

CONSOLIDATED TO 30 JUNE 2012

LAWS OF SEYCHELLES

CHAPTER 228

STATE LAND AND RIVER RESERVES ACT

[6th June, 1903]

Act 11 of 1903
Act 24 of 1932
Act 3 of 1959.
Act 14 of 1963.
Act 8 of 1965.
S.I 95 of 1975.
S.I 104 of 1975.
S.I. 23 of 1976.
S.I. 72 of 1976.
Act 23 of 1976.
S.I 33 of 1977.
S.I 41 of 1991.

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PART I

Preliminary

1. This Act may be cited as the State Land and River Reserves Act.
2. In this Act the following words and expressions shall have the following meanings unless the context otherwise requires -

"destroy" means fell, cut, mutilate, lop, bark, or in any way whatsoever break or damage;

"escarpment" means the bank of any river or rivulet, the mean slope of which makes an angle of not more than twenty-six degrees with the vertical line;

"occupier" means the lessee of land, and includes a person having legal possession of real property, although his right of ownership be disputed;

"owner" means a person having the full legal ownership of land or other real property or having the usufruct, or holding under a contract of antichresis, or under a temporary grant or concession, or sequestrators;

"person" includes owners and occupiers of land, and extends to individuals, corporations, companies, societies, partnerships, and communities;

"river" or "rivulet" includes all tributaries of such river or rivulet, and means any stream in which more than ten cubic feet of water per minute usually flow, provided that whenever in such river or rivulet or any tributary thereof less than ten cubic feet of water per minute usually flow, it shall be sufficient to keep ten French feet (3 metres 23 centimetres) of the banks covered with trees and brushwood;

Provided also that when such reserves shall be situated at 550 feet or more above sea level, the reserve shall always be of 50 French feet;

"river reserves" means the banks or rivers and rivulets included in Schedule A or added to that Schedule under section 4 of this Act, and all the escarpments of such rivers and rivulets, whatever may be the height or area of such escarpments:

Provided that where a river or rivulet has no escarpment or escarpments less than thirty French feet (9 metres 74 centimetres) in width, the reserves shall include such additional land as will make with the escarpment a space of thirty French feet (9 metres 74 centimetres) on each side of such river or rivulet, the measurement in every case being made horizontally;

"State land" means all land belonging to or in the possession of the Republic, or which may be hereafter acquired by the Republic; and, for the purposes of this Act, also includes all land of which the Curator of Vacant Estates has possession, or has been sent into possession;

"tree" means timber, live or dead, brushwood, shrubs, underwood, and the branches and twigs thereof respectively;

"wood" means any tree destroyed or removed.

3 The provisions of sections 5 to 25 shall apply to all grants, sales, or leases of State land which may have been made prior to its coming into force; and all such grants, sales, or leases are hereby declared to be as valid and effectual to all intents and purposes as if they had been made under and in virtue of the provisions of this Act.

4 (1) The Minister may from time to time by order published in the Gazette, add to or withdraw from Schedule A any stream or streams, water course or water courses.

(2) Any stream or water course so added to Schedule A and all tributaries thereof shall, as the case may be, be deemed to be a river or rivulet within the meaning and subject to the provisions of this Act.

PART II

Alienation of State Land

5* State land may be sold by the President, with the exception of river reserves, where such reserves belong to the Republic.

6 (1) No portion of any State land shall be disposed of by free grant or at any other than its full value as hereinafter provided for, except in the case of land required for religious, charitable, or educational purposes or for purposes or for purposes of public utility.

(2) The President may, where the purposes for which the land is required are bona fide religious, charitable, or educational, or of public utility, grant a concession or a lease of such land on payment of a nominal price or rent.

(3) All such grants or leases shall be conditional on the land being or continuing to be applied to the purposes for which the grants or leases have been made.

7 All sales of State land shall be by public auction, or by public tender:

Provided that sales of State land of up to five acres may be effected by private contract.

8*. The President may exchange State land for any other land by private contract upon such terms and conditions as he may determine.

9* The President may give State land by private contract upon such terms and conditions as he may determine in payment either in whole or in part of any compensation payable in respect of land compulsorily acquired by the Government under the Lands Acquisition Act.

