



TURKS AND CAICOS ISLANDS

CHAPTER 9.07
LAND ACQUISITION ORDINANCE

Revised Edition
showing the law as at 31 August 2009

This is a revised edition of the law, prepared by the Law Revision Commissioner under the authority of the Revised Edition of the Laws Ordinance 1997.

This edition contains a consolidation of the following laws—

LAND ACQUISITION ORDINANCE

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Ordinance 1 of 1969 .. in force 30 January 1971 (G.N. 22/71)

Amended by Ordinances: 3 of 1986 .. in force 7 February 1986 (L.N. 5/1986)

9 of 1997 .. in force 25 September 1997

No Subsidiary Legislation has been made under this Ordinance



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CHAPTER 9.07

LAND ACQUISITION ORDINANCE

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CHAPTER 9.07

LAND ACQUISITION ORDINANCE

(Ordinances 1 of 1969, 3 of 1986 and 9 of 1997)

AN ORDINANCE TO FACILITATE THE ACQUISITION OF LAND FOR PUBLIC PURPOSES.

Commencement

[30 January 1971]

Short title

1. This Ordinance may be cited as the Land Acquisition Ordinance.

PART I

PRELIMINARY

Interpretation

2. In this Ordinance—

“Court” means the Supreme Court;

“land” includes benefits to arise out of land and things attached to the earth or permanently fastened to anything attached to the earth;

“person interested” includes every person claiming an interest in compensation to be made on account of the acquisition or occupation of land under this Ordinance, but does not include a tenant by the month or at will;

“public purpose” means any purpose for which the taking of possession or acquisition of any land is necessary or expedient in the interests of defence, public safety, public order, public morality, public health, town and country planning or the development or utilisation of any land (not limited to the land taken possession of or acquired) in such manner as to promote the public benefit or the economic wellbeing of the community.*
(Substituted by Ord. 3 of 1986)

* In a case in which the Governor authorises the compulsory purchase of land under the Electricity Ordinance the provisions of this Ordinance are required to be construed subject to section 10 and the Second Schedule of that Ordinance.

PART II

ACQUISITION—PRELIMINARY INVESTIGATION

Power to enter and survey

3. (1) Whenever it appears to the Governor that land in any locality is likely to be needed for any public purpose, a notification to that effect shall be published in the *Gazette* and a copy thereof served upon the owner of such land and the Permanent Secretary, Finance, shall cause public notice of the substance of such notification to be given at convenient places in such locality, and thereupon any officer either generally or specially authorized by the Governor in that behalf and his servants and workmen may—

- (a) enter upon and survey and take levels of any land in such locality;
- (b) dig or bore into the subsoil;
- (c) do all other acts necessary to ascertain whether the land is adapted for the purpose for which it is required;
- (d) set out the boundaries of the land proposed to be taken and the intended line of work, if any, proposed to be made thereon;
- (e) mark such levels, boundaries and line by placing marks and cutting trenches; and
- (f) cut down and clear away any standing crop, fence, bush or woodland, where otherwise the survey cannot be completed, the levels taken or the boundaries or line of the work marked.

(2) No person shall enter into any building or upon any enclosed yard, court or garden attached to a dwelling house unless with the consent of the occupier thereof, without previously giving such occupier at least seven days' notice in writing of his intention so to do.

Payment for damage

4. So soon as conveniently may be after any entry made under section 3 the officer so authorized as aforesaid shall pay for all damage done and, in case of dispute as to the amount to be paid for such damage, he shall at once refer the dispute to the Permanent Secretary, Finance, whose decision shall be final subject to an appeal to the Governor.

Declaration of Intended Acquisition

Declaration that land is required for a public purpose

5. (1) Whenever it appears to the Governor that any particular land is needed for a public purpose a declaration shall be made to that effect under the signature of the Cabinet Secretary.

(2) No such declaration shall be made unless the compensation to be awarded for such land is to be paid out of—

- (a) the general revenues or other public funds of the Government; or
- (b) funds provided by the Government of the United Kingdom; or
- (c) partly out of funds arising from sources mentioned in paragraphs (a) or (b) of this subsection and partly from other sources.

(3) Every declaration shall be published in the *Gazette* and shall state—

- (a) the place in which the land is situated;
- (b) the particular purpose for which it is needed;
- (c) its approximate area and all other particulars necessary for identifying it; and
- (d) if a plan has been made of the land, the place where and the time at which such plan may be inspected.

