STATE LAND (REGULARISATION OF TENURE) ACT

CHAPTER 57:05

Act
25 of 1998
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### Note on Act No. 25 of 2005

Section 13 of the Caroni (1975) Limited and Orange Grove National Company Limited (Divestment) Act, 2005 (Act No. 25 of 2005) provides as follows:

13. (1) Subject to subsection (2) from the appointed day, the Agricultural Small Holdings Tenure Act, the Land Tenants (Security of Tenure) Act and the State Lands (Regularisation of Tenure) Act, shall not apply to the real estate undertakings vested in the State.

(2) This Act shall not operate to extinguish or otherwise derogate from any rights, benefits, legitimate expectations or real estate undertakings already acquired by or vested in any tenant or squatter under the Acts listed in subsection (1).”
CHAPTER 57:05

STATE LAND (REGULARISATION OF TENURE) ACT

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SCHEDULE.
STATE LAND (REGULARISATION OF TENURE) ACT

An Act to protect certain squatters from ejectment from State Land; to facilitate the acquisition of leasehold titles by both squatters and tenants in designated areas and to provide for the establishment of land settlement areas.

[28TH OCTOBER 1998]

WHEREAS the Government of the Republic of Trinidad and Tobago (hereinafter called “the Government”) is committed to the goal of improving living conditions, so that everyone in this society will have access to adequate and affordable shelter, with security of tenure:

And whereas the Government is further committed to the objectives of promoting security of tenure and facilitating access to land, bearing in mind the need of the population for serviced land, but at the same time recognising the inability of the underprivileged to afford serviced land:

And whereas squatting is recognised as a phenomenon in Trinidad and Tobago for well over one hundred years:

And whereas in furtherance of its commitment to improving living standards and to fostering healthy development, the Government is undertaking a programme to regularise certain squatter settlements and to prevent further squatting by providing an alternative solution in the form of land for the landless, with the intention of developing sustainable human settlements:

PART I

PRELIMINARY

1. This Act may be cited as the State Land (Regularisation of Tenure) Act.
2. (1) In this Act—

“appointed day” means 1st January, 1998;

“Certificate of Comfort” or “certificate” means the certificate issued by the Agency under Part III;

“citizen” has the same meaning as in the Immigration Act;

“Deed of Lease” or “Deed” means a Deed of Lease or Memorandum of Lease for 199 years to which a squatter or tenant may be entitled under section 4(2)(b), 4(5) or 26;

“Designated Area” means an area set out in the Schedule as amended from time to time by Order of the Minister under section 17(3);

“dwelling house” means a building or part of a building used mainly as a dwelling or residence, construction of which was completed or was in the course of completion immediately before the appointed day, and includes land occupied therewith, not exceeding 5,000 square feet more or less;

“Land Settlement Area” means an area defined and declared as such under Part VII;

“Land Settlement Agency” or “Agency” means the Agency established under section 5;

“Land Settlement Chairman” or “Chairman” means the person appointed under section 7;

“Land Settlement Committee” or “Committee” means the Committee appointed under section 7;

“landless” refers to a person who falls within a category designated as disadvantage by the Minister to whom responsibility for Social Development is assigned and who has no legal or equitable interest or any other interest or claim to such an interest, in a dwelling house, residential land, or agricultural land upon which a dwelling house is permitted to be built;

“Minister” means the Minister to whom responsibility for settlements is assigned and “Ministry” has a corresponding meaning;

“National Housing Authority” or “Authority” means the Authority established by section 3(1) of the Housing Act;
“regularisation” means the incremental physical upgrading of and provision of services to, designated areas and land settlement areas and the provision of leasehold title thereto;

“relative” in respect of any person means the spouse, parent, grandparent, brother or sister, children, including step-children and the spouses of those persons;

“resident” has the same meaning as in the Immigration Act;

“spouse” includes a person who lives together with another person as husband or wife on a bona fide domestic basis although not married to that person;

“squatter” means a person who is in actual occupation of State Land without probable claim or pretence of title thereto;

“State Agency” means a Ministry or department of Government, the National Housing Authority and a State enterprise wholly owned by the State;

“State Land” includes land held by the National Housing Authority, State Land vested in the Tobago House of Assembly, and any other land transferred to the State from time to time by any State agency for the purposes of this Act;

“Statutory Lease” means a lease for thirty years to which a squatter or tenant is declared to be entitled in a designated area under section 4(2)(b), 4(5) or 26 respectively;

“tenant” means a tenant from year to year of State Land and includes the heirs and successors in title of such tenant.

“Tobago House of Assembly” or “Assembly” means the Tobago House of Assembly referred to in section 141(A) of the Constitution.

(2) Nothing in this Act affects the operation of—

(a) the Real Property Act with respect to the bringing of State Land under the provisions thereof;

(b) the State Lands Act, except in so far as section 4(1) of this Act confers security from ejectment on any squatter, and in particular section 20 of that Act continues to have effect.
in any case where a person squats or otherwise occupies State Land either before or after the appointed day in contravention of the provisions of this Act;

(c) the Administration of Estates Act and the Wills and Probate Act in their application to succession to the estate of a tenant arising under this Act.

3. This Act applies to—

(a) a squatter in respect of his actual occupation of State Land on which there is a dwelling house before the appointed day;

(b) a squatter or tenant within a Designated Area and to a person within a Land Settlement Area;

(c) a squatter or tenant in respect of his actual occupation or tenancy of lands owned by a State Agency listed in the Schedule, and on which there is a dwelling house before the appointed day, so however that no occupant therein may obtain a Statutory Lease or a Deed of Lease until such time as the land is designated and legally transferred to the State.

4. (1) Subject to sections 11 and 27, a squatter to whom this Act applies has protection from ejectment in respect of his dwelling house.

(2) A squatter to whom subsection (1) applies is entitled—

(a) to the issue of a Certificate of Comfort in accordance with Part III in respect of one dwelling house only and such certificate may be issued in the squatter’s own name or jointly with another;

(b) subject to the provisions of this Act, to a Statutory Lease in a designated area where he complies with the requirements of section 14(2) and to the grant of a Deed of Lease in accordance with section 15.
(3) Nothing in subsection (2) or any other provision of this Act permits the issue of more than one certificate, statutory lease or Deed of lease in respect of the same dwelling house.

