

I assent.

(L.S.)

AGATHA BARBARA
President

12th July, 1983

ACT No. XI of 1983

AN ACT further to amend the Land Registration Act, 1981.

BE IT ENACTED by the President, by and with the advice and consent of the House of Representatives, in this present Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the Land Registration (Amendment) Act, 1983, and shall be read and construed as one with the Land Registration Act, 1981, hereinafter referred to as "the principal Act".

Short title.

2. Immediately after section 14 of the principal Act, there shall be added the following new sections:

Addition of new sections to the principal Act.

"The Minister may order that certain lands be registered.

14A. (1) The Minister may from time to time, by order in the Gazette direct that any title to land shall be registered whether such land is or is not in a registration area,

(2) The Minister may make such order either:

(a) with reference to particular areas which shall be defined by reference to a map or maps included in the order or in such other manner as he may deem appropriate; or

(b) with reference to any person or group of persons; or

(c) with reference to any type of title or right in or over property.

(3) The Minister may in any such order direct that such registration shall be made within a period to be fixed in the order, which period shall in no case be of less than three months.

(4) Where land is registered by virtue of this section, this Act shall apply thereto as if it were situated in a registration area.

(5) Any person who —

(a) fails to comply with an order made by the Minister in virtue of subsection (1) of this section; or

(b) in the course of any proceedings before the registrar or a court in pursuance of this Act, and in relation to any land which is to be registered pursuant to an order made by the Minister in virtue of subsection (1) of this section, with intent to conceal the title or claim of any person, or to substantiate a false claim, suppresses, attempts to suppress, or is privy to the suppression of, any document or fact; or

(c) in relation to any land which is to be registered pursuant to an order made by the Minister in virtue of subsection (1) of this section, fraudulently procures or attempts fraudulently to procure, or is privy to the fraudulent procurement of any entry on, erasure from or alteration of, the register or any land or charge certificate;

shall be guilty of an offence against this Act and on conviction shall be liable to the penalties established in section 56 of this Act, and the Court may order the forfeiture in favour of the Government, of the land in respect of which the offence is committed.

Registration of certain rights.

14B. (1) The Minister may from time to time, by order in the Gazette, direct that the rights referred to in any of paragraphs (a) to (1) of subsection (1) of section 41 of this Act shall be declared to the registrar, whether the land subject to such rights is or is not in a registration area and whether such land is registered or not.

(2) The Minister may make such order either:

(a) with reference to particular areas which shall be defined by reference to a map or maps included in the order or in such other manner as he may deem appropriate; or

(b) with reference to any person or group of persons whose land is subject to any right referred to in subsection (1) of this section; or

(c) with reference to any person or group of persons in whose favour or in favour of whose land any right referred to in subsection (1) of this section exists.

(3) The Minister may in any such order direct that such declaration shall be made within a period to be fixed in the order, which period shall in no case be less than three months.

(4) The declaration referred to in subsection (1) of this section shall be made on such form issued by the registrar as is provided in subsection (1) of section 5 of this Act and shall be accompanied by such information and documents as the registrar may require.

(5) The registrar shall keep a roll of the declarations made in pursuance of subsection (1) of this section.

(6) (i) Any person in whose favour any right declared to the registrar has been transferred shall, within eighteen days from such transfer, give notice thereof to the registrar on such form issued by the registrar as is provided in subsection (1) of section 5 of this Act; and the registrar shall note such transfer in the roll referred to in subsection (5) of this section;

(ii) For the purposes of this section transfer of a right includes the extinction of that right, change in the modalities regulating it, the release of any land from any right in or over such land, and the transfer effected by means of a note made in accordance with the provisions of section 6 of the Devolution of Certain Church Property Act, 1983.

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(7) Any person who fails to comply with an order made by the Minister in virtue of subsection (1) of this section or who fails to give the notice referred to in subsection (6) of this section within the period therein stipulated shall be guilty of an offence against this Act and shall on conviction be liable to the penalties established in section 56 of this Act.”.

Passed by the House of Representatives at Sitting No. 118 of the 11th July, 1983.

DANIEL MICALLEF
Speaker

C. MIFSUD
Clerk to the House of Representatives