Acquisition of land after declaration

6. Whenever any land has been so declared to be needed for a public purpose the Governor shall direct the Permanent Secretary, Finance, to take proceedings for the acquisition of the land in accordance with the provisions of this Ordinance.

Land to be surveyed

7. The Permanent Secretary, Finance, shall thereupon cause the land, unless such land has already been marked out under section 3, to be surveyed, and a plan thereof made, if no plan exists.

Power to value land and to negotiate for purchase by private treaty

8. (1) The Permanent Secretary, Finance, shall then cause the land to be valued and shall enter into negotiations for the purchase of the land by private treaty.

(2) It shall not be necessary for the Permanent Secretary, Finance, to await the publication of the declaration under section 5 before entering into negotiations for the purchase of the land by private treaty.

(3) Nothing in this section shall be deemed to prohibit or delay the procedure provided by this Ordinance for compulsory acquisition of land.

Notice to persons interested

9. (1) Where no agreement by private treaty for the purchase of any land in respect whereof a declaration under section 5 has been made is arrived at within such time as the Governor may consider reasonable, the Governor shall cause notices to be posted at convenient places on or near the land to be acquired stating that claims to compensation for all interests therein may be made to the Permanent Secretary, Finance.

(2) Every such notice shall state the particulars of the land and shall require all persons interested therein to appear personally or by agent before the Permanent Secretary, Finance, at a time and place to be specified in such notice, such time not being earlier than twenty-one days after the date of publication of the notice, and to state the nature of their respective interests in the land and the amount and particulars of their claims to compensation for such interests and their objections, if any, to the survey made under section 7. The Permanent Secretary, Finance, may in any case require such statement to be made in writing and signed by the party or his agent.

(3) The Governor shall also cause notice to the same effect to be served on the occupier, if any, of such land and on all persons known or believed to be interested therein, or to be entitled to act for persons so interested, as reside or have agents authorised to receive service on their behalf, within the district in which the land is situate, provided that if any such person resides elsewhere and has no such agent the notice may be sent to him by registered post if his address can be ascertained after reasonable enquiry.

Power to require information

10. (1) The Permanent Secretary, Finance, may also require any person interested to deliver to him within a time to be specified, not being less than thirty days, a statement in writing containing, so far as may be within his knowledge, the name of every other person possessing any interest in the land or any part thereof as co-owner, mortgagee, lessee, sub-lessee, tenant or otherwise, and of the nature of such interest, and of the rents and profits, if any, received or receivable on account thereof for three years next preceding the date of the statement.

(2) Every person required under subsection (1) of this section to make any such statement who fails so to do commits an offence and shall be liable on summary conviction to a fine of \$50.

*Enquiry into Measurements, Value and Claims
and Awards by Permanent Secretary, Finance*

Enquiry and award by Permanent Secretary, Finance

11. (1) On the day specified in the notice under section 9, or on any day to which the enquiry may be adjourned, the Permanent Secretary, Finance, shall enquire—

- (a) into the objections, if any, which any person interested has stated, pursuant to the aforesaid notice, to the survey made under section 7;
- (b) into the value of the land; and
- (c) into the respective interests of the persons claiming the compensation, and shall make an award under his hand as to—
 - (i) the true area of the land;
 - (ii) the compensation which in his opinion should be allowed for the said land;
 - (iii) the apportionment of the said compensation among all the persons known or believed to be interested in the land of whose claims he has information, whether or not they have respectively appeared before him.

(2) When the amount of compensation has been settled under subsection (1) of this section, if any dispute arises as to the apportionment of the same or any part thereof, or as to the persons to whom the same or any part thereof is payable, the Permanent Secretary, Finance, may refer such dispute for the decision of the Court.

When award of Permanent Secretary, Finance to be final

12. (1) Every award shall be filed in the office of the Permanent Secretary, Finance and shall, except as hereinafter provided, be final and conclusive evidence as between the Permanent Secretary, Finance and the persons interested, whether they have respectively appeared before the Permanent Secretary, Finance, or not, of the true area and value of the land and the apportionment of the compensation among the persons interested.

(2) The Permanent Secretary, Finance shall serve a copy of the award on all persons interested whose addresses are known or can be ascertained upon reasonable enquiry at the time the award is made.

Power to summon and enforce attendance of witnesses, etc

13. For the purposes of an enquiry under this Ordinance the Permanent Secretary, Finance shall have the power to summon and enforce the attendance of witnesses including the persons interested or any of them, and to compel the production of documents by the same means, and, so far as may be, in the same manner as is provided in the case of the Magistrate's Court.