10 (1)* All leases of State land shall be by public auction, public tender, or by private contract, upon such terms and conditions as the President shall approve, provided the same be not inconsistent with the provisions of this Act, and the rents for the said lands shall be invariably paid in advance.

*Functions of the President under sections 5, 8, 9, 10 and 11(1) delegated to the Minister responsible for Land, Principal Secretary, Community Development and Director of Lands (SI 58/1993) Cap 241 (Sub. Leg.)

(2) Subject to the provisions of subsection (3), leases of State land shall be as nearly as may be in the form of Schedule B. The President may by regulations made under section 42 amend, vary or replace Schedule B.

(3) Nothing in subsection (2) shall be deemed to prevent the addition in any lease of any clause not existing in the aforesaid form, or the modification or omission of any clause existing therein.

11 (1)* Whenever any State land shall be intended to be sold or leased by public auction, notice of the intended sale or lease shall be given by two publications in the Gazette and in one local newspaper, if any, within the month immediately preceding the sale or lease.

(2) The notice shall state the place of sale, the upset price, the locality and approximate extent and boundaries of the land so intended to be sold.

12 (1) Should there be upon the land to be disposed of any buildings not belonging to the Republic, such lands shall be sold irrespective of the value of such buildings, the purchaser of land being left free to contract with the owner of such buildings:

Provided that, previous to such land being put up for sale, the owner of the buildings shall receive twenty-one days notice from the Government in order to elect to remove his buildings previous to the sale.

(2) If there be on the land to be sold any buildings belonging to the Republic, intended to be sold with the land, due notices thereof shall be given before the sale.

13 Every sale shall commence with the upset price, and the land shall be adjudged to the highest bidder, provided his offer shall exceed such upset price.

14 (1) The conditions of sale as approved by the President shall be read aloud by the auctioneer, and may vary according to the special circumstances of every case:

Provided that in every case one fourth of the purchase price shall be paid down previous to the purchaser being allowed to sign the conditions of sale:

Provided further that the purchaser shall give his bond and the bond of two sureties to the satisfaction of the President, bound jointly and severally with himself, to pay the balance of the purchase price at the time or times and in the manner settled in the conditions of sale.

(2) Nothing herein contained shall be deemed to take away or in any manner affect or modify the Government privileged vendor's right in and over the property thus sold.

15 The auctioneer shall forthwith pay into the hands of the Principal Secretary of the Ministry of Finance the sums paid down on account of every such sale, and it shall be the duty of the Principal Secretary, to whom the necessary information shall forthwith be conveyed by the responsible government officer, to claim payment of the balance due from the purchaser at the time or times when such payments ought to be effected.

16 (1) It shall be lawful for the President to grant time to a purchaser or purchasers for the payment of the balance due on any purchase price; and, if any such balance or balances be not paid at the time, the land shall be put up again for sale by public auction in manner and form as aforesaid.

(2) The moneys deposited on the day of sale shall be forfeited, and the bonds shall at once be referred to the Attorney-General for action in case of need:

Provided that if, on a subsequent sale or upon action brought against the original purchaser or his sureties, the whole amount of the original purchase price with all costs and incidental charges be recovered, it shall be lawful for the President to remit to the original purchaser such portion of the forfeited moneys as shall be in excess of the original purchase price, costs, and incidental charges.

17 Any purchaser shall be at liberty to pay to the auctioneer at the time of the sale the whole of the purchase money, and also pay by anticipation into the hands of the Principal Secretary of the Ministry of Finance the whole of the balance due on the purchase price.

18 (1) Every purchaser or lessee shall be bound to execute the deed of sale or of lease within a month of the adjudication and before his entry into possession:

Provided that the President, on good cause shown, may enlarge the time allowed for execution of the deed as aforesaid.

(2) Every deed of sale shall embody the conditions of sale under which the adjudication took place and a short memorandum of the adjudication, and to it shall be annexed a descriptive survey of the land sold if the conditions of sale do not convey a sufficiently clear and accurate verbal description.

(3) The survey shall be made at the expense of the purchaser.

(4) Every deed of lease shall contain the stipulated conditions of the lease, and to it shall likewise be annexed a descriptive survey under the same conditions as are enacted for deeds of sale.

