

Georges Zbeida

Tel. No. 251906
Fax No. 960649

Amal

13th February 1973

Sirjbal Land

The Sale of Sirjbal Land

1. The Board of Governors must take a decision to that effect and must delegate the power to one of its members or any other person to execute the act of sale.
2. If the land is to be acquired by B.H.S., a decree must be issued, by government in accordance with arts. 11 and 14 of the Law of 4 Jan. 1969, put into effect by decree No. 11614, said articles allowing the school to purchase areas exceeding 50000/sq. meters since such acquisition can be allowed to foreign scientific, cultural or charitable societies or institutions.
3. The legal obstacle in the way of issuing such decree is that art. 14 above mentioned states that such permit may be given when the acquisition of large areas is necessary for the institution's business and on condition that the project for which it was given the permit must be completed within the time limits stated in the project.
4. In our case B.H.S. has no specific project for which it needs Sirjbal Land and for which the permission to acquire land will be issued by decree.
5. Such legal obstacle might be overcome in our case with the help of the following factors:-
 - (1) Brummana's wide-spread fame and influence as a cultural and missionary society, and her big number of influential friends.
 - (2) The possibility that B.H.S. might establish a school there or any other such project, in the future, Sirjbal after all having been originally intended for such a purpose.
 - (3) The Sirjbal land is foreign-owned anyway and might just as well remain foreign-owned.
6. If the school's intention is to dispose of the land sooner or later and not keep it, it might be advisable that the land be sold straight away by present owners to anybody interested and in the near future:
 - (1) Because land price at present are having a boom and might not go on rising.
 - (2) Because if the school is to register the land under her name she will have to pay a purchase tax, a sum that she can save if she is going to re-sell the land anyway.
7. It must be borne in mind that the sale of the land to a Lebanese national exempts that national of the land purchase tax, a point that B.H.S. could benefit from to obtain a better price.
8. So what I think is best and most easily done is either to find a purchaser for the land immediately, or to get the board of governors to take a decision to sell the property and give a power of attorney to one or two persons whom B.H.S. chooses enabling them to sell the land for the account of B.H.S., said Power of Attorney bearing an express statement that it is irrevocable.

Georges Zbeida
School Lawyer