

Land (Adjudication of Rights and Interests) Act

Cap. 228A.

**LAND (ADJUDICATION OF RIGHTS AND INTERESTS)
REGULATIONS, 1988**

1988/73.

Authority: These regulations were made on 29th June, 1988 by the Minister under section 33 of the *Land (Adjudication of Rights and Interests) Act*.

Commencement: 12th September, 1988.

1. This Regulations may be cited as the *Land (Adjudication of Rights and Interests) Regulations, 1988*. Short title.
2. For the purposes of these regulations Definitions.

“application fee” means the fee specified in the *Third Schedule* that is payable upon the submission of an application for declaration of a right or interest in land; Third Schedule.

“first registration fee” means the relevant fee, as determined by reference to the *Second Schedule*, that is payable upon the submission of a claim for a declaration of title to land. Second Schedule.
3. The forms prescribed in the *First Schedule* must be used for the purposes of land adjudication. Forms.
First Schedule.
4. All claims and applications made pursuant to the Act must be lodged at or posted to, the Land Registry Department. Submission of claims and applications.
5. (1) The first registration fees payable upon the submission of the declaration of title to freehold or leasehold land are specified in the *Second Schedule*. First registration fees and application fees.

(2) The application fee payable upon the submission of an application for the declaration of a right or interest over land, whether or not the land is situated within a registration district, is specified in the *Third Schedule*. Second Schedule.
Third Schedule.

regs.6-9

Payment of
fees.
Second and
Third
Schedules.

6. (1) All first registration fees and application fees specified in the *Second* and *Third Schedules* shall be paid at the Land Registry Department and evidence of such payment must accompany the application or claim.

(2) Notwithstanding paragraph (1), payment of first registration fees or application fees may be made by CERTIFIED CHEQUE made payable to "The Registrar of Titles" and such certified cheque must accompany the application or claim.

Exemption.
Fourth
Schedule.

7. The categories of land specified in the *Fourth Schedule* are exempt from the payment of first registration fees and application fees.

Valuation of
land.

8. (1) For the purposes of the payment of first registration fees, the value of any freehold or leasehold land shall be determined by reference to the value of such land as shown on the most recent land tax bill issued by the Commissioner of Land Tax in respect of the land that is sought to be registered.

(2) Where the Commissioner is satisfied that no such land tax bill has been issued, he may require the Commissioner of Land Tax to value the interest in respect of which a claim or application has been lodged.

Appeals.
Fifth
Schedule.

9. (1) An appeal to the Commissioner shall be made by application in the form prescribed in the *Fifth Schedule*.

(2) An application under this regulation shall be served on the Commissioner and all parties affected by the decision of the Chief Surveyor or Registration Officer before notice of the completion of the relevant adjudication record has been published.

(3) Every application must specify

(a) the nature of the act or decision of the Chief Surveyor; or

(b) the nature of the entry made in the relevant adjudication record, by which the applicant is aggrieved.

10. (1) The Commissioner shall within 21 days of the receipt of an appeal determine the matter and inform the parties to be affected by the proceedings. Determination of appeal.

(2) The decision of the Commissioner must include a statement of the reasons for his decision.

FIRST SCHEDULE

(Regulation 2)

BARBADOS

*LAND (ADJUDICATION OF RIGHTS AND INTERESTS) ACT
CAP. 228A*

FORM L.A. 1

(Section 11)

Claim for Declaration of Title to Land

CLAIM No.	FEES PAID
DATE RECEIVED	RECEIPT No.

*See Instructions at the back of this form.

