

THE FOREIGN GOVERNMENTS
(LANDHOLDING) ACT

Law
42 of 1955.
Act
42 of 1969
3rd Sch.

[8th September, 1955.]

1. This Act may be cited as the Foreign Governments (Landholding) Act. Short title.

2. In this Act—

“foreign country” means a country (other than the Republic of Ireland) that is not part of the Commonwealth.

Interpreta-
tion.

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3.—(1) From and after the 8th September, 1955, no land in this Island shall be held by, or by any person in trust for or for the benefit of, the government of any foreign country, without a licence from the Minister.

Foreign
governments
prohibited
from
holding
land without
licence.

(2) Any land held in contravention of the provisions of subsection (1) shall be forfeited to Her Majesty.

4.—(1) Subject to the provisions of section 5, the Minister may, if he thinks fit, grant to the government of any foreign country or to any person on behalf of such government, a licence to hold land in this Island.

Power of
Minister
to grant
licences.

(2) Every licence granted under this section—

- (a) shall be in such form as the Minister may require;
- (b) shall be subject to such conditions (if any) as the Minister may impose;
- (c) shall be operative only as to the land described and as to the estate or interest specified therein; and

(d) shall be of no force or effect until registered in the Record Office, or in the case of land subject to the Registration of Titles Act, in the office of the Registrar of Titles.

(3) Upon the breach of any condition in a licence granted under this section the estate or interest held by virtue of the licence shall be forfeited to Her Majesty.

Absolute prohibition against conveyance or transfer of land to foreign governments in certain cases.

5.—(1) No person who is dependent on financial support from, or who is in any way obligated to, the government of a foreign country, shall convey or transfer any land in this Island to that government and any land so conveyed or transferred shall be forfeited to Her Majesty.

(2) A certificate signed by the Minister to the effect that a person was dependent on financial support from, or was obligated to, the government of a foreign country at the time of the execution of any deed or other instrument conveying or transferring to that government any land in this Island shall, in any legal proceedings, be conclusive evidence of the facts therein stated.

Effect of forfeiture.

6.—(1) Any land forfeited under this Act shall not vest in Her Majesty unless and until a judgment is obtained declaring the forfeiture, but, on such judgment being obtained, the title of Her Majesty shall relate back to and be deemed to have commenced from the date of the execution of the deed or other instrument conveying or transferring such land in contravention of this Act.

(2) A judgment declaring a forfeiture of land shall operate to vest in Her Majesty all the estate and interest therein declared to be forfeited.

7. For the purpose of establishing a forfeiture under this Act, the Attorney-General may, on behalf of Her Majesty, apply *ex parte* to the Supreme Court for a declaration that any right, title or interest sought to be affected is forfeited to Her Majesty. Procedure.

8. Every licence granted under this Act shall be exempt from stamp duty. Exemption from stamp duty.

9. Nothing in this Act shall affect any estate or interest in land in this Island held by the government of any foreign country on the 8th September, 1955. Saving.