

ANTIGUA AND BARBUDA



REGISTERED LAND (AMENDMENT) ACT, 2023

No. 8 of 2023

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**ANTIGUA AND BARBUDA
REGISTERED LAND (AMENDMENT) ACT, 2023**

ARRANGEMENT OF SECTIONS

SECTION

1. Short title	4
2. Interpretation.....	4
3. Amendment of section 3-Reconciliation with other laws	4
4. Amendment of section 21-Combinations and subdivisions	5
5. Amendment of Section 121A – Registration of proprietor entitled to Crown land.....	5

[L.S.]



I Assent,

Rodney Williams,
Governor-General.

14th August, 2023.

ANTIGUA AND BARBUDA
REGISTERED LAND (AMENDMENT) ACT, 2023

No. 8 of 2023

AN ACT to amend the Registered Land Act, Cap. 374 to make provision for compulsory registration by a person entitled to be registered as a proprietor of any parcel of Land registered in the name of the Crown after the cadastral survey in 1976, to revise the procedures relating to the mutation of the land register and the subdivision of contiguous parcels.

ENACTED by the Parliament of Antigua and Barbuda as follows:

1. Short title

This Act may be cited as the Registered Land (Amendment) Act, 2023

2. Interpretation

In this Act—

“principal Act” means the Registered Land Act, Cap. 374

3. Amendment of section 3-Reconciliation with other laws

Section 3 of the principal Act is amended by repealing subsection (2) in its entirety and replacing this with the following—

“(2) The provisions of this Act shall apply only to land, interests in land or dealings in land within the State of Antigua and Barbuda that are registered under this Act.”

4. Amendment of section 21-Combinations and subdivisions

Section 21 of the principal Act is amended by:

- (a) Repealing the proviso in its entirety and replacing it with the following –
- “(i) nothing shall be done under this section which would be inconsistent with this Act or any other law; and
- (ii) where a proprietor is subdividing his parcel for the purpose of building development, the Registrar may require him to submit a plan of the proposed subdivisions prepared by a surveyor licensed under the Land Surveyors Act and certified by the appropriate authority as conforming with the requirements of any planning law for the time being in force.”
- (b) repealing subsection (3) in its entirety and replacing it with the following –
- “(3) Upon the application of the proprietor of a parcel for division of his parcel into two or more parcels, the Registrar may by order approve the division and shall cause notice of the order to be forwarded to the Chief Land Surveyor on a mutation form for an amendment to the Survey Map, provided that, the Registrar shall not approve an application for a subdivision of a parcel which is subject to a lease, unless the application is accompanied by the written consent of the lessor or, in the case of a parcel subject to a sub-lease, by the written consent of the head lessor.”

5. Amendment of Section 121A – Registration of proprietor entitled to Crown land

Section 121A of the principal Act is amended as follows—

- (a) by repealing subsection (1) thereof and substituting the following:
- “(1) Where a person –
- is entitled to apply to be registered as proprietor of a parcel of land that has been registered in the name of the Crown, that person shall apply to the Registrar to be registered as proprietor in respect of that parcel of land within
- (a) has submitted an application pursuant to paragraph (a), the Registrar shall allow that person such reasonable time as is necessary to provide evidence on affidavit and such other documents as the Registrar may require.”
- (b) by inserting after subsection (7) the following new subsections:
- “(8) No person, except the Crown, shall, after the expiration of the time specified in subsection (1), have any dealings with land that continues to be registered in the name of the Crown.

(9) Where, any parcel of land is registered in the name of the Crown after the Cadastral Survey and marked “no dealing”, and remains so registered after the expiration of the time specified in subsection (1), the parcel of land shall be vested in the Crown.

(10) Upon the expiration of the date specified in subsection (1), the Chief Land Officer shall review the status of the parcels affected by the notation of no dealing and make a report, of his findings, including any recommendations for the consideration of the Cabinet.

(11) Where upon receipt of the Chief Land Officer’s report, the Cabinet considers it necessary to dispose of such parcels, the Cabinet may, by order published in the Official Gazette, authorize the Chief Land Officer to deal with the parcels in the manner directed by the Cabinet.”

Passed the House of Representatives on
The 14th day of March, 2023.

Gerald Watt, Q.C.,
Speaker.

Rosemarie Weston,
Clerk to the House of Representatives.

Passed the Senate on the 21st day of
March, 2023.

Alicia Williams-Grant,
President.

Rosemarie Weston,
Clerk to the Senate.