

MONTSERRAT LAND REGISTRY

PUBLIC NOTICE

TO: Media Houses, News Organisations, and Members of the Public
FROM: Registrar of Lands, Land Registry, Lands & Survey Department
DATE: 6th July 2026
FOR: Public Information and Dissemination
SUBJECT: Clarification of Unclaimed Land iro Crown Title Act Cap. 8.11 and Crown Title (Amendment) Act, No. 12 of 2020

The Land Registry has become aware of inaccurate statements concerning **Unclaimed Land** and legislative provisions of the Crown Title Act (Cap. 8.11) and the Crown Title (Amendment) Act, No. 12 of 2020.

Some statements have incorrectly suggested that the notice applies generally to privately owned land or that land already registered in the names of individuals will automatically become Crown land on **31 December 2030**.

The purpose of this public notice is to explain the meaning of **Unclaimed Land**, distinguish it from **Private Land** and **Crown Land**, and clarify who is affected by the public notice.

THE NOTICE DOES NOT APPLY TO REGISTERED PRIVATE LAND

The Crown Title Act notice does **not** apply to land where an individual or other legal person is already recorded as the registered proprietor in the Proprietorship Section of the Land Register.

A person whose name is recorded in the Proprietorship Section as the proprietor of a parcel is the registered owner of that parcel. Such land is registered Private Land and does not become Unclaimed Land merely because it is vacant, undeveloped, located in the exclusion zone, occupied by another person, or because the registered proprietor resides outside Montserrat.

The Crown Title Act would not remove the name of a registered proprietor from the Land Register simply because the deadline of 31 December 2030 has passed.

Registered proprietors of Private Land are therefore **not required to submit a claim under the Crown Title Act to preserve land already registered in their names**.

The Registered Land Act provides for a Land Register for parcels adjudicated under the Land Adjudication Act and requires the register to show whether land is Private Land or Crown Land.

WHAT IS PRIVATE LAND?

Private Land is land registered in the name of an individual, company, estate, association, or other legal person.

The Proprietorship Section of the Land Register identifies the registered proprietor. It may also state whether the proprietor holds an absolute or provisional title and may contain entries relating to the manner in which the land is held.

The Crown Title Act does not reopen, cancel, or reconsider registered private ownership. Any change to registered ownership must occur through a lawful process recognised under the Registered Land Act, such as a transfer, transmission, court order, rectification, compulsory acquisition, or successful prescriptive title application.

WHAT IS CROWN LAND?

Crown Land is land that is registered by the Government of Montserrat in the name of the Crown as proprietor in the Proprietorship Section of the Land Register.

Once land is registered as Crown Land, it is administered on behalf of the Crown in accordance with the applicable legislation. The Governor may authorise dealings with Crown Land, including its lease, transfer, allocation, or other lawful disposition, subject to any registered incumbrances and statutory requirements.

Land does not become Crown Land merely because it is vacant, unused, abandoned, situated in the exclusion zone, or occupied by a person who is not the registered proprietor. Its status must be confirmed by examining the official Land Register.

WHAT IS UNCLAIMED LAND?

Unclaimed Land is not the same as Private Land or Crown Land.

For the purposes of the Crown Title Act, Unclaimed Land refers to land or an interest in land that remained unclaimed during the land adjudication process and for which no private person or the Crown was subsequently registered as proprietor.

During the adjudication process conducted between 1978 and 1982 under the Land Adjudication Act, persons claiming ownership or another interest in land were invited to present their claims. The Act required every person claiming land or an interest in land within an adjudication section to submit a claim in the manner and within the adjudication period.

Land may have remained unclaimed because:

- no person submitted a claim during the adjudication process;
- no person successfully established ownership of the land;
- the available evidence was insufficient to identify or register a proprietor; or
- the land was otherwise recorded as unclaimed or without a registered proprietor.

The term **Unclaimed Land** therefore relates to the registration status of the parcel. It does not refer to land merely because a registered owner is absent, deceased, overseas, unknown to members of the public, or has not occupied or developed the land for many years.

DISTINGUISHING BETWEEN PRIVATE, CROWN, AND UNCLAIMED LAND

Private Land is registered in the name of an individual or other legal person, while Unclaimed Land has no registered private proprietor and has not yet been registered as Crown Land.