(4) A person who would, but for a contractual or quasi-contractual relationship with the actual occupier, be the squatter to whom this Act applies, may be treated as if he is entitled to the security provided for by this section and to a Statutory Lease if the Land Settlement Committee or the Assembly in its discretion so determines.

(5) Subject to the provisions of this Act, a tenant in a Designated Area or a Land Settlement Area is entitled to a Statutory Lease and a Deed of Lease in accordance with section 15.

PART II
ADMINISTRATION

5. (1) There is hereby established a body corporate to be known as the Land Settlement Agency.

(2) The Agency shall have a common seal which shall be officially and judicially noticed, and shall in its corporate name be capable of suing and being sued.

(3) The Constitution and procedure of the Agency shall be in accordance with the Rules pursuant to section 34(1).

(4) The Agency is charged with the responsibility for administering and carrying out the provisions of this Act with respect to State Land in the Island of Trinidad.

(5) The Tobago House of Assembly is responsible for administering and carrying out the provisions of this Act with respect to State Lands which are vested in the Tobago House of Assembly pursuant to section 54 of the Tobago House of Assembly Act.

6. In the performance of its functions and in the exercise of its powers the Agency shall act in accordance with any special or general directions, not inconsistent with the provisions of this Act, given to it by the Minister, in writing.
7. (1) The Agency shall be managed by a Land Settlement Committee which shall be headed by a Land Settlement Chairman.

(2) The Minister shall appoint a member of the Committee to be the Land Settlement Chairman.

(3) The Committee shall be appointed by the Minister and shall consist of no fewer than five persons having qualifications and practical experience in matters relating to law, planning, surveying, engineering, land management, community and social development and other related disciplines.

8. A member of the Committee shall, subject to section 9, hold office for a period not exceeding three years and such member shall be eligible for reappointment.

9. (1) A member of the Committee may at any time resign his office by instrument in writing submitted to the Minister.

(2) The appointment of a member and the termination of his office whether by death, resignation, revocation, effluxion of time or otherwise shall be noted in the Gazette.

(3) The Minister may terminate the appointment of a member for any good or sufficient cause, and in particular, where the member—

(a) becomes of unsound mind or incapable of carrying out his duties;
(b) becomes bankrupt or compounds with his creditors;
(c) is convicted of a criminal offence;
(d) is guilty of misconduct in relation to his duties;
(e) fails to carry out any of the duties or functions conferred or imposed on him under this Act.

10. The Agency and the Assembly shall have the power to cause the following to be done:

(a) title investigations;
(b) sociological and physical surveys;
(c) preparation of planning and design layouts with a view to developing viable communities;

(d) infrastructural upgrading works;

(e) cadastral surveys;

(f) establishment of Settlement Councils in communities for the purpose of—

(i) fostering community spirit and development;

(ii) settling of disputes;

(g) preparation and issue of Certificates of Comfort and Deeds of Lease;

(h) preparation and upkeep of a Register containing all relevant information pertaining to Certificates of Comfort, Statutory Leases and Deeds of Lease.

(i) enter into contract to carry out and do other acts or things incidental to the purpose of the Agency or the Assembly under this Act;

(j) research and development;

(k) facilitation of micro-enterprise within communities;

(l) all such things as are incidental or conducive to the carrying out of its functions as prescribed in this section and the Act generally.

PART III

CERTIFICATE OF COMFORT

11. (1) A Certificate of Comfort—

(a) confirms protection from ejectment pursuant to section 4(1); and

(b) does not create an interest in land but only a personal right to protection from ejectment.

(2) Within one year after the commencement of this Act (hereinafter referred to as the “prescribed period”) a squatter to whom section 4(1) applies, shall apply to the Land Settlement Agency or the Assembly for the issue of a Certificate of Comfort in respect thereof.
(3) The application shall be in the form of a sworn declaration as prescribed and shall be supported by evidence as to the existence of the squatter’s occupation before the appointed day and such evidence shall include the declaration of two deponents who are not relatives of the squatter who attest to the fact that the squatter was in actual occupation of the dwelling house before the appointed day.

(4) Upon receipt of any such application within the prescribed period, the Agency or the Assembly shall issue a certificate if it is satisfied that the dwelling house is situated on State Land.

12. A late application made after the prescribed period shall be entertained by the Agency or the Assembly for a further period of one year only and it shall be supported by the declarations of two deponents who are not relatives of the applicant who attest to the fact that the squatter was in actual occupation of the dwelling house, to which the application refers, before the appointed day.

13. Where a person makes a false declaration under section 11(3) or 12 he shall be liable, upon summary conviction, to a fine of five thousand dollars and to imprisonment for six months and the Certificate of Comfort shall be void ab initio.

PART IV

LEASES

14. (1) A Statutory Lease is an interest which derives from the operation of this Act, to which a squatter or tenant in occupation of State Land, within a Designated Area or Land Settlement Area, is entitled, subject to the requirements of subsection (2).

(2) A Statutory Lease may be acquired only—

(a) by a squatter, to whom this Act applies, who has obtained a Certificate of Comfort pursuant to section 11 and who—

(i) is a citizen or resident of at least eighteen years of age;
(ii) does not own or occupy any other dwelling house or residential land or agricultural land upon which a residential structure is permitted;

(b) by a tenant in occupation of land in a Designated Area or a Land Settlement Area.

(3) Subject to the provisions of Part VI a Statutory Lease—

(a) commences upon the making of a determination by the Committee pursuant to Part VI;

(b) may not be assigned or otherwise transferred except to the State but is transferable for the remainder of its term in the estate of a deceased person according to law;

(c) may be held jointly by squatters, to whom section 4(2)(b) applies, and tenants.

15. (1) Subject to the provisions of this section a Deed of Lease is a legal interest in State Land which may be obtained by the squatter or tenant who is entitled to a Statutory Lease.

(2) The squatter or tenant shall pay to the Agency or the Assembly on behalf of the State, a premium to be prescribed by the Minister, by Order, in consideration of the grant of a Deed of Lease.

(3) Upon full payment of the premium and annual rent reserved, infrastructure development costs and cadastral survey costs to the Land Settlement Agency or the Assembly and all fees and stamp duty in respect of the preparation and registration of the Deed, the person entitled to a Statutory Lease shall be granted a Deed of Lease for one hundred and ninety-nine years in respect of the land and any previous minor estate in the land shall cease to exist.

