

*Legal Supplement Part A to the "Trinidad and Tobago Gazette", Vol. 39,
No. 203, 20th October, 2000*

Fifth Session Fifth Parliament Republic of Trinidad
and Tobago



REPUBLIC OF TRINIDAD AND TOBAGO

Act No. 73 of 2000

[L.S.]

AN ACT to amend the Land Acquisition Act, 1994

[Assented to 13th October, 2000]

ENACTED by the Parliament of Trinidad and Tobago as Enactment
follows:—

1. This Act may be cited as the Land Acquisition Short title
(Amendment) Act, 2000.

Interpretation
No. 28 of 1994

2. In this Act, “the Act” means the Land Acquisition Act, 1994.

Section 5 amended

3. The Act is amended in section 5(4) by substituting the letter “(h)” for the letter “(j)”.

Insertion of
section 5A

4. The Act is amended by inserting after section 5, the following section:

“Notice to the
Registrar
General

5A. (1) On the date of publication of the declaration under section 5(3) or on the date of the Order made under section 4(1), the Commissioner shall issue a Notice to the Registrar General setting out the name and address of the owner or claimant of the land acquired, description of the land with references to deeds, certificates of titles, plans, property address and any other details sufficient to identify the owner or claimant and the property acquired.

(2) On receipt of the Notice referred to in subsection (1), the Registrar General shall—

(a) if the land is unregistered land, register the notice as if it were a deed within the meaning of the Registration of Deeds Act made between the claimant and the Commissioner; or

(b) if the land is registered land, enter a caveat in respect of the land.

(3) A caveat entered or a Notice registered by the Registrar would forbid the registration of any disposition of the land, lease or charge.

(4) The Registrar shall, as soon as possible, give notice in writing of—

(a) a caveat to the proprietor whose land, lease or charge is affected by it; and

(b) a notice registered as provided for in subsection (1), to the proprietor of any interest in the land which is the subject matter of the declaration or Order referred to in that subsection.

(5) A notice registered or a caveat entered by the Registrar under subsection (2) shall lapse—

(a) on the order of a Court or Tribunal; or

(b) when the acquisition of land is abandoned as provided for in section 8 or when the acquisition is deemed to have been abandoned as provided for in section 9.”.

5. The Act is amended in section 8 as follows:

Section 8 amended

(a) In subsection (2) by—

(i) deleting in paragraph (a), the word “and”;

(ii) deleting in paragraph (b), the word “respectively.” and substituting the words “respectively; and”; and

(iii) inserting the following after paragraph (b):

“(c) be served on the Registrar General.”;

(b) by inserting the following after subsection (3):

“ (4) Where a declaration is made by the President under subsection (1) that the acquisition of the land or any part thereof is abandoned, the Registrar, on receipt of the declaration under subsection (2) shall cancel the registration of the notice or cancel the caveat entered or amend it as appropriate.”.

Section 9 amended

6. The Act is amended in section 9 as follows:

(a) in subsection (2) by—

(i) deleting in paragraph (a), the word “and”;

(ii) deleting in paragraph (b), the word “respectively.” and substituting the words “respectively; and”; and

(iii) inserting the following after paragraph (b):

“(c) be served on the Registrar General.”.

(b) by inserting the following after subsection (3):

“ (4) Where the acquisition of any land is deemed to have been abandoned under subsection (3), the Registrar shall cancel the caveat entered or the Notice registered in respect of such land.”.

Section 22 amended

7. The Act is amended in section 22 by deleting subsections (8), (9), (10) and (11).

8. The Act is amended by inserting after PART V, the following Part:

Insertion of
PART VA

“PART VA

Land
acquired to be
subject to the
Real Property
Ordinance
Ch. 27. No. 10

37A. Notwithstanding any other written law, lands acquired under this Act shall be subject to the Real Property Ordinance if such lands are not already subject to that Ordinance.

Registration
of lands
acquired

37B. Where land is acquired under this Act, the acquiring authority shall make an application to the Registrar General for registering the land acquired in the name of the Authority with—

(a) a map or plan of the land acquired certified by a Trinidad and Tobago Land Surveyor and approved by the Director of Surveys;

(b) a copy of the *Gazette* in which the Notice referred to in section 3(1) is published; and

(c) the prescribed fees and any other document relevant for the registration.

Duty of the
Registrar

37C. Upon receipt of the application, the Registrar General shall, if the application is in due form, register the land in the name of the acquiring authority in the “State Lands and Leases” part of the Register and issue a Certificate of Title under the Real Property Ordinance.

“Meaning of
acquiring
authority

37D. For the purpose of this Part,
“acquiring authority” means the
Commissioner, Municipal or Public
Authority, or the Tobago House of
Assembly.”.

Passed in the House of Representatives this 2nd day
of October, 2000.

D. DOLLY

Acting Clerk of the House

Passed in the Senate this 5th day of October, 2000.

N. COX

Clerk of the Senate