CHAPTER 432

REVERSION OF CERTAIN LANDS ACT

To make provision for the restitution of land expropriated by virtue of the Building Development Areas Act.

1st September, 2001

ACT XVII of 2001, as amended by Legal Notices 181 and 186 of 2006.

Short title.

1. The short title of this Act is Reversion of Certain Lands Act.

2. In this Act, unless the context otherwise requires -

Cap. 303.

"the Act" means the Building Development Areas Act;

"Building Development Area" has the same meaning assigned to it in the Act.

Reversion of land and rights and interest therein.

3. (1) Subject to the provisions of this Act any land within a Building Development Area acquired in full ownership under the provisions of the Act as provided in article 5 thereof, upon publication in the Government Gazette of a legal notice to the effect that Government is relinquishing ownership of the said land, shall with effect from the date on which the land in question was acquired as aforesaid, and by virtue of this Act without any other formality required bylaw, revert to the person or persons to whom the land belonged, whether in full ownership or by title of direct or bare ownership, direct or *utile dominium,* usufruct, use or habitation, as if the acquisition by virtue of article 5 of the Act has never taken place.

(2) Upon such reversion any charge, hypothec or privilege and any other real right not mentioned in subarticle (1), as well as any lease to which the land was subject, shall revive as if it had never ceased to exist and shall continue to be operative, subject to the cessation or extinction of such right which would have ceased or have been extinguished before such reversion either in accordance with any agreement or by operation of law had the acquisition contemplated by the Act not taken place.

Cap. 296.

(3) The owners of the land shall register their title at the Land Registry in terms of the Land Registration Act within three months of such reversion. Such registration will not entitle them to an immediate issue of a "guaranteed title".

Cessation of rights to compensation. *Amended by: L.N. 181 of 2006; L.N. 186 of 2006.*

4. (1) Upon the reversion aforesaid, any compensation payable by virtue of the Act, or any other law, to any person claiming a right or interest over or in any land acquired by virtue of article 5 of the Act, including any compensation claimed for any period during which such land was not in his possession or any rights thereon were not exercisable, shall cease to be payable:

Provided that where, in respect of any land, right or interest, a person can show to the satisfaction of the Civil Court, First Hall, that had the land or right not reverted to him as provided

by article 3, the compensation to which he would have been entitled would have been greater than the value of the land, right or interest aforesaid at the time of reversion, such person shall be entitled to be paid the difference in value, and where no land, right or interest can revert by virtue of that article, the compensation payable by virtue of the Act, or any other law, shall continue to be payable.

(2) Any claim made under the proviso to subarticle (1) shall only be entertained if made by sworn application filed before the lapse of one year from the coming into force of this Act.

Where rights have been transferred.

5. Where the persons from whom the land in question was acquired have transferred their rights to compensation to any other person whether by act *inter vivos* or *causa mortis,* the transfer shall, unless otherwise agreed to in the act of transfer, be deemed to be the transfer of the land or other interest therein represented by such rights.