

INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 186.

Land (Corrected Titles) Act.

GENERAL ANNOTATION.

ADMINISTRATION.

As at 13 February 1976 (the date of gazettal of the most comprehensive allocation of responsibilities to Ministers and Departments at about the effective date), the administration of this Chapter was not specifically vested in any Minister. It appears, therefore, that the political responsibility for this Chapter was vested in the Prime Minister.

The Chapter does not refer to "the Minister", "the Departmental Head" or "the Department".

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ARRANGEMENT OF SECTIONS.

1. Interpretation—
"owner".
2. Effect of opening or closure of roads.
3. Erroneous descriptions in deeds of grant.
4. Issue of deeds in certain cases.
5. Registered titles.

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Being an Act to authorize the surrender of instruments of title to certain freehold lands to the State and the issue of new deeds of grant to the owner.

1. Interpretation.

In this Act, unless the contrary intention appears "owner", in relation to any land, includes a person entitled to any estate of freehold in possession in the land.

2. Effect of opening or closure of roads.

(1) Where, because of the opening or closing of a road for public use through or adjoining land held in fee simple or for an equivalent interest, the description of the land as contained in the existing instrument of title is not a convenient description of the land to which, after that opening or closing and the necessary consequential alterations of boundary, the owner is entitled, he may surrender to the State the instrument of title to the land.

(2) On the surrender under Subsection (1), a new deed of grant shall issue comprising the land to which after the opening or closing the owner is entitled.

3. Erroneous descriptions in deeds of grant.

(1) When—

(a) on the re-survey of a portion of land held in fee simple or for an equivalent interest it is found that the measured lengths of the boundary lines of the portion do not agree with the lengths of the boundaries as described in the deed of grant; and

(b) no doubt exists as to the boundaries of the land intended to be granted, the owner of that portion may surrender to the State the instrument of title to the land.

(2) On the surrender under Subsection (1), a new deed of grant containing a corrected description of the boundaries of the land shall issue.

4. Issue of deeds in certain cases.

If an owner of any land in respect of which a new deed of grant is to issue under Section 2 or 3 is not entitled to the land absolutely, the new grant shall be to the same persons and for the same estates and interests as the persons, estates and interests included in the surrendered instrument of title.

5. Registered titles.

Norwithstanding any other law to the contrary, in the case of land that is registered under the *Real Property Act*, 1913 of the former Territory of Papua (Adopted) or the *Lands Registration Act* 1924 of the former Territory of New Guinea (Adopted) on which there is a mortgage or other encumbrance, the Registrar-General shall, without fee, endorse on the new deed of grant issued under this Act the mortgage or other encumbrance.

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APPENDIX.

SOURCE OF THE LAND (CORRECTED TITLES) ACT.

Part A.—Previous Legislation.

Land (Corrected Titles) Act 1951 (No. 66 of 1951).

Part B.—Cross References.

Section, etc., in Revised Edition.	Previous Reference ¹ .
1	3(1)
2	4
3	5
4	3(2)
5	6

¹ Unless otherwise indicated, references are to the Act set out in Part A.

