid-Diretturi l-ohrajn meta jkun hemm bzonn. Kont ukoll irid nirrispondi l-emails numeruzi li kienu jidhluli. Irrid nghid ukoll li bhala clerical support kull ma kelli kienet skrivana wahda biss li kellha x-xoghol taghha u ma setghatx tghini wisq.

Dak iz-zmien kont ghaddej ukoll minn zmien hazin fejn ghandha x'taqsam sahhti, tant li f'dak iz-zmien il-kliewi ma bdewx jahdmuli sew, u kelli naghmel operazzjoni biex nibda naghmel id-dialisi. Eventwalment spiccajt irrid naghmel tmin sieghat kuljum mal-magna tal-kliewi. Kien ukoll qed jugani sidri sahansitra kelli naghmel angioplasti f'Ottubru 2015 ghaliex kont qed ninkwieta hafna. Irrid nghid ukoll li tant kont ippressat bix-xoghol li wara z-zewg operazjonijiet li ghamilt, l-anqas konvalexxenza sew ma hadt, u wara xi jiem dhalt xoghol. Barra minn hekk irrid nghid li lanqas il-vacation leave tieghi ma kont niehu kollu. Tant li sena minnhom kien ghad baqghali hamest ijiem leave, filwaqt li s-sena l-ohra kien ghad baqghali sbatax il-gurnata leave li ma hadtx u tajthom ghal min ikollu bzonnhom minhabba mard.

Tajjeb nghid ukoll illi sakemm kont ghadni l-Lands jiena, Gaffarna kellu talba pendenti sabiex jixtri strippa art fil-Maghtab li tigi quddiem propjeta' ohra tieghu. Huwa kien baqa' jigi biex isegwi l-process tax-xiri ta' din l-art. Jiena kont infurmajtu li l-bejgh irid isir bilfors bl-offerti, u li

hu ried jitfa' offerta bhal haddiehor. Jiena kont baghtt il-file ghand Josef Agius fejn minn naha tieghi ghamilt talba ghall-valuation (kif isir dejjem) biex wara tigi ppreparata 'tender proposal' biex tigi diskussa mit-tenders committee tad-dipartiment biex japprova li tohrog is-sejha ghall-offerti. Meta l-perit gab il-valuation, Josef Agius kien qalli li l-perit kien taghielu u li ma kienetx issigillata f'envelope. Jiena ghedtlu li ma ridtx nara l-valuation, anzi tlabt lil Josef Agius jissigillha f'envelope maghluq u jpoggiha fil-file. Li kieku jiena b'xi mod kont 'in collusion' ma' Marco Gaffarena fil kaz tal-espropjazzjoni, kont zgur nibqa nhossni li ghandi xi obbligazzjoni lejh, u kont nghid lil Josef Agius biex jurini l-istima biex immur nghidlu biha u b'hekk huwa jkun ivvantaggjat meta tohrog it-tender ghal bejgh ta' din l-art. Dan jista jixdhu Josef Agius.

Nispicca billi niddikjara li lili hadd qatt ma offrieli, la qatt tlabt, u lanqas qatt ma tawni x'nifhem li jiena stajt b'xi mod niggwadanja xi haga, u lanqas qatt ghaddieli l-hsieb li b'xi mod jiena se niggwadanja xi haga minn din l-espropjazzjoni. Irrid nghid ukoll li f'dan il-kaz, jiena qatt ma ppruvajt nitfa xi tip ta' pressjoni jew ippruvajt ninfluwenza lil xi hadd biex jiehu xi azzjoni jew decizjoni, anzi kien haddiehor li kien jitfa pressjoni fuqi biex nghaggel. Ghandi x'nifhem li l-istess pressjoni li saret fuqi setghet saret ukoll fuq ufficjali ohrajn li hadmu fuq dan il-file. Jekk dan hux il-kaz jew le jistghu jigu mistoqsijin l-ufficjali li hadmu fuq dan il-kaz.

F'hamsa u tletin sena li hdimt fid-Dipartiment tal-Artijiet, jiena dejjem qaghadt attent li naghmel xogholi sewwa, u naghti ezempju tajjeb lil ta' madwari u lil min kien jahdem tahti. Kien bis-sahha t'hekk li jiena bqajt nipprogressa fil-karriera tieghi fic-civil. Kemm domt hemm qatt ma ccappast b'xejn, u dejjem bzajt ghal-unuri. Dan jista' jixhdu li kull min hadem mieghi.

Ma' dan id-dokument hawn ukoll dokument bil-kummenti tieghi fuq ir-rapport tal-N.A.O. dwar dan il-kaz.

Dokumenti annessi:

Dok A : kopji ta' minuti 118 u 119 go file nru. L108/84
Dok B : kopji ta' minuti 123 sa 125 go file nru. L108/84
Dok C : kopja ta' email mibghuta fit-23/7/2015
Dok D : kopji ta' minuti nru. 159 sa 161 go file nru L108/84

DOK A

118 A, B

From B.I.C.C

148

Mr. Raymond Camilleri
Director General

Premises subject of this file is private property leased to to government. It was formerly used as a school, and now has been allocated to BICC.