19 In case any purchaser or lessee neglect to execute his title deed within the above mentioned period, he shall receive a notice to do so within fourteen days, and if such notice be not complied with within such period, the sale or lease shall be held annulled and new sale or lease proceeded with in manner and form hereinbefore provided for; and

the moneys paid by such purchaser or lessee shall be forfeited subject to the power granted to the President under section 16.

20 (1) Deed whether of sale or of lease shall be made at the expense of the purchasers or lessees, and shall be registered and transcribed by the Registrar of Deeds, at the instance of the Government, but at the expense of the said purchasers or lessees.

(2) Such deeds shall be signed by the party or parties purchasing or taking the lease on the one part and the President on the other.

(3) The provisions of subsections (1) and (2) shall apply *mutatis mutandis* to deeds by which State land is exchanged or given in payment of compensation under sections 8 and 9.

21 Persons desirous of having an opportunity of purchasing State lands which have not been advertised for sale or of obtaining a lease of the same may apply to the President, stating as precisely as possible the locality, area, and boundaries of the land required to be purchased or to be held under contract of lease.

22 It shall not be lawful for the President to grant *jouissances*, either limited or unlimited, of State lands.

23 All squatters upon State lands shall be ejected by the ordinary process of the courts of law:

Provided that when the State land squatted upon is under the value of five thousand rupees according to the estimate of the Valuer General, if the squatters set up a title to the ownership of such land, the matter shall be referred to a Judge in chambers who shall direct, if there be a really bona fide title founded upon, whatever may be the ultimate value of the land, that the ordinary legal process be resorted to; but, if there be no such title founded upon, the Judge in chambers shall order such squatter to remove from such land within such a time as may to such Judge seem just and proper, and further direct that, if the order be not complied with, such squatter shall be imprisoned for a period not exceeding three months.

24 (1) The reference to the Judge in chambers shall be summary, and ten days' notice thereof by summons given to the squatter, at the instance and by the direction of the Attorney-General, shall be sufficient, provided the service of such summons be personal or that if the squatter cannot be found, copies of the summons be left at the residence of such squatter.

(2) In case the squatter does not appear and no valid or sufficient reason for his non-appearance be given, the Judge may proceed to grant the order of ejectment by default:

Provided that such squatter shall at any time before ejectment be entitled to obtain from the Government a sale or lease of the land squatted upon, unless the same be required for purposes of public utility:

Provided further that such squatter shall in the latter case pay all costs and expenses incurred to eject or attempt to eject him.

25 (1) Whenever the Curator of Vacant Estates shall have been sent into the possession of real property, he shall give notice of the fact to the Senior Lands Officer whose duty it shall then be to keep watch over, superintend, and protect such real property on behalf and at the expenses of the vacant estate concerned:

Provided that the Senior Lands Officer shall not be at liberty to incur any expense on account of such real property, except such as may be necessary to keep watch over, superintend, and protect the same.

(2) This section shall be read and construed together with section 42 of the Curatelle Act.

PART III

Forest Rangers

26 (1) The President may from time to time, if occasion requires, appoint fit and proper persons to act as forest rangers to enforce the execution of this Act or any other law now in force or to be hereafter enacted, dealing with woods and forests and State lands and river reserves.

(2) All forest rangers shall be under the orders and subject to the control of the Chief Agricultural Officer.

27 (1) It shall be lawful for the Chief Agricultural Officer, at the request of persons owning or occupying woods and forests, to appoint keepers of such woods and forests.

(2) Such keepers shall be paid by such owners and occupiers, and they shall have within the limits of the said private woods and forests the same powers as forest rangers to assist in enforcing the provisions of this Act and of all Acts relative to woods, forests, and rivers, and whilst acting in the exercise of their functions shall be deemed to be public officers or persons employed in the public service.

28 (1) The name and appointment of every forest ranger and of every forest keeper shall be duly published in the Gazette.

(2) The notification in the Gazette of the appointment of any forest ranger or forest keeper shall be sufficient evidence before any court of the right of such forest ranger or keeper to enforce the provisions of this Act.

