

National Lands

CHAPTER 191

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CHAPTER 191
NATIONAL LANDS RULES¹
(Sections 37 and 39(2))

¹ These Rules were made under the Crown Lands Act, Chapter 147, Revised Edition 1980-1990, and were previously cited as the “Crown Lands Rules”.

1. These Rules may be cited as the National Lands Rules.

PART I

NATIONAL LANDS OTHER THAN TOWN OR VILLAGE LOTS

2. Except in special cases approved by the Minister, national lands will be disposed of only by way of grants.
3. Every application to purchase land shall be made in the form shown in the Second Schedule to the National Lands Act and shall be accompanied by-
 - (a) the appropriate fee;
 - (b) a rough plan, if possible, of the land applied for.
4. A grant will not be granted to any person who has previously held a lease of national land and has had the same cancelled for failure to pay any instalment unless at least one instalment is paid in advance at the time of making the application.
5. Forms of application may be obtained from the Commissioner of Lands and Surveys.
6. In the Minister’s fiat set out in the fourth Schedule to the National Lands Act the word grantee shall be deemed to include and be applicable to the grantee as well as the executors, administrators and allowed assigns of such grantee as fully to all intents and purposes as if they had in every instance been specially mentioned.
7. All mines of gold and silver and other precious metals and minerals, all precious metals existing in the form of alluvial deposits, and coal and mineral oil, and any gems and precious stones and all ancient monuments, mounds or relics as defined in the National Institute of Culture and History Act, within the meaning of section 12 of the National Lands Act and all forest produce are strictly reserved and do not pass under the grant nor lease.
Provided that timber required for the domestic purposes of the lessee or grantee may be used without restriction and timber may be felled in clearing land for cultivation but may not be sold except under licence by the Forest Department. The right of entry on the premises to search for, dig, cut, fell or cut (as the case may be) and remove any of the above is reserved to the Government of Belize.
8. All land required for public purposes shall be reserved and declared as such by the Minister.
9. The lessee will be required to undertake to perform and observe the

following conditions, that is to say, that he will agree at all times during a period of five years from the date of the lease-

(a) to develop and cultivate the land demised by the planting of permanent crops which shall be taken to mean and include the planting of coconuts, cacao, coffee, mangoes, citrus and other fruit trees and rotational crops according to a programme approved by the Chief Agricultural Officer;

(b) to clear not less than one fifth of the total area demised and plant with permanent crops not less than one half of such cleared area each year;

(c) to follow the orders given to him by the officers of the Ministry of Agriculture and the Belize Agricultural Health Authority for the control or prevention of disease;

(d) to comply in all respects with the conditions contained in the lease.

10. The lessee will not be required to cultivate any land certified by the Chief Agricultural Officer to be unfit for cultivation. Such land shall be excluded from the conditions of the lease and the area, to which the conditions shall apply, will be the total area of the land demised less the area of such uncultivable land.

11. The price of land shall depend on its locality and shall not be less than \$1.50 per acre, including cost of survey.

12. The lessee will be required to agree not to assign or transfer or set over or by any act or deed in any manner whatsoever deal with any right or interest under the lease without the consent in writing of the Minister or some person delegated by the Minister.

13. The lessee will be required to agree to maintain the land demised together with all buildings, fixtures and erections thereon in a clean and sanitary condition to the satisfaction of the Chief Agricultural Officer or the Commissioner of Lands and Surveys.

14. The lessee will be required to pay to the Government Treasury in the district in which the land is situated a sum of money semiannually equal to one tenth of the capital value of the land demised, the first of such payments to be made within six months of the date of the lease.

15. The lessee will be required to pay land tax to the Government Treasury in the district in which the land demised is situated on the 2nd day of January of each year.

16. Should the lessee fall into arrears in respect of his instalments or in respect of land tax, he shall, at the discretion of the Commissioner of Lands and Surveys, be deemed to have committed a breach of the conditions.

17. Should the lessee desire to obtain title to his land before the expiration of five years he will be allowed to do so provided he pays the full amount of the capital value of the land demised and has cultivated it to the satisfaction of the Chief Agricultural Officer.

18. The lessee will be required, at his own expense and in accordance with instructions given him to construct any drains that may, in the opinion of the Chief Agricultural Officer, be necessary for the proper draining of the land demised.

19. The lessee will be required to provide and maintain, at his own expense,

a latrine to the satisfaction of the Medical Officer of the district in which the land demised is situated.

20. The lessee will be required to preserve all boundaries which shall be maintained clearly visible at all times to the satisfaction of the Commissioner of Lands and Surveys.

21. The Commissioner of Lands and Surveys or the Chief Agricultural Officer or any authorised agent, servant or workman thereof shall at all reasonable times be allowed to enter upon the land demised and do and perform all acts, matters or things necessary for the purpose of constructing or repairing water pipes, drains or roads therein.