(4) It shall be a condition of the Deed of Lease that the State shall have the first option to purchase, on a sale of the
dwellings house within the first five years of the grant of the Deed, so however, that any assignment of the Deed at any time thereafter shall be with the consent of the Land Settlement Chairman or the Assembly, as the case may be.

(5) Infrastructure development costs may be charged where applicable and may be prorated over the term of the Statutory Lease.

16. (1) The President may, by Order, empower the Land Settlement Chairman to execute on his behalf, any Deed of Lease under this Act and to grant consent to assignments pursuant to section 15.

(2) With respect to lands vested in the National Housing Authority, the Chairman of the Authority shall, pursuant to a resolution of the Board, empower the Land Settlement Chairman to execute all Deeds of Lease under this Act on behalf of the Authority.

PART V
DESIGNATED AREAS

17. (1) A Designated Area is an area occupied by squatters and tenants which has been approved by the Minister for the purposes of regularisation and in which a squatter or tenant is entitled to a Statutory Lease and to apply for a Deed of Lease.

(2) From the date of commencement of this Act, the areas specified in the Schedule which are more particularly described in plans kept at the offices of the Agency or the Assembly, are deemed to be Designated Areas.

(3) Subject to section 19, the Minister may, from time to time, by Order, subject to affirmative Resolution of Parliament, amend the Schedule by removing areas of land therefrom or by adding areas of land thereto, including land owned by a State Agency which is occupied by a squatter pursuant to section 3(1)(c).

(4) Part VI shall apply in respect of each lot of land within the Designated Areas in the Schedule.
18. The power of the Minister to amend the Schedule may be exercised—

(a) on his own motion;

(b) on application to the Minister by—

(i) the Land Settlement Agency, or any State Agency or the Assembly;

(ii) an individual entitled to a Certificate of Comfort; or

(iii) by any other person on the basis that the requirements of section 19 have not been complied with so, however, that any such application shall be made before the expiration of the six-week period of notice referred to in section 22(3).

19. The authority of the Minister to bring an area under the Schedule is subject to the following conditions:

(a) that an Order pursuant to section 9 of the Town and Country Planning Act is obtained;

(b) that the area is not—

(i) allocated for industrial, agricultural or mining purposes;

(ii) a green belt area, such as a forestry conservation area;

(iii) required for the protection of water resources;

(iv) required for public purposes including community facilities, highway, road or pipeline reserves;

(v) designated under section 4(1) of the Environmental Management Act as an environmentally sensitive area;

(vi) required for the national interest or for security purposes;

(vii) required by a State Agency for the facilitation of its purposes.
20. For the purpose of designating an area, the Minister and the Assembly shall consult with any State Agency or person to ensure—

(a) compliance with the requirements of section 19; and

(b) that no objections to any matters or disputes as to encumbrances in respect of the State land to be designated, remain unresolved.

PART VI

INVESTIGATIONS AND PROCEDURES TO ASCERTAIN CLAIMANTS TO DESIGNATED AREAS

21. For the purpose of establishing the entitlement to security of tenure in respect of each lot of land within an area to be designated under section 17(3) or specified in the Schedule, the Committee and the Assembly shall—

(a) authorise an officer of the Agency or the Assembly to conduct an investigation of title on a lot by lot basis;

(b) cause notice of the impending title investigation to be published in at least two daily newspapers for a continuous period of seven days immediately prior to the commencement of the title investigation.

22. (1) Within twenty-eight days after completion of the title investigation the Agency or the Assembly shall cause to be published, at least once per week over a period of four weeks, in at least two daily newspapers, a notice containing the names of persons who are deemed to be claimants by the Agency or the Assembly and the description of the land in respect of which each claim is made.

(2) For the purposes of subsection (1) a person is deemed to be a claimant where—

(a) he is a squatter in actual occupation of a dwelling house; or
(b) he is a tenant of the State with respect to one or more dwelling houses or land, within a designated area or an area to be designated under section 17(3).

(3) The Agency and the Assembly shall indicate in the notice that any person wishing to challenge the claim of the claimant shall do so no later than six weeks from the last date of publication of the notice, and challenges to such claims shall be made in writing addressed to the Land Settlement Committee or the Assembly.

(4) The Assembly shall submit to the Committee on a monthly basis a list of all claims which have not been conciliated or settled at the community level.

23. (1) Subject always to the right of parties to redress in the ordinary Courts, the provisions of this section shall have effect for the resolution of disputes arising out of the operation or application of this Act.

(2) Where a person has a dispute as to encumbrances or any other matters relating to the State Land which the Minister proposes to designate, or which are already in the Schedule the Committee shall determine any such matter in accordance with subsections (3) to (5).

(3) The Committee shall first determine whether such matter may be conciliated or settled at the community level and in the case of State Lands vested in the Tobago House of Assembly, the Assembly shall so determine.

(4) Where such conciliation or settlement is not forthcoming within such time as the Committee determines, the Committee may proceed to hear and determine the matter or, where the parties consent, the Committee may appoint another person to mediate or otherwise settle the matter and in such case the decision of the mediator shall be binding on the parties.

(5) In any such case the Committee may direct the appropriate investigation to be carried out by officers of the Agency.
or the Assembly and a report thereon to be made and the Committee shall consider such report and any other evidence, including documents presented by or on behalf of the squatter, tenant or any other person having an objection or dispute relating to the designation of State Land, as the case may be.

(6) The Committee shall, upon making a determination, provide the concerned parties with a written report of the reasons therefor if so requested.

24. The Committee or the Assembly shall cause to be entered in the Register referred to in section 10(h) the names of all persons who are entitled to the Statutory Lease in respect of land in a designated area, being—

(a) the claimant whose claim has not been challenged pursuant to section 22; or

(b) where the claimant’s claim has been challenged, the party in whose favour the Committee or mediator has ruled, or in whose favour the matter has been conciliated or settled at the community level pursuant to section 23.

PART VII

LAND SETTLEMENT AREAS

25. (1) The Minister and the Assembly shall identify certain areas of State Land as Land Settlement Areas following the procedure outlined in sections 19 and 20.

(2) The Minister may, by Order, subject to affirmative Resolution of Parliament, declare such lands so identified to be Land Settlement Areas.