PART IV

Protection of State Lands and River Reserves

29 Any person who shall destroy or cause to be destroyed, or who shall remove or cause to be removed, any tree on any reserves without having received the written permission of the Chief Agricultural Officer so to do, shall be liable on conviction thereof in all cases to a fine not exceeding fifty rupees for each tree destroyed or removed, in addition to three times the value of each tree, or to imprisonment not exceeding six months:

Provided that every owner of river reserves may cut down and destroy brushwood for the purpose of planting useful or ornamental trees, on giving previous notice to the Chief Agricultural Officer of his intention to do so, and on condition that, if such trees be not planted according to notice, the penalties enacted above shall be held to have been incurred.

30 (1) It shall further be lawful for every owner of river reserves to clear away, cut down, destroy, and remove trees and brushwood on a space not exceeding thirty feet in width for the purpose of building a bridge or setting up a chausée or making a road across any river or rivulet, on a space not exceeding twelve feet for opening up the boundary line of his property; and also to clear away, cut down, destroy, and remove trees and brushwood, on a space not exceeding thirty feet in width, for the purpose of having convenient access to the river for his cattle:

Provided such spaces be not less than half a mile distant from each other on the same property.

(2) No permission shall be required for the purpose set forth in subsection (1); but notice shall be given to the Chief Agricultural Officer as to the day on which such cutting shall take place at least ten days before the trees are cut down, destroyed, or cleared.

(3) If any owner clears away, cuts down, destroys, or removes trees or brushwood, or causes or suffers the same to be cleared away, cut down, destroyed, or removed, under the false pretence that a bridge is to be built, a chausee set up, a road made, a boundary line opened, or access for cattle made, such owner shall be deemed guilty of an offence, and for every such offence shall be liable to a fine in all cases not exceeding fifty rupees for each tree destroyed or removed, in addition to three times the value of each tree, or to imprisonment not exceeding six months.

31 (1) The Chief Agricultural Officer may authorise (subject to such conditions or restrictions as he may think advisable to impose) the owners of river reserves to plant otherwise than with trees such parts of the reserves as it may be found inexpedient to plant with trees.

(2) Any person who shall plant otherwise than with trees any land comprised within the river reserves aforesaid, except with permission as above provided, shall be guilty of an offence and liable on conviction to a fine not exceeding one thousand rupees, and the plantations so made shall be forfeited.

32 Whoever without the written permission of the Public Works Manager or the Chief Agricultural Officer, is found upon any State land or river reserves provided with any axe, hatchet, saw, or other instrument or implement employed for cutting trees or working timber, shall, unless he proves to the satisfaction of the court that the axe or other instrument was intended for some lawful purpose, be liable to a fine not exceeding five hundred rupees.

33 Whoever on any State land, and without having received the written permission of the Chief Agricultural Officer, destroys, saws, works, or removes, or causes to be destroyed, sawn, worked, or removed, or begins or attempts to destroy, saw, work, or remove, any live or dead tree or timber, whether such tree is standing at the time or has previously fallen or been cut down, shall be guilty of an offence and liable on conviction to a fine not exceeding five hundred rupees in addition to three times the value of any such tree or timber or to imprisonment not exceeding six months.

34 (1) Any person who, either wilfully or through his own negligence, shall, by setting fire to herbage or grass, or by lighting a fire, cause a conflagration by which any tree or plantation of trees not belonging to such person, or growing on any State land or river reserves shall be destroyed, shall be liable to a fine not exceeding one thousand rupees.

(2) Any person, who shall, by any negligence whatsoever, cause the destruction of trees upon lands mentioned in the preceding subsection, shall be liable to a penalty not exceeding fifty rupees for each tree destroyed.

35 Every owner or occupier of land on which may be found the dried up bed of any river or rivulet may apply to the President for an order that such dried up bed of a river or rivulet shall not be or shall cease to be included within river reserves, and the President may grant a certificate accordingly:

Provided that such certificate may be withdrawn by the President by a notice in writing, should the President be satisfied that the circumstances under which the certificate was granted have changed and no longer justify the exemption.

36 River reserves which do not now belong to the Republic are and shall continue to be the property of the owner of the adjacent land unless legally sold, conveyed, or assigned to some other person, and it shall not be lawful for any person or persons to trespass thereon, on any pretence whatsoever, provided that the Chief Agricultural Officer and all forest rangers and other forest officers shall have a lawful right of entry to carry out or compel obedience to the provisions of this Act.

