

CHAPTER 225

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SCHEDULE

CHAPTER 225

CROWN LANDS (VESTING AND DISPOSAL)

An Act to vest in the Crown certain lands, to make provision for the acquisition and disposal of lands by the Crown, for the lease of certain land by the Crown and in relation to land acquired by the Admiralty for the Oceanographic Research Station, and for purposes connected therewith.

1836-1.
1845-1.
1862-2.
1890-2.
1894-4.
1942-3.
1956-38.
1964-12.
1965-59.
1977-31.
1980-37.
1983-14.
L.N. 168/
1967.

(Part I—9th April, 1964; Part II—22nd June, 1894; Part III—5th August, 1836; Part IV—19th September, 1862; Part V—11th March, 1890; Part VI—10th May, 1845; Part VII—26th June, 1942; Part VIII—12th July, 1956)

Commencement.

1. This Act may be cited as the *Crown Lands (Vesting and Disposal) Act*.

Short title.

PART I

1964-12.

Vesting, Acquisition and Disposal of Crown Lands

2. For the purposes of this Part

“land” includes messuages, tenements and hereditaments, corporeal or incorporeal, of every kind and description and houses and other buildings and any estate, right, title or interest in, to or over land;

Interpretation of Part I.

“Minister” means the Minister responsible for Lands.

3. (1) All public lands, piers, wharves, bridges, works and buildings and other public property and all other property real or personal including rights which immediately before the 9th April, 1964 were vested in or held by the Governor-in-Executive

Transfer and vesting of property in Crown.

THE LAWS OF BARBADOS

Committee or the Executive Committee are hereby transferred to and vested in the Crown and shall be held by the Crown for the like estate and interest and to the like extent as the same were vested in or held by the Governor-in-Executive Committee or, as the case may be, the Executive Committee.

Acquisition of lands by Crown.

L.N. 168/1967.

4. (1) The Minister may purchase, lease, take, accept or otherwise acquire any land for the use of the Crown and such conveyances, leases, contracts and other instruments as may be necessary for the purposes of this subsection may be executed in his name and may be signed by the Minister or by the officer for the time being performing the functions of Secretary to the Cabinet on behalf of the Minister.

(2) All lands which are acquired by the Minister under subsection (1) shall be vested in the Crown in accordance with the terms of the conveyance, lease, transfer, will or other assurance executed in relation thereto.

Disposal of lands.

1964-59.

5. (1) The Minister may

- (a) grant a licence to use any lands vested in the Crown for any purpose or for such purposes as are mentioned in the licence; or
- (b) grant by way of licence or letting any easement, profit or right in respect of such lands; or
- (c) with the approval of Parliament sell, lease, exchange, grant, assign or surrender any such land.

Annual statements.

6. In respect of each financial year and as soon as possible after the close of such financial year, the Minister shall cause to be laid before both Houses a statement of all dealings, transactions and dispositions with respect to land which have been effected by him without the prior approval of Parliament.

1894-4.

PART II

Constitution Swamp and Reef (Vesting)

Constitution Swamp and the Reef vested in Crown.

7. All that land

- (a) abutting and bounding, on the northern side, on lands of Mrs. Brown, J. Clarke, Sisnett, Arnott, and other lands abutting on Constitution Road, on the eastern side, on

lands occupied by the Barbados Railway Company and on lands of "Springfield", on the southern side, on the Constitution River and, on the western side, on the Bridge, and delineated on a plan deposited in the Registration Office dated the 15th August 1892 and signed by T. Isley Yearwood, sworn surveyor, and described thereon as "Swamp"; and

- (b) known as the Reef, abutting and bounding on the north on Fish Alley, on the east on the properties of Chadder-ton, Seon, Pollard and other lands lying between Fish Alley and the Public Market, and on the south and west on the sea and containing by admeasurement six acres, three roods, and twenty-six perches and delineated on a plan deposited in the Registration Office, dated the 9th November 1892, and signed by T. Isley Yearwood, sworn surveyor, except the part tinted green, containing two roods and three perches the property of the War Department,

are hereby vested in the Crown.

8. (1) The Minister may make rules for the regulation of the lands, and for the days and times of admission thereto and the preservation of order and the prevention of nuisances therein and for the removal therefrom of any person infringing any of such rules. Regulations.