Unclaimed Land that is not successfully claimed by 31 December 2030 will vest absolutely in the Crown and may thereafter be registered and administered as Crown Land.

HOW TO DETERMINE WHETHER LAND IS UNCLAIMED?

The status of a parcel must be determined by examining the official records maintained by the Land Registry.

A person should not assume that land is unclaimed because:

- the land appears abandoned;
- no building is situated on it;
- no person is presently occupying it;
- property taxes have not recently been paid;
- the proprietor is deceased;
- the proprietor lives overseas;
- vegetation has covered the parcel;
- the land is located in the exclusion zone; or
- members of the community do not know the identity of the owner.

The Registry Map identifies parcels geographically, while the corresponding Land Register provides the registered legal status of each parcel.

Where a person's name or legal entity appears in the Proprietorship Section, the parcel is not Unclaimed Land. Where the Crown appears in the Property or Proprietorship Section, the parcel is not Unclaimed Land.

Anyone who is uncertain about the status of a parcel should visit the Land Registry and conduct an official Land Register search rather than relying on public commentary, assumptions, social media statements, or unofficial lists.

THE DEADLINE OF 31 DECEMBER 2030

The Crown Title Act applies to Unclaimed Land both within and outside the exclusion zone.

The Crown Title (Amendment) Act, No. 12 of 2020 extended the deadline for applications concerning Unclaimed Land from 31 December 2020 to **31 December 2030**.

Registration is not automatic merely because a person has entered, cleared, cultivated, fenced, maintained, or occupied Unclaimed Land. Anyone claiming Unclaimed Land must establish the legal and factual basis of the claim. Every application must be considered on its evidence and in accordance with the legislation in force at the time.

Anyone claiming registered Private Land or Crown Land through possession must satisfy the separate requirements of the Registered Land Act Cap. 8.01 governing prescriptive title claims.

KEY POINTS FOR PROPERTY OWNERS

Property owners should note the following:

1. If your name is already recorded as proprietor in the Proprietorship Section of the Land Register, the Crown Title Act does not require you to claim that registered parcel again.
2. Registered Private Land will not automatically become Crown Land on 31 December 2030.
3. The notice applies only to land that remains unclaimed or for which no proprietor is registered.
4. Unclaimed Land may be situated inside or outside the exclusion zone.
5. A person claiming Unclaimed Land must submit a written claim to the Registrar of Lands under the Crown Title Act before 31 December 2030.
6. After the deadline, land that remains unclaimed will vest absolutely in the Crown, and previous unasserted rights or interests will be forfeited.
7. After 31 December 2030, when any remaining Unclaimed Land vests in the Crown, an interested party may still apply to acquire ownership by prescriptive title. Such an

application would constitute a new and separate claim against Crown Land and would require proof of the applicable period of possession and compliance with all other statutory requirements.

PUBLIC CAUTION

The Land Registry cautions members of the public, particularly registered property owners, against becoming anxious or taking action based on inaccurate commentary, unsupported interpretations, social media discussions, or statements made by persons who are not qualified to advise on Montserrat's land laws.

The Land Registry maintains the official Land Registers and Registry Maps. Questions concerning the registration status of a parcel should be addressed through an official search of the relevant records.

Where a person requires advice about ownership, inheritance, possession, boundaries, prescriptive title, Unclaimed Land, Crown Land, or the legal effect of the Crown Title Act, that person should consult one of Montserrat's local legal practitioners. Legal practitioners are qualified to provide legal advice and guide individuals on the application of Montserrat's current legislation and land law to their circumstances.

FINAL CLARIFICATION

The Crown Title Act is not a legislative mechanism for the Government of Montserrat to confiscate privately owned land. It applies to land that has remained unclaimed since the land adjudication process and for which no proprietor is registered.

Registered proprietors remain registered proprietors unless their ownership is lawfully changed in accordance with the applicable legislation. Persons claiming land that is genuinely unclaimed should take prompt steps to consult with lawful legal practitioners, conduct an official search of the Land Register, and submit any claim well before **31 December 2030**.

For further information or clarification, please contact the Lands and Survey Department by emailing surveys@gov.ms or Telephone 1-664-3669/3620.

REGISTRAR OF LANDS