
Fifth Session Second Parliament Republic of Trinidad
and Tobago



REPUBLIC OF TRINIDAD AND TOBAGO

Act No. 10 of 1986

[L.S.]

Proclaimed July 7, 1987 (LN 119/87)

AN ACT to amend the Real Property Ordinance and the Registrar General Act Ch. 27. No. 11
(1950 Ed.).
Chap. 19:05

[Assented to 3rd July, 1986]

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

1. This Act may be cited as the Law Reform Short title
and
Commencement
(Property) Act, 1986, and shall come into operation on
such date as the President may appoint by Proclamation.

Ch. 27. No. 11
(1950 Ed.)
amended

2. (1) Section 7 of the Real Property Ordinance (in this section referred to as "the Ordinance") is amended by inserting immediately after the words "fee tail", the words "or for a leasehold term of not less than twenty-one years".

(2) The Ordinance is amended by inserting immediately after section 7 the following new section—

"Sub-division
of land

7A. (1) Where the owner of an estate in fee simple or of a leasehold term of which not less than twenty-one years remain outstanding in land not already under this Ordinance wishes to sub-divide such land into the prescribed number of units under a scheme of development for any purpose whatever (in this section referred to as a "scheme of development"), he shall—

- (a) in accordance with the provisions of this Part, make an application to bring the said land under the provisions of this Ordinance;
- (b) execute and lodge with the said application an instrument describing the scheme of development as prescribed by subsection (2).

(2) The instrument describing the scheme of development and required to accompany the application shall—

- (a) comply with the provisions as to its contents set out in the Fifth Schedule;
- (b) have annexed or attached to it or entered thereon maps, plans and diagrams relating to the matters set out in the Fifth Schedule.

Fifth
Schedule

Fifth
Schedule

(3) Subject to compliance with subsection (2) and with the provisions of this Part, the Registrar General shall bring the land and scheme of development

described in the application under the provisions of this Ordinance—

- (a) by making the proper entry of the land in the Register Book;
- (b) on proper application, by issuing to the applicant or to such person as he or the person applying in his behalf may in writing direct, the duplicate certificate of title for each unit described by the scheme of development; and
- (c) by entering in the Register Book, in such manner as the Registrar General may think fit, the instrument describing the scheme of development.

(4) Until the scheme of development is entered in the Register Book, the subdivision purported to be effected by the scheme of development is ineffective at law or in equity and any purported transfer or other disposition of any unit is null and void.

(5) The Minister may, by Order, prescribe the number of units into which any land may for the purposes of this section be sub-divided under a scheme of development.

(6) The provisions of this section shall not apply to a Condominium scheme as defined in the Condominium Act, 1981 until such date as that Act comes into operation.

Act No. 23 of 1981

(7) In this section—

“Minister” means the Minister to whom responsibility for planning is assigned;

“prescribed number of units” means not more than fifty units or such other number of units as may be prescribed by Order of the Minister under subsection (5);

“scheme of development” has the meaning assigned to it by subsection (1);

“unit” means any parcel of land which is designated as a unit in a scheme of development.”

(3) Section 8 of the Ordinance is amended by substituting for the words “the last preceding section”, the words “sections 7 and 7A”.

(4) The Ordinance is amended by inserting immediately after the Fourth Schedule the following new Schedule—

FIFTH SCHEDULE

[Section 7A(2)]

CONTENTS OF INSTRUMENT DESCRIBING SCHEME OF DEVELOPMENT

The instrument executed under section 7A shall contain—

- (a) a title or heading describing it as a scheme of development;
- (b) a description of the estate or interest of the person executing it in the land comprised in the scheme of development and of the estate or interest to be vested in each unit owner;
- (c) a description of the land comprised in the scheme of development, including a survey plan thereof, sufficient to identify it and its location precisely;
- (d) a description of every unit by reference to its number, location and boundaries;
- (e) copies of plans and diagrams of the said land;
- (f) a statement of the covenants, conditions and restrictions affecting the use, occupancy and transfer of each unit;

- (g) evidence that permission for the subdivision of land has been granted under the Town and Country Planning Act, Chap. 35:01;
- (h) a statement of all mortgages or liens affecting any land comprised in the scheme of development, and of the debt outstanding under any such mortgage or lien;
- (i) any other matter which the person executing the instrument or the Registrar General thinks necessary or desirable, provided it is not inconsistent with this Ordinance.”.

3. Section 9 of the Registrar General Act is repealed and replaced as follows: Chap. 19:03
amended

“Office
hours

9. The office of the Registrar General shall during the normal course of business be kept open to the public—

- (a) for the transaction of business under sections 5 and 6 from the hour of nine-thirty o'clock in the forenoon until the hour of three o'clock in the afternoon; and
- (b) for the transaction of any business not mentioned in paragraph (a), from the hour of eight-thirty o'clock in the forenoon until the hour of four o'clock in the afternoon,

of every day in the year, except that the said office shall be kept closed on Saturdays, Sundays and on all public holidays.”.

Passed in the House of Representatives this 4th day of April, 1986.

J. E. CARTER
Clerk of the House

Passed in the Senate this 10th day of June, 1986.

R. L. GRIFFITH
Clerk of the Senate

Senate amendments agreed to by the House of Representatives on Friday, 13th June, 1986.

J. E. CARTER
Clerk of the House