(3) A Land Settlement Area is an area of State land so identified and declared by the Minister for the purpose of—

(a) facilitating the provision of shelter for citizens and residents who are landless; and

(b) relocating squatters under section 27.
(4) Land in a Land Settlement Area may be laid out in accordance with an approved development plan made by the Land Settlement Agency or the Assembly, for the purposes not limited to residential use and may include areas set aside for recreation, small scale commerce, community facilities, homesteading and other uses which tend to enhance the economic and social development of the community thereby established.

26. (1) Subject to the provisions of sections 14 and 15 a person who is granted permission by the Land Settlement Agency or the Assembly to reside in a Land Settlement Area is entitled to a Statutory Lease commencing from the date that such permission is granted and to a Deed of Lease.

(2) Any person who claims to be entitled to the provision of shelter under this Act may make application to the Agency or the Assembly for land within a Land Settlement Area.

(3) Such application shall be made in writing and shall be supported by the relevant evidence as to his landless status and his inability to access land on the open market.

(4) Without prejudice to this section a person who is desirous of acquiring land in a Land Settlement Area for any of the purposes specified in section 25(4) may apply in writing to the Land and Settlement Agency or the Assembly for a lease of that Land.

(5) For the purpose of subsection (4) a person shall include a non-natural person such as but not limited to a co-operative society, association, corporation or company.

(6) In determining whether or not to approve the application of a person for a lease pursuant to section 26(4), the Agency and the Assembly shall act in accordance with the Regulations.

(7) The term of years of the lease to be granted under section 26(4), and the terms and conditions thereof, shall be in the discretion of the Agency or the Assembly as the case may be.
PART VIII

GENERAL PROVISIONS

27. (1) Notwithstanding anything herein to the contrary a person—

(a) in a Designated Area or Land Settlement Area whose dwelling house is located in such a manner as to obstruct or impede the regularisation process; or

(b) outside a Designated Area before the appointed day, where his occupation is not in compliance with the requirements of section 19 or 20;

(c) who occupies land within a Designated Area which has been removed from the Schedule pursuant to section 17,

may be directed by the Minister or the Assembly to relocate to another lot within the Designated Area or another Designated Area or a Land Settlement Area and any such direction may specify the time in which the person shall be required to relocate.

(2) A squatter who fails to comply with a direction to relocate under subsection (1) shall be referred to the Commissioner of State Lands and is liable to be proceeded against in accordance with section 20 of the State Lands Act or the Tobago House of Assembly Act as the case may be.

28. A person who occupies land—

(a) within a Designated Area after the appointed day; or

(b) within a Land Settlement Area without permission,

is liable to ejectment according to law without any compensation or other pecuniary benefit.

29. A State Agency may permit the Agency or the Assembly to enter upon its land to carry out any work referred to in section 10 for the purpose of regularisation under this Act.
30. (1) A Land Settlement Fund (hereinafter referred to as “the Fund”), to be administered by the Agency, is hereby established for the purposes of this Act.

(2) The Fund shall be utilised by the Agency for the purpose of carrying out its functions as specified in section 10 and for such other purposes as may be specified in the Regulations.

31. The Fund or any part thereof may be held on deposit with any financial institution in which public moneys of Trinidad and Tobago may lawfully be held on deposit.

32. The Agency shall establish and operate its own bank account for the purpose of this Act and shall deposit therein sums credited to the Fund.

33. The accounts of the Land Settlement Agency shall be subject to audit by the Auditor General in all respects as if the accounts of the Agency were the public accounts of Trinidad and Tobago.

34. (1) The Committee and the Assembly may make Rules for the proper conduct of their functions under this Act.

(2) The Minister may make Regulations, subject to negative resolution of Parliament, for the purpose of giving effect to this Act.

35. The Regularisation of Tenure (State Lands) Act, is repealed.

SCHEDULE

North Trinidad

Bagatelle South,
Diego Martin

Scorpion Village,
Upper Carenage
North Trinidad—Continued

Sea View Hill,
Carenage West

Factory Road Waterfall,
off Diego Martin Main Road

Upper Mercer Road,
off Diego Martin Main Road

l’Anse Mitan, Carenage
Bagatelle Central including
Savannah Terrace Nos. 1 and 2
Upper Bagatelle and Patna,
Diego Martin

Mickie Lands, Port-of-Spain
Upper Belmont Valley Road
into Lady Young Road,
Port-of-Spain South

Clifton Circular Road,
Port-of-Spain South

Clifton Lane, East Dry River

St. Paul Street, Port-of-Spain

Rose Hill, Port-of-Spain South

Lodge Place, Port-of-Spain South

St. Joseph Road,
Port-of-Spain South

Herman Scott Street,
Port-of-Spain South

Irving Lane, East Dry River

Alfred Richards Street,
Port-of-Spain South

Annisette Street,
Port-of-Spain South

Clifton Street,
Port-of-Spain South
Joropo Drive, Upper Sam Boucoud,  
    St. Ann’s
Upper Blanch Street,  
    Bourg Mulatresse
Between Carrisal Road and  
    Damien Bay, Maracas Bay Area
Mt. Hope Place, Maitagua
Sogren Trace, Laventille
Malick, Barataria
Shende Street Extension,  
    San Juan
El Socorro South
Upper Mendez Drive,  
    Champs Fleurs
William Street,  
    Champs Fleurs
Upper Mt. d’Or,  
    behind the savannah
Farm Road, St. Joseph
Quarry Drive, Champs Fleurs
Mount Hope,  
    (back of Government Housing Project)
North Elizabeth Gardens,  
    St. Joseph
North of Bamboo Drive,  
    Champs Fleurs
North of Hutton Street,  
    St. Joseph
Bamboo Settlement No. 3,  
    Valsayn South
North Trinidad—Continued

Khalay Village, St. Augustine

Dookiesingh Street, Spring Village Caroni*
via Freeman Road,
St. Augustine

South of Churchill-Roosevelt Highway,
Pasea Road Extension,
Tunapuna

South of Churchill-Roosevelt Highway,
Mausica Road, Tacarigua

Bon Air North,
Arouca North

Five Rivers, Arouca North

Printeryville, Arouca South

Race Course, Arouca South

Peytonville, Arouca South

Samaroo Village,
off O’Meara Road, Arouca South

Old Malabar and India,
Arouca South

Maturita Triangle, Arima

Zone 8, Arima

Heights of Aripo

Heights of Guanapo,
La Retraite Dump Road

Calvary Hill, Arima

Paria-Brasso Seco,
Morne Lacroix

K.P. Lands, Valencia

Alexander Trace, Valencia

Valencia Long Stretch (N)

