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Third Session Eleventh Parliament Republic of  
Trinidad and Tobago

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REPUBLIC OF TRINIDAD AND TOBAGO

**Act No. 7 of 2018**

[L.S.]

AN ACT to amend the Registration of Titles to Land  
Act, 2000

*[Assented to 22nd June, 2018]*

ENACTED by the Parliament of Trinidad and Tobago as Enactment  
follows:

**1.** This Act may be cited as the Registration of Titles Short title  
to Land (Amendment) Act, 2018.

Interpretation  
Act No. 16 of  
2000

2. In this Act, “the Act” means the Registration of Titles to Land Act, 2000.

Section 3  
amended

3. Section 3 of the Act is amended—

(a) by deleting the definition of “Adjudication Officer” and substituting the following new definition:

Act No. 14  
of 2000

“ “adjudication officer” has the meaning assigned to it by section 2 of the Land Adjudication Act;”;

(b) by deleting the definition of “Certificate of Title”;

(c) by inserting after the definition of “Charge” the following new definition:

“ “condominium” means housing consisting of a complex of dwelling units in which each unit is individually owned;”;

(d) by deleting the definition of “Court”;

(e) in the definition of “encumbrance”, by deleting the word “property” and substituting the word “land”;

(f) by deleting the definition of “restriction”;  
and

(g) by inserting in the appropriate alphabetical sequence, the following definitions:

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“ “Director of Surveys” means the officer holding the office of Director of Surveys referred to in the Civil Service Act;

“Land Certificate” means a land certificate issued under section 24 and includes a certificate of lease;

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of 2000

“provisional title” means a title to land declared to be provisional under section 16 of the Land Adjudication Act;

“Senior Assistant Registrar” means a Senior Assistant Registrar appointed under section 5;”.

4. Section 5 of the Act is amended in subsection (1), by inserting before the words “Assistant Registrars”, the words “Senior Assistant Registrars and”.

5. Section 6 of the Act is amended in subsection (3), by inserting before the words “an Assistant Registrar”, the words “a Senior Assistant Registrar or”.

6. Section 7 of the Act is amended by inserting after the words “Deputy Registrar”, the words “, Senior Assistant Registrar”.

7. Section 9 of the Act is amended by inserting after the words “Deputy Registrar”, the words “, Senior Assistant Registrar”.

8. Section 10 of the Act is amended by inserting after the words “Deputy Registrars”, the words “, Senior Assistant Registrars”.

9. Section 13 of the Act is amended—

Section 13  
amended

(a) in subsection (2)—

(i) in paragraph (c), by deleting the punctuation at the end of the paragraph and substituting the words “; and”; and

(ii) by inserting after paragraph (c), the following paragraph:

“(d) a condominium folio in respect of every condominium unit created in accordance with section 20.”; and

(b) in subsection (4), by inserting after the word “Act”, the word “the”.

Section 14  
amended

**10.** Section 14 of the Act is amended—

(a) in subsection (1), by deleting the word “Ordinance” and substituting the word “Act”; and

(b) by repealing subsection (2) and substituting the following subsection:

“ (2) The first registration of any parcel shall be effected by the preparation of a folio in accordance with section 13, and the signing by the Registrar of the particulars of the ownership and the particulars of encumbrances, if any, appearing thereon.”.

Section 19  
amended

**11.** Section 19 of the Act is amended in subsection (2), by deleting the words “folio or”.

Sections 24 and 25  
amended

**12.** Sections 24 and 25 of the Act are amended by deleting the words “Certificate of Title” wherever they occur, and substituting the words “Land Certificate”.

Section 29  
repealed

**13.** Section 29 of the Act is repealed and the following section substituted:

“Instrument or document has legal effect and passes estate 29. An instrument or document evidencing a dealing has legal effect and passes an estate or interest in land when a memorial is endorsed on the folio under the signature of the Registrar.”.

Section 30  
amended

**14.** Section 30 of the Act is amended by—

(a) repealing subsection (1) and substituting the following subsection:

“Rectification by Registrar 30. (1) The Registrar may rectify the Register or any instrument presented for registration in the following cases:

(a) in formal matters and in the case of errors or

omissions not materially affecting the interests of any proprietor;

- (b) in any case, at any time, with the consent in writing of all persons interested;
- (c) where upon resurvey, an area shown in the Register is found to be incorrect, but in such case the Registrar shall first give notice to all persons appearing in the register to be interested or affected, of his intention to rectify; and
- (d) upon receipt of any decision of any Court or the Land Tribunal.”; and

- (b) inserting after subsection (2), the following new subsection:

“ (3) Upon proof of the change of the name or address of any proprietor, the Registrar shall, on the written application of the proprietor, make an entry in the Register to record the change.”.