Mr. Marco Gaffarena had purchased ¼ undivided share of this property by virtue of deed at red 46A. He is proposing to transfer his share to Government in exchange of Government owned agricultural land which is held on lease by him.

I think that in principle, it would be wise to consider ~~with~~ this transaction, considering that this property is in Valletta, and in future could also be utilised for other purposes (such as a Ministry, or a Museum), while the Government property being requested is agricultural land.

If you agree with my reasoning, kindly refer to Parliamentary Secretary for his approval. If he also agrees, I will ask our architects to prepare valuations of both properties to determine whether the value of these properties fall within the parameters set out by Law.

171

Carmel Camilleri
Director
Estate Management
31-7-14

11/8/14
Agreed
Proceed to prepare the required Valuation
Please follow stipulated policies + regulations

DOK B

[illegible]

[illegible]

I refer to minutes 48 and 49. Property at 36 Old Mint [illegible] 67 to 70 St. John Street and 47 St. Patrick Street Valletta, all shown on plan L.D.128/[illegible] by Perit Joseph Spiteri at €3,290,000. The owner of ¼ undivided share of this [illegible] value of which amounts to €822,500, is prepared to accept this price on condition [illegible] compensated by way of an exchange with other property which was identified by himself, [illegible]

1. Property subject of file A1903/97/FF, which is leased [illegible] and valued by Perit Joseph Spiteri at €192,801.
2. TDD and subsequent full ownership of property at 73 [illegible] Street, Sliema, (T505/2002/1). This property is a closed shop which [illegible] property. TDD and subsequent full ownership was valued by Perit Stefan [illegible]
3. Site at ta' Kandja (L806/64/3). This site is presently not [illegible] valued by Perit Joseph Spiteri at €168,800.
4. Site at Bahar ic-Caghaq, subject of file no. L59/99 and shown [illegible] valued by Perit Joseph Spiteri at €250,000.

The total value of these properties is €673,610. This value falls within [illegible] in Chapter 88. You may wish to direct way forward.

Carmel Camilleri
Director
Estate Management

24-11-14

min 53 refers

25/11/14

Provided that the said exchange falls within the appropriate legal parameters please proceed accordingly. All taxes, stamp duty, that are due to be ~~deducted~~ [illegible], thus ensuring that the actual funds to be paid out are to be kept to the minimum

25/11/14

Raymond Camilleri
Director General

DOKC

Camilleri Carmel R at MEH-Environmental Health-Health

From: Camilleri Carmel R at GPD
Sent: Thursday, 23 July 2015 14:24
To: Mousu Simone at GPD
Cc: Camilleri Raymond R at GPD

Ms. Simone Mousu
Director Finance and Administration

Permezz ta' din l-email qed nitolbok tiehu azzjoni kontra min hu responsabbli li jdahhal in-nies fid-Dipartiment. Illum stess waqt li kont hiereg mill-ufficju tan-nutara isfel, gejt wicc imb wicc ma persuna li kif ratni qaltli "lilek gejt inkellem". Din il-persuna kellha l-visitors pass u allura kienet registrata fil-ktieb tal-visitaturi. Meta ccekkjajt fil-ktieb sibt li din il-persuna veru kienet registrata li kellmet lili, pero kien hemm miktub li din damet min-12.00 sa 12.21, meta fil-fatt ma domtx inkellimha aktar minn hames minuti.

Barra minn hekk suppost li qabel ma persuna tinghata l-pass biex tidhol fid-dipartiment, is-security jistaqsi jekk dak l-ufficjal li persuna trid tiltaqgha mieghu hux disponibbli. F'dan il-kaz lili hadd ma qalli li din il-persuna kienet hawn u ridet tiltaqgha mieghi, u sadanittant tawha l-pass u baghtuha ghandi bla ma avzawni. Jekk ser nibdew naghmlu dawn il-kummiedji m'ghandniex x'nambu security u nergghu nigu kulhadd diehel u hiereg, free for all.

Ghal din ir-raguni nitolbok tiehu l-passi li jidhirlek opportuni halli dan l-abbuz li sar ma jirrepetix ruhu.

grazzi

Carmel Camilleri
Director Estate Management
Government Property Department

t: +356 22953300 e: carmel.r.camilleri@gov.mt |
www.primeminister.gov.mt

Kindly consider your environmental responsibility before printing this e-mail

OFFICE OF THE PRIME MINISTER
AUBERGE DE BAVIERE, TRIQ SAN BASTJAN, VALLETTA, MALTA

DOK D

159

Hon Parl Sec. Dr M Falzon thro DG signed 24/2/15

Reference is made to min 113 and to your approval at red 119. Mr. Marco Gaffarena is offering to sell another 1/4 share of this property to Govt. If you approve we shall start the process for the acquisition of this 1/4 share.

Carmel Camilleri
Director
Estate Management

160

2/3/15

~~Approved~~
Make sure that values are reasonable. If makes sense that Govt. acquires ownership of said property in Valletta - thus owning

161

Mr. M Falzon thro. CGL [signature] P. Mallia 3/3/15.

Pl see ~~min 159 and~~ approval at ~~min~~ min 160. Kindly refer for the publication of the President's ~~declaration~~

Carmel Camilleri
Director
Estate Management
3-3-15