1. Claimant's full name
(If the land is owned by more than one person give names also.)
2. Address of claimant(s)

3. Occupation of claimant(s)
4. Claimant(s) Tel. No.(s)
5. My/Our claim is as: Sole beneficial owner
 Beneficial joint tenants
 Tenants in common
 Lessee(s)
6. (a) Do you have any documents to support your claim? Yes/No
- (b) If YES, give brief details e.g. Deed No.286 of 1956
- (c) Do you have the documents in your possession? Yes/No
- (d) If NO, who has the documents?
7. Whereabouts of the land, claimed
 (please include the locality, estate
 or estate name and the Lot number)
8. State the parcel number of the land
 as shown on your most recent land
 tax bill
9. What is the value of the land as shown on your most recent land tax bill?
.....
10. Approximate area of land claimed
11. Is the land claimed subject to any mortgage or charge? If it is, please list the
 name(s) of the mortgagee(s) or chargee(s) (lender(s)) and the year in which
 the transaction was completed.

16. AFFIDAVIT OF VERIFICATION

I/WE,
 (Full Name)
 of
 (Address)

 (Occupation)

make oath and say as follows:

1. That I/We am/are the applicant(s) named in this application and have full knowledge of the facts set forth in the said application.
2. That the statements contained in the application are true to the best of my knowledge and belief.

Sworn at)
)
 on day of , 19)
)
 before me:)
)
 Justice of the Peace) Applicant(s)

INSTRUCTIONS FOR COMPLETION OF THIS FORM

1. Complete the form by using BLOCK CAPITALS.
2. Complete paragraphs 1-16 (inclusive) and the two (2) sheets headed: "List of documents submitted in support of claim".
3. The information supplied must be accurate.
4. Upon completion of this form it must be submitted to the Commissioner at the location where claims in your area or district are being adjudicated or it may also be lodged at LAND REGISTRY.

OTHER INSTRUCTIONS CONCERNING THE CLAIM

1. The boundaries of the land claimed should be cleared and marked.
2. Meet the Chief Surveyor or his nominee on the land when you have been told that he is coming and show him your boundaries.
3. Have the acknowledgment of your claim to show to the Chief Surveyor or his nominee.

BARBADOS

LAND (ADJUDICATION OF RIGHTS AND INTERESTS) ACT
CAP. 228A

FORM L.A. 2

(Section 14)

**Application for Declaration of Rights
or Interest over Land**

APPLICATION NO.
DATE RECEIVED

FEES PAID
RECEIPT NO.

1. Applicant's(s) full name
2. Applicant's(s) address
3. Applicant's(s) occupation
4. Applicant's(s) telephone number
5. State in detail the nature of the right or interest claimed.
6. Do you have any documents to support your application? Yes/No.
7. If YES, give brief details e.g. Deed No. 218 of 1944.
8. Do you have the document(s) in your possession? Yes/No.

BARBADOS

*Land (Adjudication of Rights and Interests) Act,
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Form L.A. 3

(Section 26)

ADJUDICATION RECORD

No.:

1. Claim No.
2. List of documents produced to the Commissioner and retained by him.

3. Manner of acquisition
(Where there is more than one owner, each name will be serially numbered).

4. CROWN/PRIVATE
(Where parcel is Crown land paras. 5, 6, 9, 10 and 11 must not be completed.
5. Nature of title *(in the case of Private Land): Absolute/provisional*

6. Where title is provisional - *(Section 22(1)(c))* give:
 - (i) Date upon which possession by provisional owner(s) commenced
 - (ii) Particulars of any document by virtue of which a right adverse to the title of the provisional owner(s) might exist
 - (iii) Any other qualifications affecting the title

7. Appurtenances
(Record in full any easements and/or restrictive agreements which benefit the property: if more than one number serially).

8. Section:
- Block and Parcel Number
- Name of parcel (if any)
- Approx. area

9. Owner(s) name(s), description(s) and address(es) in block capitals (surname underlined).
 Where two or more persons are owners, each name is to be numbered serially in the same way as in para. 3. Also state whether persons are joint owners or owners in common and, if the latter, the share of each owner - see Section 15 of the Act.
 Addresses or postal addresses *(where provided)*.

10. Restrictions, if any, on power of owner(s) to deal *(except those involving charges)*
 Where there is more than one owner, the same serial number as in paras. 3 and 9 are to be used.

