

# Land Leases (Amendment) Act 2003

REPUBLIC OF VANUATU

## LAND LEASES (AMENDMENT) ACT NO. 24 OF 2003

Arrangement of Sections

- 1 Amendments
- 2 Commencement

-----  
REPUBLIC OF VANUATU

Assent: 1<sup>st</sup> December, 2003  
Commencement: 1<sup>st</sup> July, 2004

## LAND LEASES (AMENDMENT) ACT NO. 24 OF 2003

An Act to amend the Land Leases Act [CAP 163].

Be it enacted by the President and Parliament as follows:

### **1 Amendments**

The Land Leases Act [CAP 163] is amended as set out in the Schedule, and item 3 in the Schedule has effect according to its terms.

### **2 Commencement**

This Act commences on 1 July 2004.

-----  
**SCHEDULE**

### **AMENDMENTS OF THE LAND LEASES ACT [CAP 163]**

#### **1 Section 1 (definition of Director)**

Repeal the definition, substitute

"**Director** means the Director of the department responsible for land".

## 2 Section 3

Repeal the section.

## 3 References to Director of Lands Records

A reference in any other Act or instrument to the Director of Lands Records is taken to be a reference to the Director of the department responsible for land.

## 4 After section 32

Insert

### "32A Application of sections 32B and 32C

- (1) Sections 32B and 32C apply only to leases of public land.
- (2) In subsection (1), public land means land:
  - (a) declared to be public land under the Land Reform Act [CAP 123] or any other Act; or
  - (b) acquired for a public purpose under the Lands Acquisition Act No. 5 of 1992.

### 32B Extension of leases

- (1) Subject to subsection (3), the Minister may extend the term of a lease that is less than 75 years to 75 years.
- (2) An application for an extension is to be made by the lessee in the form approved by the Minister and is to be accompanied by the prescribed fee.
- (3) The term of a lease is not to be extended unless:
  - (a) the lessee pays to the Minister a premium which is to be determined by the Principal Valuation Officer within the meaning of the Valuation of Land Act No. 22 of 2002; and
  - (b) the Minister is satisfied that the lessee has complied with all the conditions of the lease.
- (4) A premium referred to in paragraph (3)(a) must not exceed 10% of the unimproved market value of the land at the date of the application.

### 32C Right of renewal of a lease

- (1) This section applies only to a lease that has a term of 75 years.
- (2) A lessee of the lease may apply for a renewal of the lease.
- (3) An application is to be made to the Minister in the form approved by the Minister and is to be accompanied by the prescribed fee. An application is to be made not later than 3 months before the expiry of the lease.
- (4) The Minister may renew a lease for a term not exceeding 75 years if the Minister is satisfied that the lessee has complied with all the conditions of the lease.
- (5) To avoid doubt, this section applies despite subsection 32(2) of the Act."

-----