

SECTION 33 —NATIVE LAND (MISCELLANEOUS FORMS)
REGULATIONS

TABLE OF PROVISIONS

REGULATION

1. Short title
2. Form of consent of native owners
3. Form of certificate
4. Form of notice
5. Form of order

Schedule—Forms

Regulations 30 May 1940, 22 February 1946, 31 May 1965.

Short title

1. These Regulations may be cited as the Native Land (Miscellaneous Forms) Regulations.

Form of consent of native owners

2. The consent of the native owners to any matter or thing in respect of which such consent is required to be given under the Act or any regulations made thereunder shall be given in such manner and evidenced in such form as the Board may consider appropriate and such consent shall be deemed to have been given if a majority of the adult native owners shall have signified their consent. *(Form 1.)*
(Substituted by regulations 31 May 1965.)

Form of certificate

3. A certificate under section 6 of the Act shall be in the Form 2 in the Schedule or as near thereto as the circumstances will permit. *(Form 2.)*

Form of notice

4. A notice under subsection (3) of section 19 of the Act shall be in the Form 3 in the Schedule or as near thereto as the circumstances will permit. *(Form 3.)*

Form of order

5. An order under subsection (6) of section 19 of the Act shall be in the Form 4 in the Schedule or as near thereto as the circumstances will permit.

(Form 4.)

SCHEDULE
(Amended by Regulations 22 February 1946.)

FORM 1
(Regulation 2)

RESOLUTION OF TIKINA COUNCIL

At a meeting of the Tikina Council of the Tikina of _____ held
at _____ on the _____ day of _____, 19____, it was resolved,
with the consent of the native owners, that [here set out terms of resolution].

Dated this _____ day of _____, 19____.

Buli

FORM 2
(Regulation 3)

Certificate No.:

FIJI
CERTIFICATE OF TRANSFER OF NATIVE LAND

The NATIVE LAND TRUST BOARD with the consent of the Tikina Council of the Tikina of _____ in the Province of _____, Fiji and on behalf of the Native Owners of the land hereinafter described DOTH HEREBY CERTIFY THAT in consideration of the sum of \$ _____ paid by the Director of Lands for the time being of Fiji (the receipt whereof the said Board for and on behalf of the said Native Owners doth hereby acknowledge) ALL THAT PIECE OF LAND known by the name of _____ situate in the Tikina of _____ in the Province of _____ in the Island of _____ and owned by the Mataqali _____ and containing _____ be the same a little more or less the boundaries of which are more particularly delineated and described hereon and shown on Plan No. _____ deposited in the office of the Registrar of Titles and thereon coloured _____ HAS BEEN TRANSFERRED to the said Director of Lands for and on behalf of the Crown subject to such leases and encumbrances as are specified in the Schedule hereto.

In witness whereof these presents have been executed this _____ day of _____, 19____.

The Common Seal of the Native Land Trust Board was } *Member of the Board*
hereunto affixed in pursuance of a resolution of the }
Board by and in the presence of: } *Secretary*
Signed by the Director of Lands for and on behalf of } *Director of Lands.*
the Crown. }

Certificate No.:

Endorsed _____ at _____ o'clock _____ noon.

Register of Native Lands Folio:

Registrar of Titles

FORM 3
(Regulation 4)

NOTICE OF EXTINCTION OF MATAQALI

Notice is hereby given that _____ has reported under section 19 (2) of the Native Land Trust Act that the mataqali _____ owner of that portion of land containing _____ acres and shown as Lot _____ on plan No. _____ has ceased to exist by the extinction of its members.

Any person desirous of showing that the said mataqali has not ceased to exist may give notice of objection in writing to the Native Land Trust Board within three months of the publication of this notice.

Dated at Suva this _____ day of _____, 19 _____.

Secretary

(To be published in a newspaper published in the Fijian language and circulating in Fiji and in English in the Gazette.)

FORM 4
(Regulation 5)

ORDER OF THE NATIVE LAND TRUST BOARD

Whereas the mataqali _____ was the owner of that piece of land containing _____ more or less and being Lot _____ on plan No. _____ deposited with the Registrar of Titles:

And whereas the said mataqali has been reported to have ceased to exist by the extinction of its members:

And whereas notice has been published in a newspaper published in the Fijian language and circulating in Fiji and in the Gazette stating that it has been reported to the Native Land Trust Board that the said mataqali has ceased to exist by the extinction of its members:

And whereas a copy of the said notice has been served on the roko tui of the province in which the said land is situate:

And whereas no objection has been received to such report within the time prescribed: *or*

And whereas the objections received to such report have been duly investigated and disallowed and notice of such disallowance given as prescribed:

And whereas the said Board is satisfied that the said mataqali has ceased to exist by the extinction of its members:

And whereas it is provided by section 19 subsection (1) of the Native Land Trust Act that the land of any extinct mataqali shall fall to the Crown as *ultimus*

haeres to be dealt with as therein provided:

Now therefore the Native Land Trust Board doth hereby order that the above-described land shall be retained and dealt with by the Crown in terms of section 19 subsection (1) of the Native Land Trust Act.

In witness whereof the Seal of the Board is hereunto affixed this day of
, 19 .

The Common Seal of the Native Land Trust Board was } *Member of the Board*
hereunto affixed in pursuance of a resolution of the }
board by and in the presence of: } *Secretary*

SECTION 33—NATIVE LAND (NATIVE RESERVES) REGULATIONS

TABLE OF PROVISIONS

REGULATION

1. Short title
 2. Appointment of Commissioner and assessors
 3. Power to summon witnesses, etc.
 4. Notice of sittings
 5. Meeting of tikina council
 6. Sittings
 7. Adjournment of sittings
 8. Language of proceedings
 9. Attendance of lessee affected
 10. Report of Commissioner to Board
- Schedule—Claim for Native Reserve
-

*Regulations 30 May 1940, 22 February 1946, 3 March 1958,
31 May 1965, Legal Notice No. 112 of 1970*

Short title

1. These Regulations may be cited as the Native Land (Native Reserves) Regulations.

Appointment of Commissioner and assessors

2.—(1) The Minister may appoint a Commissioner, who shall be charged with the duty of holding inquiries for the purpose of ascertaining the boundaries of portions of native land which the native owners desire should be set aside and notified as native reserves, and may appoint a person or persons to assist such Commissioner, and may, by general or special order published in the Gazette, confer on any such person or persons all or any of the powers of the Commissioner under these Regulations; and the term "Commissioner" wherever it is used in these