

**State Lands Act
(CHAPTER 314)**

Table of Contents

Long Title

Part I STATUTORY GRANTS AND LEASES

1 Short title

2 Interpretation

3 Power to make rules for disposal of available lands

4 Form of grant

5 Death of grantee or lessee

6 Implied covenants in statutory grant

7 Implied conditions in grants and leases

8 Assignee bound by covenants in State grants or leases, etc.

9 Rent reserved and periodical revision of rate of rent

10 Land granted for religious purposes, when resumable

**11 Issue of State title Collector's Certificate pending final survey of
land area**

12 Agreement to be called in where title issued after survey

13 Surrender of title

13A Surrender of State lease with a view to grant of new State lease

Part II GRANTS IN FEE SIMPLE

14 Grants in fee simple

15 Corrected and amended grants

16 Surrender and regrant

17 Housing and Development Board's interest in land

18 Grants in fee simple of unrequired road reserve or strip of State land

Part III GENERAL

19 Power to make rules

20 Erection and repair of boundary marks

Legislative History

STATE LANDS ACT

(CHAPTER 314)

(Original Enactment: Consolidated Ordinance II of 1886 and Ordinance XII of 1903)

REVISED EDITION 1996

(27th December 1996)

An Act to regulate the alienation and occupation of State lands.

[28th November 1921]

PART I
STATUTORY GRANTS AND LEASES

Short title

1. This Act may be cited as the State Lands Act.

Interpretation

2. In this Act, “grant” means a grant in perpetuity and “grantee” means the owner of a grant in perpetuity.

Power to make rules for disposal of available lands

- 3.—(1) The President may make rules for the disposal or temporary occupation of State lands.

(2) Rules made under subsection (1) may provide among other matters for the following:

- (a) the mode in which applications for land shall be made and the terms and conditions on which grants, leases or other dispositions shall be issued;
- (b) the total or partial exemption, either absolutely or subject to conditions, of land from rent for a term of years, or for any life or lives, or during the maintenance of any institution; and
- (c) the time and place at which, and person to whom, rent shall be paid.

Form of grant

- 4.—(1) Every grant or lease of State land issued under this Part shall be in the prescribed form and shall be signed by the Collector of Land Revenue.

[35/80]

Reservation in favour of State of rights in respect of mineral Oil in grants and leases made by State

- (2) In every such grant and in every lease made by the Crown or the State after 3rd May 1907, there shall be implied, in the absence of an express provision to the contrary, a condition with respect to the land comprised in the grant or lease to the effect that there is reserved to the State or its grantees the right to enter upon the land and to search for and take any mineral oil which may be found therein or thereon upon paying to the grantee or lessee of the land such compensation for any damage occasioned thereby as may be assessed by the Collector of Land Revenue.

Difference as to compensation to be settled by arbitration

(3) If any person so entitled to compensation is dissatisfied with the compensation as assessed by the Collector of Land Revenue, the difference between them shall be referred to arbitration, and the sending in by that person of a claim to compensation after the Collector of Land Revenue has made an offer of compensation in writing shall be treated as a submission to arbitration under the Arbitration Act [Cap. 10], and the reference shall be to 2 arbitrators having power to appoint an umpire under the provisions of that Act.

Implied condition as to claims of right of way

(4) In every grant or lease made by the Crown or the State after 1st December 1915, there shall be implied, in the absence of an express provision to the contrary, by virtue of this Act in respect of the land comprised in the grant or lease the condition that where any claim is made to the Collector of Land Revenue by the owner or occupier of any land adjacent to the land comprised in the grant or lease for a right of way from his lands over the land comprised in the grant or lease to facilitate his access to the nearest public road —

- (a) the Collector of Land Revenue may mark out for the purpose a road or way over the land comprised in the grant or lease;
- (b) in that case the owner or occupier of those adjacent lands making the claim is entitled to pass and repass with or without horses, buffaloes, bullocks and carts or wagons over the road or way so marked out, making full compensation for damage done to growing crops and permanent improvements; and
- (c) the expense of making and maintaining any road or way used for the purpose shall be borne by the owner or occupier of the lands using it, and any dispute relating thereto shall be settled by the Collector of Land Revenue whose decision shall be final.

Presumption as to grant of estate in perpetuity

(5) Every grant of land issued under subsection (1) before 1st March 1961 shall be deemed to confer an estate in perpetuity on the grantee.

[5/61]

Death of grantee or lessee

5.—(1) Where a grant or lease has been issued under this Act, or a certificate has been issued by the Collector of Land Revenue pursuant to Part III of the Land Titles Act, to a person who, unknown to the Collector of Land Revenue, was not alive at the date of

the issue of the grant or lease or Collector's Certificate and pursuant to the issue of such grant, lease or certificate the Registrar of Titles has issued a certificate of title to the deceased person —

- (a) an application may be made by the personal representative of the deceased person to the Registrar of Titles to have the certificate of title duly amended and endorsed with the name of the personal representative as the registered proprietor of the land comprised therein in place of the deceased person; and
- (b) the Registrar of Titles, if he is satisfied that the personal representative has obtained a grant of probate of the will or letters of administration of the estate of the deceased person or has been vested with authority to act as such personal representative, as the case may be, shall make the appropriate amendment and endorsement on the certificate of title, and the State grant or lease affected, and thereupon section 109 of the Land Titles Act shall apply with the necessary modifications.

(2) For the purposes of this section, “personal representative” includes —

- (a) an executor, whether original or by representation;
- (b) an administrator; or
- (c) a trustee,

for the time being of the estate of a deceased person.

[35/80]
[35/80]
[27/93]

Implied covenants in statutory grant

6.—(1) In every grant issued under this Part, there shall be implied, in the absence of an express provision to the contrary, the following covenants by the grantee with the Government:

- (a) that the grantee, his executors, administrators and assigns will pay at the time and place prescribed in relation to the land described in the grant, the rent, if any, mentioned therein payable in respect thereof by reason of the periodical revisions mentioned in section 9;
- (b) that the grantee, his executors, administrators and assigns will maintain in substantial repair all landmarks by which the boundaries of the land are defined;
- (c) that the grantee, his executors, administrators and assigns will not use any