37 (1) The Government may plant with trees, unless the owner or occupier of the bordering lands elect to do so, within a reasonable time, all the main road sides, at less than 200 metres above the level of the sea, the distance between such trees not to be less than fifteen feet and not more than twenty feet, and one row of trees on each side of the road to be sufficient:

Provided that it shall not be lawful for the Government to plant trees within thirty feet of any building, if such plantation be objected to by the owner.

(2) Whoever shall, without the consent of the Public Works Manager destroy any tree planted on the sides of a main road, shall incur for each tree thus destroyed by him a penalty not exceeding two hundred rupees.

38 Any person found committing an offence against this Act may be arrested, without warrant, by the owner or occupier of the land upon which the offence has been committed, or by any forest ranger, or police officer, unless he be known to the person making the arrest, or give satisfactory information or reference with respect to his name and place of residence.

39 Any person apprehended under the provisions of section 38 shall immediately be taken to the nearest police station and shall be dealt with in accordance with the provisions of section 24 of the Criminal Procedure Code.

40 Any forest ranger, any police officer, or any clerk or officer of the Public Works Department or of the Agricultural Department or of the Lands Department may enter and cross any land for the purpose of visiting or inspecting any State land or any reserves.

41 Any person who shall by violence, intimidation menace, or otherwise, obstruct or hinder, or who shall assault any person acting under the authority of this Act and for the execution of the provisions thereof shall be liable to a fine not exceeding five hundred rupees, or to imprisonment not exceeding six months, or both.

PART V

Miscellaneous

42 (1) It shall be lawful for the President to make regulations from time to time for the purpose of carrying out the objects and provisions of this Act.

(2) Such regulations may inflict a penalty not exceeding five hundred rupees for any breach or contravention thereof.

SCHEDULE A

[SECTION 2]

[List of Rivers and Rivulets in the Islands of Mahé, Praslin, and La Digue]

MAHÉ

NOS	NAMES	WHERE SITUATED
1.	Anglaise	)
2.	Cabris or Quincy	)
3.	Moussa	) Victoria
4.	Maintry	)
5.	St. Louis	)
6.	Trois Frères	)
7.	Quenet or Finette	)
8.	Corgat	) Mont Fleuri
9.	Rochon	)
10.	Belvédère	)
11.	Plaisance	) Plaisance
12.	Mamelles	Mamelles
13.	Providence No. 1	)
14.	Providence No. 2	) Providence
15.	Button	)
16.	IV Mile	) Petit Paris
17.	Cascade	)
18.	Rouleaux or Bayonne	) Cascade
19.	Déjeuner	Anse Dejeuner

NOS	NAMES	WHERE SITUATED
20.	François	Anse Francois
20a.	Pointe La Rivulet on Mrs.	)
P.9/1906	d'Argent's property	) Pointe La Rue
21.	Mondon	)
22.	Grand Bassin	) Anse Aux Pins
23.	Nageon	)
24.	Du Cap	)
25.	Numa La Rue or Hermitte	) Le Cap
26.	Théodore Butler	)
27.	Dijoux or St. Jorre	) Anse aux Courbes
28.	Jumeau or Mont Plaisir	)
29.	Royale or Canelles	) Anse Royale
30.	Baleine	Anse Baleine
31.	Bougainville	Anse Bougainville
32.	Cap Lascar	Cap Lascar
33	Hoareau or Anse Forbans	Anse Forbans
34.	Grande Police	Grande Police
35.	Anse Cachée	Anse Cachée
36.	Intendance	Intendance
37.	Takamaka	Takamaka
38.	Two rivulets on Jumeau's	)
39.	property at Maravi	) Anse Takamaka