Valencia Long Stretch (S),
Scientific Area
Farmlands, Turure

Blake Avenue, Guaico

Picton Road Extension,
   Sangre Grande

Ojoe Road, Hospital Land,
   Sangre Grande

Ojoe Road, Sellier Road,
   Sangre Grande

Graham Trace,
   Sangre Grande

Sahodeen Trace, Vega de Oropouche

Toco Main Road including
   Mora Trace

Matura Village,
   off Toco Main Road

Salibia, off Toco Main Road

l’Anse Noir, Paria Main Road,
   Toco

Plantation Road, Valencia

Clarence Trace, Valencia

Quash Trace, off Foster Road,
   Sangre Grande

Piarco Village, Piarco

Mt. d’Or, north of NHA project

Mt. Hope Road, Mt. Hope

Morvant Old Road, Morvant

Second Caledonia, Morvant

Jean Avenue, Diego Martin

River Estate, Diego Martin,
North Trinidad—Continued

Las Cuevas Estate, Las Cuevas
Ackbarali Trace, Arima
Alexis Street, Morvant
Maracas Valley, St. Joseph
Madras Settlement, Cunupia
Picton Quarry, Laventille
Simeon Road, Petit Valley
Dundonald Hill, Port-of-Spain
Beetham Estate, Phase IV, Port-of-Spain
Eastern Quarries, Laventille
Waller Field, off Churchill-Roosevelt Highway
New City, Valencia
Upper Leon Street, Laventille
Streatham Lodge, St. Augustine
Big Yard, Carenage
Churchill-Roosevelt Highway, d’Abadie
Churchill-Roosevelt Highway, Piarco Old Road area
Rice Mill Road, Bon Air, Arouca

Central Trinidad

Carlsen Field West
San Francisco Land, Caroni Central
Base Road, Arena
Pereau Hill, La Phillipine Estate, Caroni*
Couva
California Village, California, Caroni*
(next to the children’s playground)
Springvale, Sookoo Trace, Caroni*
St. Johns Road, Claxton Bay

Lawrence Wong Road,
Longdenville

Kelly Village, Caroni East

Mac Lean Trace,
Las Lomas No. 1

La Paille Village, Caroni

Mappepire Road, Williamsville

Piparo Settlement and
Dindial Settlement, Piparo

Corosal Road, Whiteland

Squatterville, Macaulay

Arena Road, Freeport,

Bholai Trace, Carapichaima

Brazil Village, San Rafael

Milton Village, Couva Caroni*

North of Carli Bay Road, Couva Caroni*

South of Carli Bay Road,
Couva Caroni*

Ben Lomond, Williamsville Caroni*

Carlson Field East Caroni*

South Trinidad

Teak Village, Claxton Bay

Bayshore, Marabella PSAEL*

Harmony Hall Estate
near Lady Hochoy Home,
Gasparillo Caroni*

Corner Realize and Cunjal Roads,
Barrackpore PSAEL*

Madingo Road, Blocks I and II,
Princes Town PSAEL*

Former Railway Line Road,
Gandhi Village, Debe Caroni*
South Trinidad—Continued

Digity Trace, Clarke Road, Penal
Manohar Road, Rochard Road, Penal
Julien Trace, Rochard Road, Penal
Platanite Trace, Rochard Road, Penal
Ramsabad Trace, Rochard Road, Penal
Sunrees Road, Legal Trace, Oliver Drive, Penal
Tin-Pan Alley, Lower Barrackpore
Lilly Trace, Siparia
Gambal Street, Siparia
Wilson Road, Clarke Road, Penal
Ramlal Street, Penal
Ribiero Trace, Penal Rock Road, Penal
Penal Junction, Penal
Bunsee Trace, Penal Rock Road, Penal
Laltoo Branch Trace, Penal
Snail Trace, Morne Diablo
Haggard Trace, Penal Rock Road, Penal
Digity Village and Branch Road Penal
Penal-Quinam Road, Penal
Lachoos Road, Penal

PSAEL*
Mulchan Trace, Fyzabad

Hickling Village, Fyzabad

Sudama Village, Brothers Road, Fyzabad

La Brea Trace, Siparia

Unnamed Trace (back of Fyzabad Composite School)
Siparia Road, Thick Village

Small Trace, Fyzabad

Standard Road, Fyzabad

Zachariah Avenue, Thick Village

Ramroopsingh Trace, San Francique

Arena Village, Rancho Quemado

S.T.O.L. Road, Lorennotte

San Fernando-Siparia-Erin Road, Palo Seco

Coora Branch Road, Siparia

Jacob Settlement, Santa Flora

Tank Farm Road, La Brea

School Road, Santa Flora

Guerra Trace, Quarry Village, Siparia

Quinam Road, Siparia

Taylor Avenue, Rito Ville, Siparia

Robert Hill, Quarry Road, behind Nello Buaccano Hill, Quarry Village, Siparia

Alexander Village, Agapito Trace, La Victoria Trace, Santa Flora

Jacob Alley No. 2
“Back-a-yard”, Los Bajos
South Trinidad—Continued

Fly-Over, Santa Flora
Beach Road, Palo Seco
Palo Seco Settlement, Palo Seco
No. 4 Road, Palo Seco
Webber Trace, Palo Seco
No. 9 Road, Palo Seco
No. 7 Road, Palo Seco
Chinese Village, La Brea
Pt. d’Or, La Brea
Pier Road, La Brea
Belle Vue, La Brea
Old Jersey, La Brea
Los Bajos, Los Bajos
Warden Road, Cap-de-Vile, Lower Hollywood Road,
Point Fortin
Sobo Main Road, La Brea
Sobo Junction, La Brea
Sobo Tank 100, La Brea
Union Village, Vessigny
Vance River, Guapo
Trintopec Quarters, Guapo
Lime Field Road, Guapo
Cruse Field, Guapo
Square Deal Corner
Vessigny
Guapo, Point Fortin
Red Road-Cemetery, Block Road, Point Fortin
La Fortune Extension, New Village, Point Fortin
Fortune Street, New Village, Point Fortin
Springle Avenue, New Village, Point Fortin
Dam Road Extension, Point Fortin
Southern Gardens, Warden Road, Point Fortin
Egypt Avenue, Point Fortin
Reid Road and Reid Road Extension, Point Fortin
Lot 10, Village, Guapo
Southern Main Road, Cochrane
Alexander Street, Point Fortin
Seedon Alley, Point Fortin
Moraldo Street, Point Fortin
Egypt Village, Point Fortin
TNA Road No. 2, Point Fortin
Reservoir Hill, Point Fortin
Laptiste Street, Point Fortin
Purry Lands, Point Fortin
Egypt Extension, Point Fortin
Warden Road, Point Fortin
Old Dam Road, Point Fortin
Dam Road, Point Fortin
TNA Road No. 1, Point Fortin
La Fortune Extension, Point Fortin
TPD behind T & TEC Substation, Point Fortin
Hollywood, Point Fortin
Suzzannah Trace, Mt. Stewart Village off Naparima-Mayaro Road
South Trinidad—Continued