**15.** Section 35 of the Act is amended by deleting the words “A person”, and substituting the words “Subject<sup>Section 35 amended</sup> to section 34(2), a person”.

**16.** Section 44 of the Act is amended—

- (a) in subsection (2), by deleting the word “restriction” and substituting the word “caveat”;

Section 44  
amended

(b) in subsection (3), by inserting after the word “minor” where it occurs last, the words “and provide a certified copy of the Birth Certificate of the minor”; and

(c) in subsection (5), by deleting the words “is guilty of” and substituting the word “commits”.

Section 61  
amended

**17.** Section 61 of the Act is amended—

(a) in paragraph (b), by deleting the words “section 34 and” and substituting the words “section 34 as”; and

(b) in paragraph (b)(ii), by inserting before the word “minerals” the words “mines and”.

Section 68  
amended

**18.** Section 68 of the Act is amended by deleting the word “66” and substituting the word “67”.

Section 71  
amended

**19.** Section 71 of the Act is amended in subsection (1)(b), by deleting the words “certificates of title” and substituting the word “folios”.

Section 73  
amended

**20.** Section 73 of the Act is amended—

(a) by renumbering section 73 as section 73(1); and

(b) in section 73(1) as renumbered, by—

(i) deleting the words “Any person” and substituting the words “An Attorney-at-law who holds, or is deemed to hold, a valid practising certificate under section 23 or 26 of the Legal Profession Act or his clerk”; and

(ii) deleting paragraph (b);

(c) by inserting after section 73(1) as renumbered, the following new subsections:

“ (2) A person may, on making an application in the prescribed form

and on paying the prescribed fee, be entitled to a certified copy of any folio or part of the parcel index map or any plan or instrument filed in the Registry.

(3) A member of the public may search the electronic records in the Land Registry to inspect any folio or any sheet of the parcel index map or any instrument or plan filed or conduct an electronic search in respect of any parcel of land.

(4) Where any person proposing to deal with registered land has, with the consent in writing of the proprietor, applied for an official search and has stated in his application the particulars of the proposed dealing, the registration of any properly executed instrument (hereinafter referred to as “the instrument”) affecting the land to be comprised in, or affected by the proposed dealing, shall be stayed for a period (hereinafter referred to as “the suspension period”) of fourteen days from the time at which the application for the search was made, and a note shall be made in the Register accordingly.

(5) The instrument referred to in subsection (4) shall have priority over any other instrument which may be presented for registration during the suspension period, and shall be registered upon the expiration of the suspension period

notwithstanding any caveat or other entry for which application for registration may have been made during the suspension period.

(6) Subject to subsection (5), any instrument or document for which an application for registration is made during the suspension period, other than that affecting the proposed dealing, shall be dealt with in the same manner, have the same priority and be as effectual as if no stay of registration had been obtained.”.

Section 81 inserted

**21.** Section 81 of the Act is amended by deleting the words “is guilty of” and substituting the word “commits”.

New section 85 inserted

**22.** The Act is amended by inserting after section 84 the following new section:

“References to  
Real Property  
Ordinance,  
the Real  
Property  
Ordinance  
Registry or  
the Registrar  
of Deeds or  
the Real  
Property Act

85. (1) Except as otherwise provided in this Act, the Real Property Act is repealed in respect of lands brought under this Act and does not apply to adjudicated land or interests registered in the Land Registry.

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(2) Unless the context otherwise requires, a reference in any written law to the Real Property Ordinance, the Real Property Ordinance Registry, the Registrar of Deeds or the Real Property Act in relation to any land or in relation to any dealing or instrument affecting any land, if the land is adjudicated land, shall be deemed to be a reference to this Act or to the Land Registry or to the Registrar of Lands, as the case may be.”.



**23.** The Act is amended by deleting the words “Adjudication Officer” wherever they occur and substituting the words “adjudication officer”. <sup>Consequential amendment</sup>

Passed in the House of Representatives this 16th day of March, 2018.

**J. SAMPSON-MEIGUEL**

*Clerk of the House*

Passed in the Senate this 5th day of June, 2018.

**B. CAESAR**

*Clerk of the Senate (Ag.)*

Senate amendments were agreed to by the House of Representatives this 6th day of June, 2018.

**J. SAMPSON-MEIGUEL**

*Clerk of the House*