The Acquisitive Prescription (Notice and PIN) Regulations 2019

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THE ACQUISITIVE PRESCRIPTION ACT 2018

Regulations made by the Minister under section 13 of the Acquisitive Prescription Act 2018

1. These regulations may be cited as **the Acquisitive Prescription (Notice and PIN) Regulations 2019.**

2. In these regulations —

"Act" means the Acquisitive Prescription Act 2018.

3. The notice under section 4(1) of the Act shall be displayed at a height of not less than 1.5 metres nor more than 2.5 metres above ground level.

4. The notice shall be displayed on each road frontage at a distance not exceeding 2 metres from the roadside boundary of the site and shall be clearly visible.

5. The notice shall be displayed on a flat metal surface of an area of one square metre and shall be weatherproof.

6. The display of the notice —

(a) shall not affect the safety of persons;

(b) shall be firmly fixed on the site; and

(c) shall not obscure or hinder the visibility and interpretation of traffic signs.

7. (1) Every memorandum of survey under the Act shall be drawn up in accordance with the Cadastral Survey Act.

(2) Every application for PIN shall be signed and submitted by a land surveyor, specifying that the application is submitted for the purpose of acquisitive prescription.

(3) Every application for PIN shall be accompanied by the following documents —

(a) a survey technical report in accordance with the Cadastral Survey (Land Surveys) Regulations 2013;

(b) copies of summons served on the adjoining neighbours, together with return of service, requiring them to attend the survey, or copies of notice in lieu of summons as posted in a conspicuous place on the plot of land to be surveyed and published in the Gazette and in 2 daily newspapers;

(c) a letter from the occupier, or where the occupier has passed away, from his heirs, specifying that the services of the surveyor have been retained to undertake the survey and a photocopy of National Identity Card of the occupier;

(d) an affidavit of succession establishing the identity of any of the heirs where the occupier has passed away.

8. The PIN document and plan shall be annexed to the memorandum of survey prior to registration.

9. Any person who contravenes these regulations shall commit an offence and shall, on conviction , be liable to a fine not exceeding 100,000 rupees and to imprisonment for a term not exceeding 2 years.

10. These regulations shall come into operation on 1 September 2019.