Good Hope and Bawani Estate, Southern Main Road, Cunapo

Guatapajaro Road, Caratal

O’Brien Trace, Biche

Prudence Trace, Biche

New Settlement, Biche

Ecclesville, Rio Claro

Guayaguayare Old Road, Rio Claro

Springle Street, Egypt Village

La Fortune Drive, Egypt Drive, Point Fortin

Cedar Grove, Mayaro

Bristol Village, Mayaro

Main Road, Guayaguayare

Fairfield Estate, Princes Town

St. Mary’s Village, Moruga

Blitz Village, San Fernando

Embacadere, San Fernando

La Savanne, Guayaguayare

Toruba South

Cumoto Road, Barrackpore PSAEL*

Lagoon Trace, Moruga PSAEL*

Siparia Road, Siparia PSAEL*

Corinth Village via San Fernando Caroni*

Friendship Village via San Fernando Caroni*

Mora Settlement Trace, Guayaguayare
Diamond/Picton via San Fernando
Hermitage via San Fernando
Stone Road, Piparo
Butler’s Park, New Village, Point Fortin
Ravine Ranch, New Village, Point Fortin
Sesame Street, Gonzales Village, Point Fortin
Salick Trace, Gonzales Village, Point Fortin
Techier Village, Point Fortin

**Tobago**

Louis d’Or Estate,
Louis d’Or, Tobago
Castara Estate, Castara, Tobago
Buccoo, Tobago

*Where the word “Caroni” is listed to the right of a site name, this indicates that the site is currently owned by Caroni (1975) Limited. Where the word “PSAEL” is listed to the right of the site name, this indicates that the site is currently owned or managed by Palo Seco Agricultural Enterprises Limited.*
APPLICATION FOR A CERTIFICATE OF COMFORT

Prescribed pursuant to section 11(3) of the Act

1. I/We ........................................................................................................................................
   hereby make application under the provisions of section 11(3) of the Act, for a Certificate of
   Comfort in respect of one dwelling house only upon a lot of State Land comprising 5,000 square
   feet more or less, situated at
   ............................................................................................................................................................

   ............................................................................................................................................................
   (Address)

2. I/We declare that I/We have been in occupation of the said parcel of land prior to
   1st January, 1998 (“the appointed day”).

3. The evidence supportive of my/our occupation before the appointed day as required by
   section 11(3) of the Act is attached hereto and marked ....................................................................
   These attachments include the declarations of two deponents who are not my/our relatives.

DECLARATION

“I make this declaration conscientiously believing the same to be true according to the Statutory
Declarations Act and I am aware that if there is any statement in this declaration which is false,
or that I do not believe to be true, I am liable upon summary conviction to a fine of $5,000.00 and
six (6) months imprisonment”.

Made and declared at
this ...... day of ............

20........

Before me, ........................................................................................................................................

Commissioner of Affidavits /Justice of the Peace

Signature(s) Applicant 1 .........................

Applicant 2 .................................

PLEASE COMPLETE THIS SECTION: It will help us to process your application faster.

A. [ ] Identification Card number

   ........................................

   ........................................

[ ] Passport number

   ........................................

   ........................................

[ ] Driver’s Permit number

   ........................................

   ........................................

(Check one box and state particulars for both applicants where applicable).
B. Means by which we may contact you:
   Telephone number ....................................................
   (or contact at work, friend, family)

C. Age(s) last birthday
   Applicant 1 .......................
   Applicant 2 .......................

Notes:
   i. This completed form with supporting documents must reach any office of the Land Settlement Agency (“the Agency”) no later than 27th October, 1999, or by 27th October, 2000 in the case of a late application made under section 12.

   ii. The submission of this form does not guarantee you a Certificate of Comfort under the Act. The Agency must be satisfied that the lot applied for is in fact on State Land, before a Certificate of Comfort may be granted to you. Therefore you must not extend, renovate, rebuild or make any alteration to the structure you occupy until you are told you may do so.

   iii. Submit originals of the declarations of the two deponents referred to in 3 above. Photocopies of other documentary evidence are acceptable and may include: bills showing materials purchased to build the house, T&T, WASA or TSTT bills showing your name(s) and the address of the lot applied for, old letters referring to the land, land and building tax receipts, and any other documents which would support your claim to occupation before the appointed day. These should be attached as exhibits to this application and numbered “A”, “B”, “C”, etc. **Originals will have to be provided upon request at a later date.** As these documents are part of the Statutory Declaration, you are liable to the fine and imprisonment referred to above, if you submit fraudulent documentary evidence. Also if fraudulence is discovered after obtaining a Certificate of Comfort, it becomes VOID and of no value.

   iv. A “relative” means your spouse, parent, grandparent, brother or sister, children, including step-children, and the spouses of all these people. A “spouse” includes a person who lives together with another person as husband or wife on a bona fide domestic basis although not married to that person.

   v. You may go to either a Justice of the Peace or a Commissioner of Affidavits to swear to your application form.

   Please sketch the location of your house in relation to the nearest street, light pole, or other landmark:

   NORTH
   WEST
   SOUTH
   EAST

UNOFFICIAL VERSION
L.R.O.

UPDATED TO 31ST DECEMBER 2016
FORM B

DECLARATION TO SUPPORT APPLICATION FOR A CERTIFICATE OF COMFORT

Prescribed pursuant to section 11(3) of the Act

1. I ............................................................ make this declaration in support of the application of ............................................................ for a Certificate of Comfort to one dwelling house upon a lot of State Land situated at ............................................................

