

Address by the Deputy Prime Minister and Minister for Justice and Home Affairs the Hon Tonio Borg at the Commonwealth Local Government Ministers' Conference, Auckland, New Zealand

First of all I would like to thank the Commonwealth Local Government Forum for organising this Conference allowing Maltese Government to report on the evolution of local government in Malta. The Participants of the Commonwealth Heads of Government which met in Malta a couple of years ago witnessed for themselves the Maltese experience in this regard, which, despite several misgivings and prophecies of doom at its inception, has proved to be a success.

Certainly, local democracy in a densely populated nation of modest size has its own peculiarities and requirements. The size of Malta is barely comparable to that of an average sized municipality in Europe. When in 1993 the Local Councils Act was being debated in Parliament, doubts were even expressed as to whether a small nation like ours was capable of administering a system of local government at all. In fact the first public document on Local Government, issued in the form of a White Paper in 1991, proposed the setting up of regional rather than local councils, fearful of a fragmentation of public administration; it was only through a laborious exercise, not yet free from controversies, that the new Local Councils Act 1993 carved 68 localities out of a territory covering 315 square kilometers. This was done in homage to the principle of subsidiarity and to avoid unnecessary disputes between large and small localities; every locality would have its own irrespective of size.

Indeed bearing in mind that Malta is the smallest and most densely populated sovereign nation in Europe, it is indeed remarkable how we have somewhat managed to launch a system of local government in Malta at all. The devolution of powers has not been insignificant and has progressed through the years. The need for more extensive devolution in other countries is mainly due to size, that is to say, in larger countries a more efficient system of government is effected through a devolution of a substantial part of public

power even though this varies throughout different countries for reasons linked not only to size but also culture and history and democratic maturity.

Let me cite some examples to prove my point. In most countries in Europe and around the globe the planning process is basically devolved in favour of regions and localities; this devolution would be well nigh impossible in Malta; having 68 different localities processing applications for development would result in anything but a sustainable development; on the contrary, what the central government has implemented is a thorough consultation process in planning matters. The Malta Environment and Planning Authority (MEPA) is legally bound to consult Local Councils when drafting local schemes of development, planning applications relating to every locality are sent to the respective local councils, and local councils have an automatic right to appeal from any decision relating to development within their locality.

Considering our limited size and resources and the relative short history of local government in Malta, significant if not substantial devolution has occurred covering such area as public cleanliness, local road maintenance, running of public gardens and libraries, street naming, and local an bye laws enforcement.

Another successful devolution has been the transfer under title of public land and property to local councils a measure introduced for the first time in 1999, since local councils are considered to be public corporations having a distinct legal personality, the central government started devolving property to councils under certain conditions, without the need of parliamentary approval as is usually the case in other areas; councils were also granted the right, under certain controls and conditions, to grant title to third parties for the purpose of registering some financial gain or in furtherance of the development of the area.

Since 1999, there have been 38 Local Councils (53%) that have benefited from 52 public properties ranging from public gardens to underground structures such as war shelters and other structures having historical value.

The councils transformed these dilapidated structures into dynamic social and cultural bustling with activities all year round.

Local Councils are also entrusted with law enforcement on a local level. The Local Enforcement System (LES) entails a substantial devolution of power to Local Councils. This radical programme for Local Enforcement has helped Local Councils to make real improvements in local services for the districts that they serve. Devolution in this area covers also the hearing of cases by local tribunals set up on a regional basis a first for Malta since Independence. This has been achieved by linking together all Local Councils, Warden Services Contractors, Service Providers and Enforcement Officers.

Rightly so the Local Enforcement System has been described as a revolutionary approach aimed towards the exigencies of applying and enforcing a variety of disciplinary functions within localities.

Eleven years after local government was first introduced in Malta after Independence Government is committed to continue developing local democracy by exploring new areas where the councils' influence could be more manifest.

