

HOW TO PROTECT MY PROPERTY



Land Registry
(West Atrium of the Central
Administration Complex)
P.O. Box 4662
Road Town, Tortola
British Virgin Islands

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Ext. 2017 or 2020
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Hours
8:30 a.m. – 4:00 p.m.
Monday – Friday

V4-18.5.2012



General Information

ENSURE YOU PROVIDE A CURRENT POSTAL ADDRESS FOR SERVICE IN THE VIRGIN ISLANDS (BRITISH)

Section 150 of the *Registered Land Ordinance* (Cap 229 of the 1991 Revised Edition of the Law of the Virgin Islands) (the “RLO”) requires that:

Any person who under this Ordinance submits a caution or any instrument for registration, or is the proprietor of any land, lease or charge, shall furnish to the Chief Registrar in writing a postal address within the Virgin Islands for service and shall notify the Chief Registrar in writing of any change in address.

WHY IS IT IMPORTANT TO PROVIDE A CURRENT ADDRESS FOR SERVICE IN THE VIRGIN ISLANDS:

- ❖ Your right to receive timely notice of any dealings with your land may be prejudiced if the Land Registry is unable to locate you.
- ❖ Private surveyors, developers, etc who may be conducting surveys or carrying out major works on land adjoining your property and may need to contact you. It is in your best interest that you are aware of all activities which occur in this regard to safeguard your property.
- ❖ The law requires compliance.

WHAT IF I DO NOT HAVE AN ADDRESS FOR SERVICE IN THE VIRGIN ISLANDS?

- *If you are an absentee land owner, you should consider appointing a local agent (a professional or trusted individual) who will accept land notices on your behalf.*
 - *An email address, telephone/mobile contact and an overseas address may also be provided, but these details are supplemental only. These are quick methods of getting information to you, but they do not fulfill the legal requirement to provide an address in the Virgin Islands.*
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ACTIVITIES/ACTIONS A PROPRIETOR SHOULD GUARD AGAINST

1) *Land owners (proprietors) should be aware that:*

- a) *after a statutory period of time (12 years) it may be difficult to remove a squatter from land who claims a right by Adverse Possession; and*
- b) *ownership of land may thereafter be acquired by Prescription.*
 - ✓ *Land should not be left unattended, even if in a remote area, for any extended period of time.*
 - ✓ *A proprietor should always seek legal guidance should he wish to allow others to use his/her property to safeguard against claims of Adverse Possession and Prescription.*

2) *Section 19 of the RLO requires that a proprietor shall maintain in good order any boundary feature which demarcates his boundaries. Should boundaries be left unprotected, land may become subject to:*

- *Adverse Possession/Prescription by adjoining land owners due to long possession;*
- *encroachment by neighbouring building development; and*
- *destruction of foliage/landmarks and soil erosion by neighbouring excavation, and consequent depreciation in value and usability.*

Should boundary markers become obscured/lost, unnecessary expense will be incurred to have private surveyors replace boundary markers.

ABSENTEE LAND OWNERS SHOULD APPOINT A LOCAL AGENT

A local agent can do almost anything on behalf of an absentee land owner which he/she cannot do because he/she lives overseas. A local agent may be appointed:

- ***by informal arrangement; or***
- ***formally by Power of Attorney which must be registered at the Land Registry and, if applicable, the Registry of the High Court.***