

**AFFIDAVITS OF PRESCRIPTION ACT (SUSPENSION OF CERTAIN PROVISIONS) ACT**

Act 23 of 2012 – 23 October 2012

**ARRANGEMENT OF SECTIONS**

**SECTION**

1. Short title
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3. Provisions of principal Act suspended
4. —

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**AFFIDAVITS OF PRESCRIPTION ACT (SUSPENSION OF CERTAIN PROVISIONS) ACT**

**1. Short title**

This Act may be cited as the Affidavits of Prescription Act (Suspension of Certain Provisions) Act.

**2. Interpretation**

In this Act—

“principal Act” means the Affidavits of Prescription Act.

**3. Provisions of principal Act suspended**

(1) Sections 3, 4 and 6 to 9 of, and the Schedules to, the principal Act are suspended.

(2) Notwithstanding the suspension of the provisions referred to in subsection (1)—

- (a) where notice of an application has been published in accordance with section 4 (2) of the principal Act on or after 23 July 2012 but before the commencement of this Act—
  - (i) an objection may be made in the manner specified in section 6 (1) of the principal Act by any person claiming to have an interest in the immovable property in respect of which the affidavit of prescription was sworn, within 6 months, or such longer period not exceeding 12 months as may be prescribed by the Attorney-General, of the commencement of this Act;

- (ii) the Conservator shall enter in the Register particulars of any objection received under subparagraph (i), as well as a mention of the date of service of the notice of objection;
- (b) where an application was made under section 4 of the principal Act before 23 July 2012 and—
  - (i) no objection has been received by the Conservator on the commencement of this Act, the affidavit of prescription shall be transcribed in accordance with section 9 (1) of the principal Act;
  - (ii) an objection was received by the Conservator within 3 months of the last publication of the notice under section 4 (3) of the principal Act, the objection shall be dealt with in accordance with section 7 of the principal Act.

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