

CHAPTER 229C

LAND (TITLE DEEDS RESTORATION)

1990-6

This Act came into operation on 1st April, 1995 by Proclamation (S.I. 1995 No. 25).

Amended by:

This Act has not been amended

Law Revision Orders

The following Law Revision Order or Orders authorized the insertion and removal of pages as the case may be under the Law Revision Act Cap.2 now repealed:

1997

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1990-6**

Arrangement of Sections

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**BARBADOS**

LAND (TITLE DEEDS RESTORATION)

1990-6

An Act to empower the Registrar of Titles to issue new title deeds to property where such title deeds have been destroyed by disaster.

[Commencement: 1st April, 1995]

Short title

1. This Act may be cited as the Land (*Title Deeds Restoration*) Act.

Interpretation

- 2.(1) In this Act

“disaster” includes fire, hurricane, flood, earthquake and civil commotion;

“Registrar” means the Registrar of Titles.

- (2) For the purposes of this Act documents or title deeds lost or damaged by disaster shall be deemed to have been destroyed.

Application for restoration of title deeds

- 3.(1) Where title deeds have been destroyed by disaster the fee simple owner of the property may apply to the Registrar for the restoration of the deeds.

- (2) An application under subsection (1) shall
- (a) be in such form as the Registrar may determine;
 - (b) identify to the satisfaction of the Registrar, the nature of the documents constituting the title deeds which were destroyed.

Registrar's power to restore title deeds

4. The Registrar may, if he is satisfied that the documents constituting the title deeds as identified in the application were destroyed by disaster, restore the deeds.

Procedure

5.(1) For the purpose of restoring title deeds the Registrar may issue a summons requiring any person to attend at the time and place mentioned in the summons to testify on oath or affirmation to all matters within his knowledge relevant to the title deeds in question, and to produce any relevant document under his control.

(2) A summons under this section shall be in such form as the Registrar may determine and shall be signed by the Registrar, and may be served personally or by post.

(3) A witness summoned under this section

- (a) may be required by the Registrar to testify upon oath or affirmation;
- (b) shall obey the summons as fully in all respects as if it were a subpoena issued from the High Court.

(4) The Registrar may report to the High Court the conduct of any person who being duly summoned, fails without reasonable excuse to attend at the proper time and place or refuses to take an oath or make an affirmation or refuses without reasonable excuse to answer to the best of his ability any proper question or to produce any document as required by the Registrar.

(5) Where a report is made under subsection (4), the High Court may inquire into the matter, and after hearing any evidence produced against or on behalf of the person concerned, may punish that person in the same manner as if he had been guilty of contempt of the High Court.

Effect of restored title deeds

6. Any document constituting a title deed that is restored by the Registrar under this Act shall have full legal effect for any purpose under any enactment or rule of law in force in Barbados.