Determination of compensation

14. (1) In determining the amount of compensation to be awarded for land acquired under this Ordinance—

- (a) the following and no other matters shall be taken into consideration—
 - (i) the market value at the date of the service of the notice under section 9(3);

- (ii) any increase in the value of other land of any person interested likely to accrue from the use to which the land acquired will be put;
 - (iii) the damage, if any, sustained by any person interested at the time of the taking possession of the land by the Permanent Secretary, Finance, by reason of the severing of such land from the other land of such person;
 - (iv) the damage, if any, sustained by any person interested at the time of taking possession of the land by the Permanent Secretary, Finance, by reason of the acquisition injuriously affecting his other property (whether movable or immovable) or the actual earnings of such person;
 - (v) the reasonable expenses, if any, incidental to any change of residence or place of business of any person interested which is necessary in consequence of the acquisition.
- (b) The following matters shall not be taken into consideration—
- (i) the degree of urgency which has led to the acquisition;
 - (ii) any disinclination of the person interested to part with the land acquired;
 - (iii) any damage sustained by the person interested which, if caused by a private person, would not be a good cause of action;
 - (iv) any damage which is likely to be caused to the land acquired after the date of the publication of the declaration under section 5 by or in consequence of the use to which it has been put;
 - (v) any increase in the value of the land acquired which is likely to accrue from the use to which it will be put;
 - (vi) any outlay on additions or improvements to the land acquired, which was incurred after the date of the publication of the notice under section 5, unless such additions or improvements were necessary for the maintenance of any building in a proper state of repair;
 - (vii) the fact that the land has been compulsorily acquired.
- (2) For the purposes of subsection (1)(a)(i) of this section—
- (a) if the market value of land has been increased by means of any improvement made by the owner or his predecessor in interest within two years immediately preceding the service of the notice under section 9(3), such increase shall be disregarded unless it be proved that the improvement was made bona fide and not in contemplation of proceedings for the land being taken under this Ordinance.

- (b) when the value of land is increased by reason of the use thereof or of any premises thereon in a manner which could be restrained by any Court or is contrary to law or is detrimental to the health of the inmates of the premises or to the public health, the amount of that increase shall not be taken into account.

Taking Possession

Taking possession in case of urgency

15. (1) The Permanent Secretary, Finance may, if the Governor so directs, at such time subsequently to the publication of the notice required by section 9(1) as the Governor may specify, take possession of any land needed for a public purpose.

(2) The Permanent Secretary, Finance shall in such case offer to the persons interested compensation for the loss of standing crops and fruit.

(3) If such offer is not accepted, the value of such crops and fruit shall be allowed for in awarding compensation for the land.

Vesting of land in trust for Her Majesty

16. In every case, so soon as the Permanent Secretary, Finance enters into possession of any land in accordance with any of the provisions of this Ordinance, the land shall vest in the Governor in trust for Her Majesty in right of Her Government of the Islands from the date of such entry into possession, and a notice to that effect shall be published in the *Gazette*.

Appeals against declaration of intended acquisition

17. (1) Any person, who claims to be or claims that, if the proceedings for the acquisition of any particular land are continued, he will be an interested person, may appeal to the Court against the decision to acquire that particular land. Such appeal may be made on either or both of the following grounds—

- (a) there is an alternative site available which would apparently meet the requirements of the purpose intended without the necessity for compulsory acquisition;
- (b) the acquisition of the particular land is not necessary for the purpose intended.

(2) Any such appeal may be made at any time after the publication of the declaration referred to in section 5 and before the award of any compensation by the Permanent Secretary, Finance becomes final under the provisions of section 12, but if the appellant also makes an objection to the award of the Permanent Secretary, Finance, in respect of the same land, as hereinafter in this Ordinance provided, the Court, if it sees fit, may give directions for the consolidation of the proceedings in respect of both issues.