11. Name and address of guardian if owner is under any disability . Section 26 of the Act.

12. Particulars of any right affecting the parcel which is registrable as a lease, mortgage, charge, easement, profit or restrictive agreement - Section 26(1)(f). For encumbrances in Leases etc. see continuation sheet(s)
(These rights are to be numbered serially, followed in each case by the nature of right (e.g. lease) and the name, description and address of the person(s) entitled to benefit).

FORM COMPLETED

Date Signature
Registration Officer

Name
(BLOCK CAPITALS)

13. Acknowledgement of acceptance of the record in the case of privately owned land - Section 26(2).

A. Signature of owner(s)

B. Signature(s) of person(s) listed in para. 12 as having an interest in the parcel

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14. Action, if any, taken under Section 28 or as a result of an application under Section 31.

Date
Commissioner of Titles

BARBADOS

*LAND (ADJUDICATION OF RIGHTS AND INTERESTS)
ACT, CAP. 228A*

FORM L.A. 4

**ACKNOWLEDGEMENT OF RECEIPT OF APPLICATION/CLAIM
UNDER THE LAND (ADJUDICATION OF RIGHTS AND
INTERESTS) ACT CAP. 228 OR THE LAND
REGISTRATION ACT, CAP. 229**

CLAIM/APPLICATION No.	REGISTRATION DISTRICT	
DATE	BLOCK No.	PARCEL No.

Receipt of your application/claim for a declaration of title to land or right, or interest over land [and the documents listed on the separate sheet] is hereby acknowledged.

Until such time as you are informed as to whether or not your claim has succeeded, any correspondence regarding the claim/application should be sent to the Commissioner of Titles, Land Registry Department, Block B, Garrison, Saint Michael.

The application /claim number indicated above must also be used in any such correspondence.

.....
Commissioner of Titles.

SECOND SCHEDULE

(Regulation 5(1))

First Registration Fees

First registration fees for registration of land where the land is situated within a registration district.

<i>Value of Freehold or Leasehold Land</i>	<i>Fee</i>
Up to \$20 000	\$ 20
\$20 001 to \$30 000	\$ 25
\$30 001 to \$40 000	\$ 30
\$40 001 to \$50 000	\$ 35
\$50 001 to \$60 000	\$ 40
\$60 001 to \$70 000	\$ 45
\$70 001 to \$80 000	\$ 50
\$80 001 to \$90 000	\$ 55
\$90 001 to \$100 000	\$ 60
\$100 001 to \$110 000	\$ 70
\$110 001 to \$150 000	\$ 80
\$150 001 to \$200 000	\$ 90
\$200 001 to \$250 000	\$100
\$250 001 to \$300 000	\$110
\$300 001 to \$350 000	\$120
\$350 001 to \$400 000	\$130
\$400 001 to \$500 000	\$140
\$500 001 to \$600 000	\$150
\$600 001 to \$700 000	\$160
\$700 001 to \$1 000 000	\$200
\$1 000 001 to \$2 000 000	\$300
\$2 000 001 to \$10 000 000	\$400
\$10 000 001 and over	\$500

THIRD SCHEDULE

(Regulation 5(2))

Application fee

Fee payable upon submission
of application for declaration
of right or interest over land \$50

FOURTH SCHEDULE

(Regulation 7)

Exemptions

1. Land owned by the Crown
2. Land owned by a statutory body
3. Land owned by a registered charity
4. Land owned by an old age pensioner where the value of such land does not exceed \$20 000
5. Land owned by the University of the West Indies

FIFTH SCHEDULE

(Regulation 9(1))

*Land (Adjudication of Rights and Interests) Act,
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FORM L.A.5

(Section 31)

APPLICATION TO THE COMMISSIONER

To: The Commissioner of Titles

I/WE

of
.....

HEREBY APPEAL by way of APPLICATION against:

[state the exact nature of the matter by which you are aggrieved]

The adjudication took place on the day of , 19
at in the parish of . The
parcel(s) of land to which the application relates is/are situated at
in the parish of

Dated this day of , 19

.....
Signature of Applicant(s)

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