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Vesting of Land in King Order, 1973

Kings Order in Council 45 of 1973

Legislation as at 1 December 1998

FRBR URI: /akn/sz/act/order-in-council/1973/45/eng@1998-12-01

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PDF created on 7 November 2023 at 23:19.

Collection last checked for updates: 1 December 1998.

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Vesting of Land in King Order, 1973

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Vesting of Land in King Order, 1973

Kings Order in Council 45 of 1973

Assented to on 13 December 1973

Commenced on 21 December 1973

[This is the version of this document at 1 December 1998.]

A King's Order-in-Council to provide for the vesting of land and real rights to land in the King.

1. Short title

This King's Order-in-Council may be cited as the Vesting of Land in King Order, 1973.

2. Interpretation

In this Order, unless the context otherwise requires—

“**Minister**” means the Minister for Local Administration.

3. Vesting of land and real rights to land in the King

Notwithstanding any other law, all land and real rights to land presently registered in the name of the Crown or the Government or vested in the Crown or the Government shall with effect as from the 12th day of April, 1973 be deemed to vest in the King but shall be described in the Deeds Registry Office and in the title deeds relating to such land or rights and in any documents dealing with such land or rights as vesting in the “Crown”.

4. Vesting of land or real rights to land acquired by the Government after the 12th of April, 1973 in King

Any land or real rights acquired by the Government after the 12th day of April, 1973 in any manner whatsoever shall be deemed to vest in the King and shall be registered in the Deeds Registry Office in the title deeds to the land and in any other documents appertaining thereto as vesting in the “Crown”.

5. Authority of Government to deal with land, etc. vested in the King

- (1) The Government acting through the Minister is hereby authorised and empowered to enter into any agreement relating to the letting, sub-letting or the granting of any servitude or other real right in any land or real right in land vesting in the King in terms of this Order, and is further authorised and empowered to acquire any land or real right or any lease to any land on behalf of the King.
- (2) The Minister is hereby further authorised and empowered to sign and execute on behalf of the King any documents of any kind whatsoever to give effect to any transaction of the kind mentioned in subsection (1) and, if necessary, to appear before a notary public to execute any such documents.
- (3) Nothing in this section shall be deemed to authorise or permit the Government to sell or exchange or mortgage any land or real right in any land vesting in the King in terms of this Order without the written authority of the King so to do:

Provided that the Government may, in the case of land or a real right in land situate in an urban area, sell or exchange such land or real right if the Minister is satisfied that the purpose of such sale or exchange is to develop such land by means of the erection thereon of a dwelling house or building to be used for commercial, industrial or such like purposes.

6. Swazi Nation land and rights to minerals not affected by this Order

Nothing in this Order shall be construed as relating to or affecting land which is vested in the Ngwenyama in trust for the Swazi Nation or to the vesting of all minerals and mineral oils in, under or upon any land in the Ngwenyama in trust for the Swazi Nation.