(3) Subject to any rules of procedure which the Judge is hereby empowered to make, relating to appeals made under this section, any such appeal shall be commenced by filing in the Court a notice of appeal setting out the grounds upon which the appeal is made, and the Court shall thereupon cause a copy of the notice to be served upon the Governor and any other person interested or person who appears to the Court to be likely to be affected by the decision in the appeal. The Court shall also cause to be served upon the Governor, or any officer appointed by him for the purpose, and upon the appellant and any other interested persons a notice of the day appointed for the hearing of the appeal. (*Amended by Ord. 9 of 1997*)

(4) If the appeal is allowed the Court shall make a declaration to that effect setting out the grounds for the decision. If the appeal is allowed upon grounds referred to in paragraph (a) of subsection (1) of this section, the Governor shall cause the proposal for the acquisition of the particular land to be reconsidered in the light of the evidence before and the finding of the Court, but shall not be bound to discontinue the proceedings for the acquisition of the land concerned if he is satisfied that in the public interest the acquisition of the particular land is preferable to the alternative site proposed by the appellant. If the Court allows the appeal upon the grounds referred to in paragraph (b) of subsection (1) of this section, the Governor shall give directions for the proceedings for the compulsory acquisition of the particular land to be discontinued.

PART III

REFERENCE TO COURT

Reference to Court

18. (1) Any person interested who is dissatisfied with any award may, by written application to the Permanent Secretary, Finance, require that the matter be referred by the Permanent Secretary, Finance for the determination of the Court, whether his objection be to the survey, the amount of the compensation, the persons to whom it is payable, or the apportionment of the compensation among the persons interested.

(2) The applicant shall state specifically the grounds on which objection to the award is taken and at the hearing no other grounds shall be given in argument without the leave of the Court.

(3) Every such application shall be made—

- (a) if the person making it was present or represented before the Permanent Secretary, Finance at the time of the enquiry under section 11, within six weeks from the date of the Permanent Secretary, Finance's award;
- (b) in other cases, within six weeks of the actual receipt of the notice from the Permanent Secretary, Finance under section 12(2) or

within twelve months from the date of the Permanent Secretary, Finance's award, whichever shall first expire.

(4) The periods within which an application for reference to the Court shall be made shall be not capable of enlargement by the Court.

Permanent Secretary, Finance's statement to the Court

19. (1) In making the reference the Permanent Secretary, Finance shall state for the information of the Court in writing under his hand—

- (a) the situation and extent of the land with particulars of any trees, buildings or standing crops thereon;
- (b) the names of the persons whom he has reason to think are interested in such land and the address of such persons;
- (c) the amount awarded for damages and paid or tendered under sections 4 and 15 or either of such sections and the amount of compensation awarded under section 11;
- (d) if the objection be to the amount of the compensation, the grounds on which the amount of compensation was determined.

(2) To the statement required under subsection (1) of this section shall be attached a schedule containing particulars of the notices served upon, and of the statements in writing made or delivered by any persons interested.

Service of notice

20. The Court shall thereupon cause to be served upon—

- (a) the applicant;
- (b) all persons interested in the objection, except such, if any, of them as have consented without protest to receive payment of the compensation awarded; and
- (c) if the objection is in regard to the area of the land or to the amount of the compensation, the Permanent Secretary, Finance,

a notice specifying the day on which the Court will proceed to determine the objection, and directing their appearance before the Court on such day.

Proceedings before the Court

21. (1) All proceedings before the Court under the provisions of this Ordinance shall take place in open Court.

(2) When the proceedings before the Court relate only to objections to the award made by the Permanent Secretary, Finance, under section 11 the Court shall restrict its enquiry to a consideration of the interest of the persons affected by the objections.

Rules as to amount of compensation

22. (1) Where the applicant has made a claim to compensation pursuant to any notice under section 9, the amount awarded to him by the Court shall not exceed the amount so claimed or be less than the amount awarded by the Permanent Secretary, Finance, under section 11.

(2) Where the applicant has refused to make such claim or has omitted, for any reason which the Judge may consider insufficient, to make such claim, the amount awarded by the Court may be less than, but shall in no case exceed, the amount awarded by the Permanent Secretary, Finance. (*Amended by Ord.9 of 1997*)

(3) Where the applicant has omitted, for any reason which the Judge may consider sufficient, to make such claim the amount awarded to him by the Court may not be less than the amount awarded by the Permanent Secretary, Finance. (*Amended by Ord. 9 of 1997*)

Awards to be in writing

23. Every award made under this Part of this Ordinance shall be in writing signed by the Judge and shall specify—

- (a) the amount awarded under section 14(1)(a)(i);
 - (b) the amount (if any) deducted under section 14(1)(a)(ii);
 - (c) the amounts (if any) respectively awarded under section 14(1)(a)(iii), (iv) and (v); and
 - (d) the grounds upon which such amounts were awarded or deducted.
- (Amended by Ord. 9 of 1997)*

Costs

24. (1) The costs of any proceedings under this Part of this Ordinance shall be in the discretion of the Court.