NOS	NAMES	WHERE SITUATED
40.	Baie Lazare)	
41.	Two rivulets on Val-Mer Estate)	Baie Lazare
42.	(Lemarchand))	
43.	Anse Soleil	Anse Soleil
44.	Anse aux Poules Bleues	Anse aux Poules Bleues
45.	Edouard Morel	Anse aux Poules Bleues
46.	Bouchereau	Anse à la Mouche
47.	Anse La Mouche or XIV Mile	Anse à la Mouche
48.	Anse Louis	Anse Louis
49.	Souvenir or Bestel)	
50.	Bon Espoir or Jouanis)	
51.	IX Mile (2 branches))	Anse Boileau
52.	Baillon)	
53.	R. Dupuy)	
54.	Gaspard)	
55.	Barbaron)	Petit Barbaron
56.	Barbaron No. 2)	
57.	Dauban	Barbarons.
58.	Sèche)	
59.	Grand Anse)	Grande Anse
60.	Beolière)	
61.	Montagne Posée)	

NOS	NAMES	WHERE SITUATED
62.	Desert or Port Glaud	) Montagne Posée, Port Glaud,
63.	Antas	) or Anse l'Islette
64.	Islette or Sauzier	)
65.	Griffiths	) Bras der Mer de l'Islette
66.	Mare aux Cochons	)
67.	Souillac	Anse Souillac
68.	Du Riz	Anse du Riz
69.	Major	Anse Major
70.	Jasmin	Anse Jasmin Estate
71.	Dans Iles or Moustache	)
72.	Dans Iles No. 2	) Dans Iles
73.	Dans Iles No. 3 or Athanas	)
74.	Mlle Anna	)
75.	Bambous	) Bel Ombre
76.	Grand St. Louis or Boulay	)
77.	Petit Port or Sullivan	Petit Port
78.	Beau Vallon or Mare Anglaise	Beau Vallon
79.	Albertine Loizeau	North West Bay
80.	Philogène	)
81.	Nezet	)
82.	Lablache	) Glacis
83.	Tirant	)

NOS	NAMES	WHERE SITUATED
84.	Glacis or Catholic Mission)	
85.	Fond de Lianes	Fond des Lianes
86.	Machabée	Anse Machabée
87.	D'Antoine	Anse Nord Est.
88.	Hodoul or St. Antoine	St. Antoine Estate
89.	Caiman or Anse Etoile)	
90.	Victor Savy)	Anse Etoile
91.	Hangar)	
92.	Conan)	
93.	Selec)	Pointe Conan
94.	Pointe Conan)	
95.	Mont Plaisir or Ribet	Mont Plaisir

PRASLIN

1.	Fond Boffay)	
2.	Pelissier)	Bay Ste. Anne
3.	Bocqué)	
4.	Anse Marie Louise	Anse Marie Louise
5.	Pickwood)	
6.	Mare Colin)	Grand Anse
7.	Catholic Mission)	
8.	Anse Kerlan	Anse Kerlan
9.	Anse Lazio	Anse Lazio

NOS	NAMES	WHERE SITUATED	
10.	Chérumont Gontier		
11.	Savy		
12.	Anse Boudin	)	
13.	Pasquière No. 1	)	Anse Boudin
14.	Pasquière No. 2	)	Pasquière
15.	Petite Cour		Petite Cour, Anse La Possession
16.	Salazie		
17.	Mrs. Rabat	)	
18.	Cote D'Or	)	Anse Vaulbert
19.	La Hauteur	)	
20.	Anse Badamier		Anse Badamier
21.	Nouvelle Découverte or Cote D'Or		Grand' Anse
22.	La Blache		Grand' Anse
23.	Durand		Grand' Anse
24.	Mouna		Grand' Anse
25.	Pierre Civine		Grand' Anse
26.	Caillemas, or Daviole de Silva		Near Anse Kerlan
27.	Charles Payet		Baie Ste. Anne
28.	La Prude		Pointe Consolation
29.	Mon Desir	Anse Boudin	P.12/1904.
30.	Ma Catherine	Anse Takamaka	P.9/1906.
31.	Mathiote	Anse Takamaka	P.9/1906.

