

THE HONOURABLE THE SENATE

RESOLUTION

Senator Andrew W. Mallalieu

WHEREAS under section 5 of the *Land Acquisition Act* Cap 228 of the Laws of Barbados the state can acquire land for public purpose;

AND WHEREAS under the section 3 of the said Act where it appears to the Minister responsible for lands any that any land which is required for any purposes for which the state is authorise by any Act to acquire land or for any purpose which in the opinion of the Minister are public purposes;

AND WHEREAS the *Constitution* provides that no property shall be compulsorily acquired except by and under the authority of any written law and where such law as written, the manner and principles under which compensation is determined;

AND WHEREAS no claim for compensation under the *Land Acquisition Act* shall be admitted or entertained unless it is made in writing within 2 years of the publication of section 5 notice in the *Official Gazette*;

AND WHEREAS the present state of the law allows the compulsory acquisition to be completed without timely payment or none at all to the owner of the land;

AND WHEREAS at the time of acquisition insufficient details are given of the public purchase;

AND WHEREAS in the interest of good governance and transparency it is desirable that public purposes are more clearly defined in the legislation;

BE IT RESOLVED that the *Land Acquisition* Act be amended to reflect the following:

- (a) that purposes are more clearly defined in the legislation,
- (b) that compensation being offered is informed by a public and private valuation,
- (c) payment of compensation must be completed within 3 months of the section 5 Notice, and
- (d) that the title not be perfected until the compensation has been paid.

APPROVED by the Senate this day of ,
Two Thousand and Twenty-six.

President