(2) Any costs, payable by an applicant may be recovered as if they were costs incurred in a suit in the Magistrate's Court.

Permanent Secretary, Finance may be directed to pay interest on compensation

25. If the sum which in the opinion of the Court the Permanent Secretary, Finance, ought to have awarded as compensation is in excess of the sum which the Permanent Secretary, Finance did award, the Court may direct that the Permanent Secretary, Finance, shall pay interest on such excess at the rate of five *per centum per annum* from the date on which he took possession of the land to the date of the payment of such excess to the Court or to the persons interested.

Provisions of Supreme Court Ordinance applicable

26. Save in so far as they may be inconsistent with anything contained in this Ordinance, the provisions of the Supreme Court Ordinance shall apply to all proceedings before the Court under this Ordinance. (*Amended by Ord. 9 of 1997*)

PART IV

APPORTIONMENT OF COMPENSATION

Determination of apportionment of compensation

27. When the amount of compensation has been settled and there is any dispute as to the apportionment thereof, the Judge shall determine the proportions in which any persons interested are entitled to share in such compensation. (*Amended by Ord. 9 of 1997*)

Costs of apportionment to be borne by persons interested

28. The costs of all proceedings for apportioning the amount of compensation shall be borne by such of the persons interested in such proportions as the Judge shall determine. (*Amended by Ord. 9 of 1997*)

PART V

PAYMENT

Payment of compensation

29. (1) After an award under section 11 has been made, the Permanent Secretary, Finance, shall offer in writing to pay the compensation awarded by him to the persons interested entitled thereto according to the award, and shall pay it to such persons unless prevented by one or more of the contingencies mentioned in subsection (2) of this section.

(2) If any of the persons interested do not consent to receive such compensation, or if there be no person competent to alienate the land, or if there be any dispute as to the right to receive the compensation or as to the apportionment of it, the Permanent Secretary, Finance, shall apply *ex parte* to the Judge for an order authorising him to deposit the amount of the compensation in Court. (*Amended by Ord. 9 of 1997*)

(3) Every application under subsection (2) of this section shall be supported by an affidavit.

(4) Any person interested, upon providing sufficient security to the satisfaction of the Court, may receive such payment under protest as to the

sufficiency of the amount and such receipt shall not be deemed to prejudice his right to make application under section 18:

Provided, however, that no person who has received such payment otherwise than under protest shall be entitled to make application under section 18.

(5) Notwithstanding anything in this section, the Permanent Secretary, Finance, instead of awarding a monetary compensation in respect of any land, may enter into any arrangement with a person having a limited interest therein in such a way as may be equitable having regard to the interests of the parties concerned.

Payment of interest

30. When the amount of compensation is not paid or deposited on or before taking possession of the land, the Permanent Secretary, Finance shall pay the amount awarded with interest thereon at the rate of five *per centum per annum* from the time of taking possession until it has been paid or deposited.

PART VI

TEMPORARY OCCUPATION OF LAND

Temporary occupation of land

31. (1) Whenever it appears to the Governor that temporary occupation and use of any land is needed for any public purpose he may direct the Permanent Secretary, Finance to procure the occupation and use of the same for such term not exceeding three years as he thinks fit.

(2) The Permanent Secretary, Finance shall thereupon give notice in writing to the persons interested that the land is required for a public purpose to be specified in the notice and he shall for the occupation and use thereof and for the materials (if any) to be taken therefrom pay to such persons such compensation either in a lump sum of money or by monthly or other periodical payments, as shall be agreed upon.

(3) In case the Permanent Secretary, Finance and the persons interested differ as to the sufficiency of the compensation or the apportionment thereof the Permanent Secretary, Finance, shall refer such difference for the decision of the Court.

Power to enter and take possession of land

32. (1) Upon service of the notice referred to in section 31(2), the Permanent Secretary, Finance may enter upon and take possession of the land and use or authorise its use for the purpose specified in such notice.

(2) On the expiration of the term referred to in section 31(1) the Permanent Secretary, Finance shall make or tender to the persons interested

compensation for the damage, if any, done to the land and not provided for by the agreement and shall restore the land to the persons interested therein.

(3) If the land has become permanently unfit to be used for the purpose for which it was used immediately before the occupation thereof, and if the persons interested shall so require, the Governor shall proceed under this Ordinance to acquire the land as if it was needed permanently for a public purpose.