(2) Such rules when they have been published in the *Official Gazette* shall have the force and effect of law.

(3) Any person infringing any of such rules shall be liable to a penalty of ten dollars to be recovered in a summary manner before a magistrate on the information of any person.

9. The Chief Surveyor shall annually inspect the Constitution Swamp and Reef and shall report on the condition, and once in every three years shall mark on the plan any change in the boundaries thereof. Annual inspection.

THE LAWS OF BARBADOS

1836-1.

PART III

Charles Fort (Vesting)

Charles Fort and battery at Kendal's Point vested in Crown.

10. The fort, called Charles Fort, and the battery at Kendal's Point, with the lands, works and buildings thereunto respectively belonging, and all and every the rights and privileges thereof, shall be absolutely and for ever vested in the Crown.

1862-2.

PART IV

Naval Property (Vesting)

Vesting in Crown of all lands held for naval purposes.

L.N. 168/
1967.

11. All messuages, lands, tenements and hereditaments, erections, buildings and property whatever, which have been conveyed to or vested in any person, or are held or in any manner occupied by or in the name of any person in trust for the Crown for the use of the naval service of the United Kingdom or of any of the departments of or belonging to the naval service by whatever mode of conveyance or by whatever title or for whatever estate or interest therein the same have been conveyed or be vested, held or occupied, together with the rights, members, easements and appurtenances to the same respectively belonging, shall be and become and remain and continue vested in the Crown according to the respective nature and quality of the messuages, lands, tenements and hereditaments and the several estates and interests of and in the same respectively.

Vesting in Crown of all lands hereafter purchased for naval purposes.

L.N. 168/
1967.

12. From and after the purchase and conveyance, grant or demise thereof, all other messuages, lands, tenements and hereditaments, which are at any time hereafter purchased, taken, held or occupied by the Lord High Admiral or the Commissioners for executing the office of Lord High Admiral for the time being, or by any person by his or their order for the naval service of the United Kingdom or of any of the departments of or belonging to the said naval service and all erections and buildings which are erected or built thereon, with the rights, members, easements, and appurtenances to the same respectively belonging, shall in like manner be, and become and remain and continue vested in the Crown, accord-

ing to the respective nature and quality of the said messuages, lands, tenements and hereditaments, and the several estates and interests of and in the same respectively.

13. It shall be lawful for the Minister—

- (a) to sell, exchange or in any manner dispose of or let or demise any of the messuages, lands, tenements and hereditaments respectively which are vested in him under this Part with their respective appurtenances, either by public auction or private contract; and
- (b) in due form of law to convey, surrender, assign or make over or to grant or demise the same respectively, as the case may require, to any person who is willing to purchase or take the same respectively; and
- (c) to do any other act, matter or thing in relation to any such messuages, lands, tenements, and hereditaments which he deems beneficial for the public service in relation thereto, or for the better management thereof, which might be done by any person or persons having a like interest in any such messuages, lands, tenements or hereditaments.

Power of
Minister to
dispose of
lands.

L.N. 168/
1967.

PART V

1890-2.

Signal Stations

14. All and every the buildings and lands belonging to and connected with the several signal stations called Moncrieffe, Cotton Tower, Dover Fort, Grenade Hall and Highgate, together with the rights, members, easements and appurtenances to the same respectively belonging, and the signal station and the signalmen's quarters at Gun Hill, with the land on which they stand, are hereby vested in the Crown.

Signal
stations
vested in
Crown.

15. The whole of the property known as Gun Hill, except the signal station and the signalmen's quarters, shall be vested in the Crown.

Gun Hill
vested in
the Crown.

L.N. 168/
1967.

THE LAWS OF BARBADOS

Signal stations to be used as such only on special occasions.

16. The signal stations at Gun Hill, Moncrieffe, Cotton Tower, Dover Fort, Grenade Hall and Highgate shall henceforward be used as signal stations on such occasions only as the Minister responsible for Home Affairs determines.

1845-1

PART VI

War Department Lands (Vesting)

Lands, etc., set apart for military defence vested in the Crown.

L.N. 168/
1967.