22. Any breach of any of the conditions contained in the lease shall authorise the Minister on the recommendation of the Commissioner of Lands and Surveys to cancel the permission granted by the lease to occupy the land demised and thereupon the same shall cease and become null and void to all intents and purposes and the land may be entered upon by or on behalf of the Government of Belize by any person duly authorised so to do and possession thereof may be resumed by the Government of Belize and in such case the lessee shall have no claim as of right to compensation for any improvements or outlay nor shall he be considered eligible for any other land except by special permission of the Minister.

23. At the expiration of five years from the date of the lease: provided that all sums of money due from the lessee to the Government shall have been paid and all the conditions contained therein shall have been fully observed and performed, or at any earlier date when such sums shall have been paid and such conditions observed and performed, the Government will undertake to issue to the settler a grant to the land in accordance with the provisions of the National Lands Act or any statutory modification or replacement of the same.

PART II

TOWN AND VILLAGE LOTS

24. Town lots and the leases thereof will be disposed of at public auction by the Commissioner of Lands and Surveys or by any officer acting under his direction at an upset price to be fixed by the Minister in each case, after advertisement of full particulars in three consecutive issues of the *Gazette*. No lease of any town lot will be granted for a period exceeding seventy-five years.

25. Every application for the lease of National land within a town or village shall be made in the Form specified in the First Schedule to the National Lands and shall be accompanied by the appropriate fee which shall be paid in the form of stamps to be affixed to the application.

26. Forms of application may be obtained from the Commissioner of Lands and Surveys.

27. Where the applicant for a lease has arranged to take over any improvements on the lot which are the property of the previous lessee, such lease shall not be disposed of at public auction, but on such terms as the Minister may fix.

28. Where the lessee applies for a renewal of his lease it shall not be disposed

of at public auction but the terms of any such renewal of lease shall be as the Minister may fix.

29. All such applications shall be published in three consecutive issues of the *Gazette*.

30. Leases will not be cancelled without the sanction of the Minister.

31. All land required for public purposes shall be reserved and declared as such by the Minister.

PART III

RULES FOR SURVEYS

Towns

32. In the case of new townships, or extensions of existing townships, reservations for streets and roads not exceeding 66 feet in width shall be made in all places where such are considered necessary.

Rural Lands

33. In the case of rural lands, the following rules shall be observed:

(1) Reservations for roads not exceeding sixty-six feet in width shall be made wherever required.

(2) Reservations not exceeding twelve feet for rights of way shall be made wherever required.

(3) Reservations not exceeding sixty- six feet in width measured from high water mark along all water frontages shall be reserved for Government or public purposes.

(4) Access shall be provided from all surveyed lands to any public road, navigable river, creek, lake or sea shore contiguous thereto.

(5) All intersections of boundaries shall be marked by wooden or concrete posts or by mounds of stones.

(6) All boundary lines shall be cleared to a width of not less than six feet, and shall be marked on both sides at frequent intervals by trees blazed with three horizontal notches.

(7) All artificial boundaries shall be laid out along geographical meridians and parallels.

(8) The main survey lines from the starting point shall be linked to one another by traversing and shall be brought to a closure at the starting point or at some other point, the co-ordinates of which are known with reference to the starting point. Whenever practicable surveys should be connected by traverse or triangulation with the trigonometrical framework of Belize.

(9) (a) The surveys of the boundaries of all adjacent parcels shall be joined to others previously established and defined when within reasonable distance.

(b) No application for the sale, lease, alienation or disposal in any manner whatsoever, of all the national lands described in subrule (c) below shall be accepted by the Ministry of Natural Resources, the Environment, Commerce and Industry from the date of commencement of these Rules, and from that date, such lands shall not be sold, alienated, leased or disposed of in any manner whatsoever:

Provided that the Ministry of Natural Resources, the Environment, Commerce and Industry may sell, lease, alienate or dispose in any manner the lands described in paragraph (c) below after the commencement of these Rules if application for that land is made by a villager within a particular village and that application is supported by the elected representative of that village.

(c) The lands referred to in paragraph (b) above consist and are made up of all that strip of land, four miles in parallel and perpendicular width, two miles on each side of the center line of the road leading from Dump to Jalacte and to the border with Guatemala.

34. Except when specially ordered by the Minister land will only be sold or leased in parcels of rectangular shape, the lines running according to the cardinal points of the compass or as near thereto as natural boundaries will permit. The frontage on any road, river, stream, lake, sea coast or public reserve shall not exceed one fourth of the total length of the external boundaries of any parcel, except in special cases where natural or other boundaries intervene to prevent such frontage being accurately observed.