Dispute as to condition of land

33. Where the Permanent Secretary, Finance and the person interested differ—

- (a) as to the condition of the land at the expiration of the term; or
- (b) as to the compensation to be paid under section 32(2); or
- (c) as to any matter connected with the agreement,

the Permanent Secretary, Finance shall refer such difference for the decision of the Court, and upon such reference or upon a reference under section 31(3), the Judge in Chambers shall decide the dispute.

PART VII

MISCELLANEOUS

Service of notices

34. (1) Service of any notice under this Ordinance shall be made by delivering or tendering a copy thereof duly signed to the person to whom such notice is addressed and by publication thereof in the *Gazette*.

(2) When such person cannot be found, the service may be made on any adult member of his family residing with him; and if no such adult member can be found the notice may be served by publication in the *Gazette* and by affixing a copy thereof in some conspicuous place on the land to be acquired:

Provided that, in any case in which a person required to be served with a notice under the provisions of this Ordinance is believed to be absent from or ordinarily resident outside the Islands or in any other case if the Permanent Secretary, Finance or the Court so directs, such notice may be sent by registered post addressed to the person named therein at his last known address or place of business, and the service of the notice may be proved by the production of the registration receipt.

Offences

35. Every person who wilfully obstructs any person in the execution of any of the acts authorised by this Ordinance or who wilfully fills up, destroys, damages or displaces any trench or mark made under section 3 commits an offence and is liable on summary conviction to a fine of \$100.

Police to enforce surrender

36. (1) If the Permanent Secretary, Finance is opposed or impeded in taking possession of any land under this Ordinance, he shall apply to a police officer who shall enforce the surrender of the land to the Permanent Secretary, Finance.

(2) A police officer may use force as may be necessary to enforce the surrender of the land to the Permanent Secretary, Finance.

Government not bound to complete acquisition

37. (1) Except in the case provided for by section 32(3) the Government shall be at liberty to withdraw from the acquisition of any land of which possession has not been taken.

(2) Whenever the Government withdraws from any such acquisition, the Permanent Secretary, Finance shall determine the amount of compensation due for the damage, if any, done to such land and not already paid for under section 4, and shall pay such amount to the person injured, and shall pay to the persons interested all such costs as have been reasonably incurred by them by reason or in consequence of the proceedings for acquisition, together with compensation for the damage, if any, which they have sustained by reason or in consequence of such proceedings.

(3) The provisions of section 14 and of Part III of this Ordinance shall apply, so far as may be, to the determination of the compensation payable under this section.

Acquisition of part of building

38. (1) The provisions of this Ordinance shall not be put in force for the purpose of acquiring a part only of any building which is reasonably required for the full and unimpaired use of the remainder of such building if any person interested desires that the whole of such building shall be acquired.

(2) The question whether a part of any building is reasonably required for the full and unimpaired use of the remainder of the building shall, if the parties cannot agree, be referred by the Permanent Secretary, Finance to the Court for determination.

(3) If any question arises as to whether any land proposed to be taken under this Ordinance does or does not form part of a building which is reasonably required for the full and unimpaired use of the whole building or any part thereof within the meaning of this section, the Permanent Secretary, Finance shall refer the determination of such question to the Court and shall not take possession of such land until the question has been determined.

Acquisition of whole or any additional part of land where compensation claimed for severance is excessive

39. (1) Where in any case the Governor considers that the portion of the compensation claimed which is attributed to damage caused by the severance of the land to be acquired from other land of the person interested, is unreasonable or excessive, he may at any time before the Permanent Secretary, Finance has

made his award, order the acquisition of the whole or any additional part of such land.

(2) No fresh declaration or other proceedings under sections 5 to 11 (both inclusive) shall be necessary; but the Permanent Secretary, Finance shall without delay furnish a copy of the order of the Governor to the person interested and shall thereafter proceed to make his award under section 11.

Exemption from Stamp Duty, etc

40. No award or agreement made under this Ordinance shall be chargeable with Stamp Duty, and no person claiming under any such award or agreement shall be required to pay any fee for a copy of any such award or agreement.

Bar of suits to set aside awards

41. No suit shall be brought to set aside an award or apportionment under this Ordinance.

Regulations

42. (1) The Governor may make regulations generally for the better carrying out of the provisions of this Ordinance.

(2) Regulations made under this section shall not come into operation until they have been approved by the House of Assembly.

