
Third Session Eleventh Parliament Republic of
Trinidad and Tobago



REPUBLIC OF TRINIDAD AND TOBAGO

Act No. 9 of 2018

[L.S.]

AN ACT to amend the Land Tribunal Act, 2000

[Assented to 4th July, 2018]

ENACTED by the Parliament of Trinidad and Tobago as Enactment
follows:

1. This Act may be cited as the Land Tribunal Short title
(Amendment) Act, 2018.

2. In this Act, "the Act" means the Land Tribunal Interpretation
Act, 2000. No. 15 of 2000

Section 2 amended

3. Section 2 of the Act is amended—

(a) by deleting the definition of “Adjudication Officer” and substituting the following new definition:

“ “adjudication officer” has the meaning assigned to it by section 2 of the Land Adjudication Act;” and

(b) in the definition of “Minister”, by deleting the words “Planning and Development has been assigned” and substituting the words “land adjudication is assigned”.

Section 3 amended

4. The Act is amended by repealing section 3 and substituting the following new sections:

3. (1) A Tribunal to be known as “the Land Tribunal” is hereby established, which shall be a superior court of record and shall have in addition to the jurisdiction and powers conferred on it by this Act, all the powers inherent in such a Court.

(2) The Tribunal shall comprise a Chairman, Deputy Chairman and four other members, all of whom shall be Attorneys-at-law of Trinidad and Tobago of at least ten years’ experience in the practise of land law and who shall be appointed by the President on the recommendation of the Judicial and Legal Service Commission.

(3) Sections 104 to 107 of the Constitution shall apply to the appointment of the members of the Tribunal.

(4) The Chairman, Deputy Chairman and other members of the Tribunal shall be

appointed on such terms and conditions as shall be fixed by the President in accordance with section 3B.

(5) The quorum of the Tribunal shall comprise the Chairman or Deputy Chairman and any other two members.

Appoint-
ment of
lay
assessors

3A. (1) The President may appoint lay assessors, not exceeding six in number, from among such persons as appear to him to be suitably qualified by virtue of their knowledge and experience in the various disciplines identified under subsection (3) to advise the Tribunal on matters relating to their specific disciplines.

(2) Where the need arises or where a vacancy exists in the number of lay assessors, the President may appoint as a temporary lay assessor to the Tribunal, for such period as the Chairman may recommend, a person with special knowledge and experience in one or more disciplines listed in subsection (3).

(3) Lay assessors referred to in subsections (1) and (2) shall be selected from persons who are qualified in the following disciplines:

- (a) local government;
- (b) town and country planning;
- (c) environmental planning or environmental science;
- (d) architectural, engineering or surveying;
- (e) land valuation;
- (f) agriculture;

- (g) land management or administration;
- (h) land law; or
- (i) any other discipline in respect of which the Tribunal needs assistance in determining any issue which engages its attention.

(4) A lay assessor under this section shall hold office for such term, not less than three years, as may be determined by the President at the time of his appointment, and is eligible for reappointment.

Terms and conditions of the Chairman, Deputy Chairman, other members of the Tribunal and lay assessors

3B. (1) The terms, conditions and allowances of the members of the Tribunal, including the Chairman and Deputy Chairman, shall be determined by the Salaries Review Commission in accordance with section 141 of the Constitution.

(2) The salary, remuneration, allowances and other conditions of the Chairman, Deputy Chairman, other members of the Tribunal, and lay assessors shall not be altered to their disadvantage after their appointment and during their tenure of office and such salary, remuneration and allowances of the Chairman, Deputy Chairman and other members of the Tribunal shall be a charge on the Consolidated Fund.

(3) The terms and conditions of service applicable to the lay assessors shall be prescribed by Order of the President.

(4) The terms and conditions of temporary lay assessors shall be the same as those of the other lay assessors.

Decisions of
the Tribunal

3C. Decisions of the Tribunal shall be made by the members appointed under section 3.”

5. Section 4 of the Act is amended—

Section 4
amended

(a) by renumbering section 4 as section 4(1);

(b) in section 4(1) as renumbered by—

(i) inserting after the word “member” where it first occurs, the words “of the Tribunal or a lay assessor”; and

(ii) inserting after the word “member” wherever it occurs, the words “or lay assessor as the case may be”; and

(c) by inserting after subsection (1), the following new subsection:

“ (2) Where the Chairman has a pecuniary interest, direct or indirect in any proceedings before the Tribunal, or is a member, officer or employee of any public body or local authority that is a part in any such proceedings, the Chairman shall inform the Deputy Chairman accordingly, whereupon the Chairman shall cease to take part in the proceedings.”.

6. Section 5 of the Act is amended in subsection (1), by deleting paragraph (c) and substituting the following new paragraphs: Section 5 amended

“ (c) to declare a provisional title as absolute for the purposes of section 16(4) of the Land Adjudication Act;

Act No. 14
of 2000

(d) to hear and determine applications relating to adverse possession of State lands and private lands;

- (e) to make Vesting Orders (in respect of applications for the declaration of absolute title);
- (f) to give directions to the Registrar under the Registration of Titles to Land Act to record a title in the Land Registry; and
- (g) to hear and determine any other matter that may be assigned to it by Order made under section 12.”.

Section 7
amended

7. Section 7 of the Act is amended in subsection (3), by deleting paragraph (b).

Consequential
amendments

8. The Act is amendment by deleting the words “Adjudication Officer” wherever they occur and substituting the words “adjudication officer”.

Passed in the House of Representatives this 21st day of March, 2017.

J. SAMPSON-MEIGUEL
Clerk of the House

Passed in the Senate this 8th day of June, 2018.

B. CAESAR
Clerk of the Senate (Ag.)

Senate amendments were agreed to by the House of Representatives this 25th day of June, 2018.

J. SAMPSON-MEIGUEL
Clerk of the House