

No. 8.] *Land Adjudication (Amendment) Act* [1986.

I ASSENT

[L.S.]

ALLEN LEWIS,
Governor-General.

28th July, 1986.

SAINT LUCIA

No. 8 of 1986

AN ACT to amend the Land Adjudication Act, 1984.

[2nd August, 1986.]

BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the Parliament of Saint Lucia, and by the authority of the same, as follows :—

1. This Act may be cited as the Land Adjudication (Amendment) Act 1986 and shall be read as one with the Land Adjudication Act 1984 (hereinafter referred to as the principal Act).

Short title.

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Section 7
repealed and
replaced.

2. Section 7 of the principal Act is repealed and replaced as follows :

“Staying of land
suits.

7.—(1) Where a notice of completion of the adjudication record is given in accordance with section 19, no document relating to dealings in lands within the adjudication section to which the notice refers may be accepted by the Registrar of Deeds and Mortgages, unless it is endorsed by the Adjudication Officer that the adjudication record has been amended with the consent of all claimants to the interest in the land being the subject of the dealing.

(2) Except with the consent in writing of the Adjudication Officer, no action claiming an interest in land or rights to land in an adjudication section shall **be initiated in any civil court until all** proceedings under this Act have been completed.

(3) Upon the application of any party interested in the subject matter of an action claiming an interest in land or rights to land in an adjudication section instituted before the publication of the notice mentioned in section 6, the court may stay the hearing of such action and refer it to the Adjudication Officer.”.

Section 12 (1)
(e) amended.
Special powers
of a
Demarcation
Officer.)

3. Paragraph (e) of subsection (1) of section 12 of the principal Act is amended by substituting a colon for the semi-colon appearing at the end thereof and by inserting the following :

“ Provided further that no compensation shall be awarded against the Crown except with the prior approval of the Minister ; ”.

Section 15
amended.
(Disputes.)

4. Section 15 of the principal Act is amended by inserting after subsection (2) the following subsection:

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“(3) Where the Adjudication Officer has adjudicated on any dispute under this section the Minister or any other person who is dissatisfied with the decision of the Adjudication Officer shall give written notice to the Adjudication Officer of his intention to appeal.”.

5. Subsection (5) of section 17 of the principal Act is amended by substituting the figures “1984” for the figures “1983” appearing in the third line.

Section 17 (5)
amended.
(Rules to be
followed in
adjudication.)

6. Section 20 of the principal Act is amended :—

Section 20
amended.
(Petitions and
appeals against
the
adjudication
record.)

- (i) by substituting the word “petition” for the words “appeal to” occurring in the tenth line and for the word “appeal” occurring in the twelfth line of subsection (1);
- (ii) by repealing subsection (2) and substituting the following :

“(2) Where the Adjudication Officer has considered any matter under subsection (1) (except such a matter as is referred to in section 22) the Minister or any other person who is dissatisfied with the decision of the Adjudication Officer shall before the date of the certificate mentioned in section 23 give written notice to the Adjudication Officer of his intention to appeal against that decision.” ; and

- (iii) by renumbering subsections (3) and (4) as subsections (5) and (6) and by inserting as subsections (3) and (4) the following :

“(3) The Adjudication Officer shall enter a restriction on the adjudication record if he has been given a notice of appeal under this section.

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(4) Any person may within two months of the date of the certificate referred to in section 23, appeal to the Land Adjudication Tribunal against any decision of the Adjudication Officer.'

Section 21
amended.
(Procedure in
hearing
petitions and
disputes.)

7. Section 21 of the principal Act is amended :—

(i) by substituting the words "or a petition under " for the word "and " occurring in the first line ; and

(ii) by renumbering section 21 as subsection (1) and by inserting as subsection (2) the following :

"(2) The Adjudication Officer shall —

(a) make or cause to be made a record of all the proceedings on a dispute or a petition ; and

(b) make the record referred to in paragraph (a) available to the Land Adjudication Tribunal and the parties when an appeal is being heard under this Act."

Section 23
repealed and
replaced.

8. Section 23 of the principal Act is repealed and replaced as follows :—

"Finality of
adjudication
record.

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23. After the expiry of ninety days from the date of publication of the notice of completion of the adjudication record or on the determination by the Adjudication Officer of all petitions presented in accordance with subsection (1) of section 20, whichever shall be later, the adjudication record shall, subject to the provisions of the Land Registration Act, 1984, become final and the Adjudication Officer shall sign a certificate to that effect and shall deliver the adjudication record and

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demarcation map to the Registrar together with all documents received by him in the process of adjudication.”.

9. Subsection (1) of section 24 of the principal Act is repealed and replaced as follows :

“(1) Any person, including the Minister, who is aggrieved by any decision of the Land Adjudication Tribunal and desires to question that decision or any part of that decision, may within two months from the date of the decision or within such extended time as the court, in the interests of justice, may allow, appeal to the court.”.

Section 24 (1)
repealed and
replaced.
(Appeals.)

Passed in the House of Assembly this 25th day of April, 1986.

W. ST. CLAIR-DANIEL,
Speaker.

Passed in the Senate this 8th day of May, 1986.

E. HENRY GIRAUDY,
President.