NOS	NAMES	WHERE SITUATED	
32.	Bois Vert	Anse La Blague	P.26/33.
LA DIGUE			
1.	La Passe	)	
2.	Quinon or Reservoir	)	La Passe
3.	Payet	)	
4.	Grand' Anse or Camille	)	Grand' Anse
5.	Morel		Anse Cocos
6.	Anse Gaulettes		Anse Gaulettes
7.	Anse Sévère		Anse Sévère
8.	Heirs Eugène Laporte	Anse Sévère	P.8/1903.
9.	Julius Mellon	La Passe	"
10.	Jean Baptiste Payet	Anse La Réunion	"
11.	Francois Payet	Anse La Réunion	"
12.	Mme. William McGaw	Anse La Réunion	"
13.	Mme. Charles Morel	Anse La Réunion	"
14.	Rassoul No. 1	Property Union	"
15.	La Source à Jean	Property Union	"
16.	La Source Marron	Anse Marron	"
17.	Songe	Anse Songor	"
18.	Rassoul No. 2	Petite Anse	"
19.	Cap Bayard	Anse Grosses	P.12/1939.
		Roches	

SCHEDULE B

{SECTION 10(2)}

SEYCHELLES LEASE

This agreement made day of

A.D. one thousand nine hundred and between

President acting for the Government in such capacity, hereinafter called the Lessor, of the one part, and hereinafter called the Lessee, of the other part, witnesseth that the President, acting in his capacity as aforesaid, doth lease unto the said, who accepts the same, all that portion of State land under the name of situated at, Seychelles, as described in the memorandum of survey drawn up by dated To have and to hold from the day of A.D. one thousand nine hundred and for a term of years. Yielding therefor rent at the rate of Rupees payable in advance, on the day of in each year into the hands of the Principal Secretary of the Ministry of Finance.

And the said Lessor on the one hand covenants with the said Lessee for the quiet enjoyment of the lands hereby demised during the term of this lease, subject to the conditions hereunder, the said Lessee on the other hand covenanting and agreeing as follows, that is to say -

Art 1. That he will not assign the whole or any part of his interest under this lease, without the express permission in writing of the Lessor

Art 2. That he will not fell, permit to be felled, or otherwise injure any timber or brushwood on the land hereby leased, and that he will not clear the land or any portion thereof by fire save with the express permission in writing of the Lessor

Art 3. That the said Lessor, or any person duly authorised by him in that behalf, may enter and view the state of the land hereby leased at all reasonable times

Art 4. That the Lessee shall plant the cultivable land, and shall make and keep in repair the paths connecting the different plantations

Art 5. That, in case the rent payable by the Lessee under the conditions of this lease shall at any time be overdue more than one calendar month, and shall not be paid within one week after the same shall have been demanded by a notice to that effect served upon

the Lessee by an usher of the Court, the said lease shall thereby be and become ipso facto forfeited and cancelled, and it shall be lawful for the Lessor to re-enter upon the premises hereby demised and repossess his former estate therein

Art 6. That, in case of the non-fulfilment by the Lessee of any one of the conditions of this lease, or infraction by him of any of the prohibitory clauses herein contained, such lease shall be cancelled, and the Lessor shall be entitled to re-enter upon the premises hereby demised and repossess his former estate therein

Art 7. That, at the expiry of the terms of this lease or upon forfeiture thereof as provided for in the articles of the conditions, the Lessee will yield up the land, nowise deteriorated in value, as it stands at the date of these presents, without any claim whatever for any indemnity other than the permission to remove such buildings off the land as may have been erected or placed thereon by him, within such period as may be fixed by the Lessor, and, failing their removal within such period, the same shall become the absolute property of the Lessor, acting as aforesaid

Art 8. That, in case the land hereby leased, or any part thereof, shall at any time be required for public purposes, the Lessor, acting as aforesaid, shall have the right to resume the same on six months' notice and on payment of equitable compensation for present or prospective value of crops destroyed or otherwise withdrawn from the possession of the Lessee, and on a reduction of rent proportionate to the value of the land resumed, the amount of compensation to be assessed by two valuers, one appointed by the Lessor, and the other by the Lessee, with a Judge as referee;

Art 9. The words "public purposes" shall be held to mean the building of lighthouses, police stations, and other public buildings, the making of roads, drains, and water works for public use, and all Admiralty and War Department requirements;

Art 10. That this lease shall not have effect unless the Lessee shall, within fifteen days from the date of this lease, have caused the same to be registered and transcribed in the Office of the Land Registrar.

In witness whereof the said parties have set their hands to this Lease made in triplicate.

NO SUBSIDIARY LEGISLATION
