

# **Native Lands (Amendment) (No 1) Act 1983**

**REPUBLIC OF KIRIBATI**

**NATIVE LANDS (AMENDMENT) ACT 1983  
(No. 14 of 1983)**

I assent

Beretitenti,  
1983

**AN ACT TO REPEAL THE PROVISIO TO SECTION 5  
OF THE NATIVE LANDS (AMENDMENT) ORDINANCE 1977;  
AND FOR CONNECTED PURPOSES.**

*Commencement: 12<sup>th</sup> August 1983*

MADE by the Maneaba ni Maungatabu and assented to by the Beretitenti.

## **Short title**

1. This Act may be cited as the Native Lands (Amendment) Act 1983.

## **Repeal of Proviso to s.5 of the Native Lands (Amendment) Ordinance 1977.**

2. The Proviso to Section 5 of the Native Lands (Amendment) Ordinance 1977 is hereby repealed.

## **Savings**

3. All appeals in land causes and matters pending before the Lands Court Appeal Panel as at the date of commencement of this Act shall be deemed to be and treated as pending in the High Court, and shall be treated and heard as appeals in accordance with the provisions of Part VIII of the Magistrates Courts Ordinance, Chapter 52.

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## **THE NATIVE LANDS (AMENDMENT) ACT 1983**

### **EXPLANATORY MEMORANDUM**

1. The purpose of this Act is to provide for all appeals in lands causes and matters from the Magistrates Courts (Lands) to be heard by the High Court.

2. That is the present position in respect of all appeals filed after May 1978.

3. The position before that date was different. Previously such appeals were heard by the Lands Court Appeal Panel set up by the Native Lands Ordinance of 1957.
4. The Lands Court Appeal Panel was abolished by section 5 of the Native Lands (Amendment) Ordinance 1977 (then Cap. 22), but S. 5 contained a proviso that the Panel would continue in being only until it had dealt with appeals then pending, and then would be at an end.
5. Such appeals have not all been dealt with by the Panel although five years have elapsed. To endeavour to remedy this and eliminate in due course the backlog of appeal cases pending before the Panel, all cases so pending are now to be heard by the High Court in line with current practice.
6. This is achieved by repealing the said proviso and providing that all appeals pending in the Lands Court Appeal Panel are now pending in the High Court. Such appeals will now be dealt with in accordance with Part VIII of the Magistrates Court Ordinance (Cap 52).

**Michael N. Takabwe**  
**Attorney General**