17. All messuages, lands, tenements, estates or other hereditaments which have been heretofore lawfully set apart, and which still remain and stand appropriated according to law for purposes of military defence or service or which have been heretofore purchased in trust for the Crown, for the use or service of the Ordnance department or for other military service or defence, and which have not since been otherwise disposed of according to law, by whatever mode of conveyance the same have been so purchased or taken, either in fee or for any life or lives or any term or terms of years or any other or less interests; and all erections and buildings which now are erected and built thereon, together with the rights, members, easements, and appurtenances to the same respectively belonging, shall be and become, and remain and continue vested in the Crown, according to the respective nature and quality of the messuages, lands, tenements, estates and other hereditaments, and the several estates and interests of and in the same hereditaments respectively.

Lands hereafter purchased by Secretary-of-State for War to become vested in Crown.

18. From and after the purchase and conveyance, grant or demise or taking thereof, all other messuages, lands, tenements, estates and other hereditaments, which shall at any time or times hereafter be purchased by the Secretary-of-State for War, or by any other person by his order or be placed under his charge for the service of the said Ordnance department and all erections and buildings which are erected and built thereon, with the rights, members, easements, and appurtenances to the same respectively belonging, by whatever mode of conveyance, either into or in the name of, or in trust for the Crown or however otherwise the same are purchased, or taken, shall, in like manner, be and become and remain, and continue vested in the Crown according to the nature and quality of the

said messuages, lands, tenements, estates, and other hereditaments, and the several and respective estates and interests of and in the same respectively.

19. (1) It shall be lawful for the Minister

- (a) to sell, exchange or in any manner dispose of, or to let or demise, any of the messuages, lands, tenements, estates and other hereditaments, which are vested in the Crown under and by virtue of this Part, with their respective appurtenances, either by public auction or private contract; and
- (b) to convey, surrender, assign or make over or to grant or demise the same respectively, as the case may require, to any person or persons who may be willing to purchase or take the same in exchange, or otherwise respectively; and
- (c) to do any other act, matter or thing, in relation to any such messuages, lands, tenements, estates, and other hereditaments, which by the Minister are deemed beneficial to the public service in relation thereto or for the better management thereof, which might be done by any person having a like interest in any such messuages, lands, tenements, estates, and other hereditaments.

Minister may dispose of such lands.

(2) Nothing in this Part shall be construed to give to the Crown a greater or better estate in the said messuages, lands, tenements, estates and other hereditaments, or any of them, than was vested in the Crown or the persons holding the same in trust for the Crown at the 10th May, 1845.

20. The money to arise and be produced by the sale or exchange of any of the said messuages, lands, tenements, estates or hereditaments, which are so sold or exchanged under this Part, shall be paid by the respective purchaser or purchasers thereof, or the person or persons making the exchange, into the Consolidated Fund and the receipt of the Accountant-General for such moneys (such receipt to be endorsed on every such conveyance or surrender or assignment as aforesaid) shall effectually discharge the purchasers or persons by whom or on whose account it is paid.

Receipt of Accountant-General endorsed on the conveyance, a sufficient discharge. L.N. 168/1967.

After pay-
ment of
the pur-
chase
money and
execution
of the con-
veyance,
purchaser's
title in-
defeasible.

21. Immediately from and after the payment of such purchase money and the execution of such conveyance, surrender or assignment as aforesaid, the purchasers therein named or the persons making such exchange shall be deemed and adjudged to stand seised and possessed of the messuages, lands, tenements, estates and hereditaments which are so purchased or taken in exchange by, and conveyed, surrendered, assigned or made over to them, respectively, and, notwithstanding any defect in the title of the Crown thereto, freed and absolutely discharged of and from all manner of prior estates, leases, rights, titles, interests, charges, incumbrances, claims and demands whatsoever, which can or may be had, made or set up into, out of or upon, or in respect of the same messuages, lands, tenements, estates, or hereditaments by any persons whomsoever or on any account whatever, save and except such estates, leases, rights, titles, interests, charges, incumbrances, claims and demands whatsoever, as in any such conveyance, surrender, deed of exchange or assignment are excepted.

PART VIA

Reclaimed Lands (Vesting)

Reclaimed
lands
vested in
the Crown.
1983-14.