2. I am personally aware that ............................................................ has been in actual occupation of the said parcel of land before 1st January, 1998.

3. I am not a relative of ............................................................

DECLARATION

“I make this declaration conscientiously believing the same to be true according to the Statutory Declarations Act and I am aware that if there is any statement in this declaration which is false, or which I do not believe to be true, I am liable upon summary conviction to a fine of $5,000.00 and six (6) months imprisonment”.

Made and declared at this ...... day of ...............

20......

Before me, ............................................................

Commissioner of Affidavits /Justice of the Peace

Please complete the following section:

1. Identification/Driver’s Permit/Passport Number: ............................................................

2. Address: ............................................................

............................................................

............................................................

3. Telephone number/contact: ............................................................

4. Age last birthday: ............................................................
5. Explain how you know that: ________________________________ has been in actual occupation of the said parcel of land before 1st January, 1998.

---------------------------------------------------------------------------------------------------------------------------------------

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---------------------------------------------------------------------------------------------------------------------------------------

(Applicant's Name)

Notes:

1. Your making this declaration does not guarantee the applicant a Certificate of Comfort.

2. You are not entitled to ask for or receive any payment, apart from expenses incurred in swearing before the Commissioner of Affidavits, or Justice of the Peace, for making this declaration.

3. The entire form must be filled out before going before the Commissioner of Affidavits or Justice of the Peace for swearing.

4. A “relative” means your spouse, parent, grandparent, brother or sister, children, including step-children, and the spouses of all these people. A “spouse” includes a person who lives together with another person as husband or wife on a bona fide domestic basis although not married to that person.
STATE LAND (REGULARISATION OF TENURE)
(DELEGATION OF POWER) ORDER

made under section 16(1)

Citation.

1. This Order may be cited as the State Land (Regularisation of Tenure)(Delegation of Power) Order.

Delegation of power.

2. The Land Settlement Chairman is hereby empowered to execute Deeds of Lease and to grant consent to assignments pursuant to section 15, on behalf of the President.
STATE LAND (REGULARISATION OF TENURE) (CERTIFICATE OF COMFORT) REGULATIONS

ARRANGEMENT OF REGULATIONS

1. Citation.
3. Proof of occupation of dwelling house which is the subject of the application.
4. Where the applicant is out of occupation.
5. Duties of the Agency in respect of an application for a Certificate of Comfort.
8. Late applications.
STATE LAND (REGULARISATION OF TENURE)  
(CERTIFICATE OF COMFORT) REGULATIONS  

made under section 34(2)

1. These Regulations may be cited as the State Land (Regularisation of Tenure) (Certificate of Comfort) Regulations.

2. (1) A squatter to whom the Act applies shall apply for a Certificate of Comfort on the prescribed form.

    (2) An application shall have annexed thereto—

        (a) the sworn declarations of two deponents, as required by section 11(3) of the Act, which declarations shall be made on the prescribed form; and

        (b) other documentary evidence supportive of the fact that the applicant was in occupation of the dwelling house, which is the subject of the application, on or before the appointed day.

3. (1) The documentary evidence referred to in regulation 2(2) may include bills, receipts, testamentary dispositions, agreements, bills of exchange, bills of sale and any other documents which tend to prove the applicant’s occupation.

    (2) The Agency may refer to the 1998 aerial photography lodged with the Director of Surveys to assist in establishing the applicant’s occupation on or before the appointed day.

4. (1) For the purpose of determining whether a contractual or quasi-contractual relationship, as referred to in section 4(4) of the Act, exists between the applicant and the actual occupier, the Agency may have regard to the following:

        (a) the written statement of the actual occupier made in the presence of a duly authorised officer of the Agency;

        (b) investigations conducted by the Agency into the applicant’s reasons for being out of occupation;
(c) documents from any source supportive of the reasons tendered by the applicant for being out of occupation; or

(d) any other evidence that the Agency considers relevant.

(2) Reasons acceptable to the Agency for the applicant being out of occupation include the following:

(a) the applicant had to be institutionalised for medical treatment over a period of time or had to seek medical attention overseas;

(b) the applicant vacated the dwelling house for a period of not more than 6 months to seek seasonal employment either overseas or elsewhere in Trinidad and Tobago;

(c) the applicant vacated the dwelling house for a period of not more than 6 months in order to look after an ailing relative;

(d) the applicant was forced to flee the neighbourhood of the dwelling house because of threats to the security of his person or life; or

(e) any other reason that justifies the applicant leaving the dwelling house in the occupation of another person.

(3) Where the Agency is satisfied that the applicant is not entitled to the Certificate of Comfort by reason of having fulfilled none of the criteria mentioned in subregulation (2) it may issue the Certificate of Comfort in the name of the actual occupier.

5. Upon receipt of an application, the Agency shall—

(a) determine that the application has been made in accordance with the procedure set out in these Regulations;

(b) check the accuracy of the information contained in the application; and

(c) ascertain whether the dwelling house, which is the subject of the application, is on State land.
6. (1) Subject to the requirements of regulations 4 and 5 the Agency shall issue a Certificate of Comfort to the applicant.

(2) The Certificate shall be signed by the Secretary or where the Secretary is unable to sign, by a member of the Committee, duly authorised by resolution of the Committee for that purpose.

7. (1) Where an applicant is legally married and living together with his spouse, the Agency shall advise the parties to make a joint application for the Certificate of Comfort, and where the parties so apply, the Certificate of Comfort and subsequently, the Statutory Lease, shall be issued in the names of both parties.

(2) Where it is brought to the attention of the Agency that the applicant is living in the dwelling house with another person, as husband and wife on a *bona fide* domestic basis, and has continued to live in such a cohabitational relationship for a period of not less than five years, the Agency shall advise the parties to make a joint application for the Certificate of Comfort, and where the parties so apply, the Certificate of Comfort and subsequently, the Statutory Lease, shall be issued in the names of both parties.

(3) Where the parties referred to in subregulation (2) are no longer desirous of living together in the dwelling house, they may take such action that is available under the law to have the issue of property adjustment determined.