The Government intends to plan a campaign to drive home the message that councilors and mayors are chosen from same electorate that elect the Central Government, and thus they should enjoy the same democratic credentials. This campaign, involving civil society, local schools private and public and the media, will aim to disseminate more information about the facilities offered by local councils to the community at large and the individual in particular will be disseminated by the central government.

In this context Government in February 2002 launched its Local Government Electronic Policy. One of its aims is that of enabling all Maltese to have the opportunity and the means to participate in the Information Society and the Information Economy irrespective of their financial, social or educational

standing. A by-product of e-government is e-democracy and the extent to which the citizen can participate in the decision making process of both central and local governments through the use of ICT.

The importance and relevance of citizen participation at the locality level has been growing ever since the establishment of Local Councils ten years ago. Apart from bridging further the distance between the citizen and politicians, e-democracy enables greater transparency and accountability, making the decision takers more visible to those who are affected by those decisions. In this respect ICT will enable local councils to interact more effectively with residents ensuring that their real needs and priorities are identified and promoted.

Through this partnership between local and central government the opportunities offered by ICT will be exploited to the full to offer residents in localities the widest range of electronic public services. Besides agendas, minutes and proceedings of local councils can be made available on line; residents should be able to forward complaints and suggestions to their local councils and also express their satisfaction of the Council's performance on its statutory functions.

Indeed last week through an agreement reached between Central and Local Government, all Local Councils were given the possibility to be a Local e-government Agency, meaning that the council's office will be serving as a front office for all government services. Now that practically all government services are accessible on-line, local councils will be instrumental in bringing the government closed to the citizen while helping to bridge the digital divide.

The e-government infrastructure, that the government will develop and enhance in each council, will ensure that all those who lack access to technology, will be given such access free of charge.

In October 2003, my Ministry launched a national conference to mark the tenth anniversary of Local Government in Malta and we were honoured to

receive as special guest Minister Nick Raynsford from the United Kingdom to address the Conference. The Conference itself marked the beginning of a nation-wide consultation process that led to important changes in the Local Councils Act enacted just a few weeks ago. These changes increased procedural rights to respective minorities in every council, introduced a direct election of Mayor, while retaining a proportional representation system on the STV model and gave legal recognition to the powers and responsibilities which were devolved to Local Councils.

There is no doubt in my mind that the accession of Malta into the European Union gave further impetus to local democracy in Malta; enriched by our experience of the past we shall doubtlessly reach for the future and the challenges ahead with determination and renewed commitment. In this regard it is pertinent to point out that membership of Commonwealth countries in the Union has increased three fold with Malta and Cyprus joining the UK as members. While meaningful contact between the Commonwealth and the Union have not been developed, there is nothing to stop EU Commonwealth members from making use of their membership to share their experiences within this *sui generis* grouping of states with the EU, particularly in the field of local government. The Commonwealth gives us members states a global view of things even in this field, and happily prevents us from restricting ourselves to crouching in our regional corner.

Malta's membership of the EU has been a life long dream. I have personally campaigned for membership ever since my first involvement in politics. That dream has come true. But our membership of this newly developing Europe will not separate us from our relationship with other countries and international institutions. Malta's close and long links with the Commonwealth are part of Malta's history past and present. It will still consider them as an asset to be treasured.

Year	Government Subvention	Revenue form LES	Other Sources
1994 – 1995	4,500,000		
1995 – 1996	6,300,000		
1996 – 1997	7,250,000		
1997 – 1998	6,250,000		
1998 – 1999	5,831,000		
1999 – 2000	6,500,000		
2000 – 2001	9,660,000		
2001 – 2002	10,240,000	1,714,345	805,765
2002 – 2003	10,540,000	1,490,713	765,077
2003 – 2004	10,700,000	1,004,217	912,239
2004 – 2005 *	10,150,000	2,369,316	
2005 – 2006 **	10,200,000		

*From April 2004 to 21 January 2005

** The financial year starts in April