21A. The land situate at the Bridgetown Deep Water Harbour and reclaimed from the sea in the process of the expansion of the Deep Water Harbour facility containing by admeasurement 8.465 hectares or thereabouts abutting and bounding on the north, west and south by the sea and on the east by the security fence that runs along the Spring Garden Road or however else the same may abut or bound is vested in the Crown.

PART VII

Lease of Certain Government Lands

Crown to
lease certain
lands to
Harrison
College.

22. The Crown is hereby authorised to lease to the Governing Body of Harrison College, on such terms and conditions as it deems expedient

- (a) all that piece or parcel of land, being part of the Queen's House lands, which lies to the north of the wall recently erected by the Vestry of the parish of Saint Michael

near the northern and eastern boundaries of the said Queen's House lands containing by admeasurement 14 perches, be the same more or less; and

- (b) all that piece or parcel of land, being part of the lands formerly known as Weymouth Estate, containing by admeasurement 5 acres, 3 roods and 19 and two-thirds perches, be the same more or less, and butting and bounding on 2 sides on other lands of the said place Weymouth, on lands of Percy Taylor and on lands of the Governing Body of Harrison College.

PART VIII

1956-38.

Admiralty Lands

23. For the purposes of this Part, the expression "the Admiralty" means the Commissioners for executing the office of Lord High Admiral of the United Kingdom.

Interpretation of Part VIII.

24. As from the 22nd August, 1977¹

Transfer and vesting of property.

(a) the lands described in paragraph 1 of the Schedule (referred to in this Act as the scheduled lands) which immediately before the appointed day were vested in the Admiralty, shall vest in the Crown free from all estates, liens and encumbrances;

Schedule 1977-31.

(b) the Crown shall have, exercise and enjoy the rights, licences and easements set out in paragraphs 2 and 3 of the Schedule (referred to in this Act as the scheduled rights) which before the appointed day were exercised and enjoyed by the Admiralty.

¹Being the day appointed by S.I. 1977 No. 196.

s.24.

SCHEDULE

1. All that lot or parcel of land containing in all fifty acres and twelve perches more or less situated at Harrison's Plantation in the parish of Saint Lucy in Barbados as shown in the plan deposited in the Registration Office and having the following boundaries

Beginning at a point on the sea shore which is the north-west corner of the property; thence $137^{\circ} 52' 174' 4''$ to the north-west corner of the Lighthouse property; thence $213^{\circ} 53' 228' 10''$ to the south-west corner of the Lighthouse property; thence $118^{\circ} 19' 145' 6''$ to a point on the south boundary of the Lighthouse property and the west edge of the Lighthouse road; thence along the west edge of the said road southeasterly $1717' 10''$; thence $218^{\circ} 10' 197' 10''$; thence $202^{\circ} 10' 190' 10''$; thence $127^{\circ} 18' 279' 11''$; thence $205^{\circ} 14' 507' 4''$; thence $175^{\circ} 44' 334' 6''$; thence $235^{\circ} 13' 229' 4''$; thence along the boundary of Friendly Hall Plantation to a point on the sea shore which is the south-west corner of the property; thence along the sea shore to the starting point.

2. Full free and unrestricted right and liberty of way and passage with or without vehicles of all descriptions over and along the road or roadway leading from the public road to the entrance to the lighthouse situate on the Crown lands being formerly part of the lands of the said Harrison's Plantation, which road or roadway is delineated in the plan and thereon coloured pink together with the right to improve and maintain the said road or roadway.

1977-31. 3. Full free and unrestricted right and liberty to erect, operate, maintain and use at such place or points in, under, over and upon any other lands as the Crown considers necessary within a radius of three-quarters of a mile from the Harrison's Point Lighthouse any wireless or telegraph poles or other apparatus; and the right to install, operate and maintain in, under, over and upon any such lands lines, cables or other means connecting the said wireless or telegraph poles or apparatus, and the right to connect the said poles, apparatus, lines, cables or other means with any facilities installed on the scheduled lands, and together with the further right of access at all reasonable times to any of the places or points aforesaid and to any facilities installed therein or thereon for the purpose of exercising or enjoying any of the rights aforesaid.

1980-37.