8. The provisions of these Regulations shall apply to late applications made under section 12 of the Act.

9. These Regulations do not apply to State Land vested in the Tobago House of Assembly pursuant to section 54 of the Tobago House of Assembly Act.
APPLICATION FOR A CERTIFICATE OF COMFORT

for persons who purchased a dwelling house after the appointed day

Prescribed pursuant to regulation 2(1) of the State Land
(Regularisation of Tenure)
(Certificate of Comfort) Regulations, 2000

1. I/We ................................................................................................................................
   hereby make application under the provisions of regulation 2(1) of the Regulations for
   a Certificate of Comfort in respect of one dwelling house only upon a lot of State Land
   comprising 5,000 square feet more or less, situated at
   ...........................................................................................................................................

   (Name) ................................................................................................................................

   (Address) ................................................................................................................................

2. I/We declare that I/We am/are in occupation of the said parcel of land on which there
   was a dwelling house prior to 1st January, 1998 (“the appointed day”).

3. The evidence supportive of my/our occupation of a dwelling house that was
   constructed before the appointed day as required by regulation 2(2) of the Regulations
   is attached hereto and marked ........................................ These attachments include the
   declarations of two deponents who are not my/our relatives.

4. I/We come into possession of the said dwelling house on about ......................................

DECLARATION

“I/We make this declaration conscientiously believing the same to be true according to the
Statutory Declarations Act and I am aware that if there is any statement in this declaration which
is false, or that I/we do not believe to be true, I/We are liable upon summary conviction to a fine
of $5,000.00 and six (6) months imprisonment”.

Made and declared at

this ...... day of ............ Before me, .................................................................

20.......

Commissioner of Affidavits /Justice of the Peace

Signature(s) Applicant 1 ...........................................

Applicant 2 ...........................................

PLEASE COMPLETE THIS SECTION: It will help us to process your application faster.

A. [ ] Identification Card number .............................. ..............................
   [ ] Passport number .................................................................
   [ ] Driver’s Permit number .................................................................

   (Check one box and state particulars for both applicants where applicable).

L.R.O.

UNOFFICIAL VERSION

UPDATED TO 31ST DECEMBER 2016
B. Means by which we may contact you:
   Telephone number ......................................................
   (or contact at work, friend, family)

C. Age last birthday
   Applicant 1 ..............................................
   Applicant 2 ..............................................

Notes:

i. This completed form with supporting documents must reach any office of the Land Settlement Agency (“the Agency”) no later than 27th October, 1999, or by 27th October, 2000 in the case of a late application made under section 12.

ii. The submission of this form does not guarantee you a Certificate of Comfort under the Act. The Agency must be satisfied that the lot applied for is in fact on State Land, before a Certificate of Comfort may be granted to you. Therefore you must not extend, renovate, rebuild or make any alteration to the structure you occupy until you are told you may do so.

iii. Submit originals of the declarations of the two deponents referred to in 3 above. Photocopies of other documentary evidence are acceptable and may include: bills showing materials purchased to build the house, T&TEC, WASA or TSTT bills, old letters referring to the land, land and building tax receipts, agreements, bills of sale and any other documents which would support your claim that the said dwelling house was on State Land on or before the appointed day and that you are now in occupation of the house. These should be attached as exhibits to this application and numbered “A”, “B”, “C”, etc.

   Originals will have to be provided upon request at a later date. As these documents are part of the Statutory Declaration, you are liable to the fine and imprisonment referred to above, if you submit fraudulent documentary evidence. Also if fraudulence is discovered after obtaining a Certificate of Comfort, it becomes VOID and of no value.

iv. A “relative” means your spouse, parent, grandparent, brother or sister, children, including step-children, and the spouses of all these people. A “spouse” includes a person who lives together with another person as husband or wife on a bona fide domestic basis although not married to that person.

v. You may go to either a Justice of the Peace or a Commissioner of Affidavits to swear to your application form.

Please sketch the location of your house in relation to the nearest street, light pole, or other landmark:

NORTH

WEST

SOUTH

UNOFFICIAL VERSION

UPDATED TO 31ST DECEMBER 2016
NOTIFICATION

FORM B 1

DECLARATION TO SUPPORT APPLICATION FOR A CERTIFICATE OF COMFORT

In respect of persons who purchased a dwelling house after the appointed day

Prescribed pursuant to regulation 2(1) of the State Land (Regularisation of Tenure) (Certificate of Comfort) Regulations, 2000

1. I .......................................................................... make this declaration in support of the application of ................................................................................................................
   (Your name)
   (Applicant's Name)
   (Address of Applicant's House)
   for a Certificate of Comfort to one dwelling house upon a lot of State Land situated at
   ..................................................................................................................................

2. I am personally aware that ............................................................................ is in actual occupation of a dwelling house that was constructed on the said parcel of land before 1st January, 1998.
   (Applicant's Name)

3. I am not a relative of ........................................................................................................
   (Applicant's Name)

DECLARATION

“... I make this declaration conscientiously believing the same to be true according to the Statutory Declarations Act and I am aware that if there is any statement in this declaration which is false, or which I do not believe to be true, I am liable upon summary conviction to a fine of $5,000.00 and six (6) months imprisonment”.

Made and declared at this ...... day of ............., 20......

Before me, ........................................................................................................
Commissioner of Affidavits / Justice of the Peace

Please complete the following section:

1. Identification/Driver’s Permit/Passport Number: ...........................................................

2. Address: ...............................................................
   ................................................................

UNOFFICIAL VERSION

UPDATED TO 31ST DECEMBER 2016
3. Telephone number/contact: ..................................

4. Age last birthday: ..............................................

5. Explain how you know that: ............................................................... has been in actual
   occupation of a dwelling house that was constructed on the said parcel of land before

..........................................................................................................................................
..........................................................................................................................................
..........................................................................................................................................
..........................................................................................................................................

Notes:

1. Your making this declaration does not guarantee the applicant a Certificate of Comfort.

2. You are not entitled to ask for or receive any payment from the applicant, apart from
   expenses incurred in swearing before the Commissioner of Affidavits, or Justice of the
   Peace, for making this declaration.

3. The entire form must be filled out before going to the Commissioner of Affidavits or
   Justice of the Peace for swearing.

4. A “relative” means your spouse, parent, grandparent, brother or sister, children,
   including step-children, and the spouses of all these people. A “spouse” includes a
   person who lives together with another person as husband or wife on a bona fide
   domestic basis although not married to that person.