

GOVERNMENT LANDS (CONSENTS) RULES

[Cap. 155 (1948), Sub. Leg.]

[Rev. 2012]

~~1. These Rules may be cited as the Government Lands (Consents) Rules.~~

(1) In all cases where a Government lease contains an express covenant not to assign, sublet or otherwise part with the possession of the land or any part thereof without the consent of the President in writing, or where such lease is subject to the provisions of the Crown Lands Act, 1902 (No. 21 of 1902), and to the rules for the time being in force under that Act, the lessee shall not be required to obtain the consent of the President to the execution of a mortgage of the land or any part thereof the subject of the lease, but such consent must be obtained—

- (a) before a mortgagee is given or obtains possession of the land the subject of the mortgage, whether by foreclosure or otherwise; and
- (b) before the land the subject of the mortgage is sold pursuant to a power of sale, or by order of the Court.

(2) In this rule, “**mortgagee**” includes any person, corporation or company from time to time deriving title under the original mortgage.

3. In all leases of farms or town plots issued under the Crown Lands Act, 1902, the consent of the President to any assignment, transfer or sublease between parties of the same race is not required unless the assignment, transfer or sublease relates to a subdivision or re-subdivision in respect of which a separate title has not been granted by the Government:

Provided that an assignment or sublease to which the Government has been a party, or on which the Land Officer’s consent is endorsed, shall be deemed for the purpose of this notice to constitute a separate title as abovementioned.
