

REPUBLIC OF KIRIBATI
(No. 8 of 2001)

I assent,

Beretitenti
2001

AN ACT TO AMEND THE STATE ACQUISITION OF LANDS ORDINANCE
(CAP. 95B)

Commencement:
2001

Short title and commencement

1. This Act may be cited as the State Acquisition of Lands (Amendment) Act 2001.

Amendment of section 16

2. Section 16 of the State Acquisition of Lands Ordinance (Cap. 95B) is amended in paragraph (a) as follows -

- (a) by adding to the end of sub-paragraph (i) the following –

“but having regard to the nature of the estate being acquired”; and

- (b) by adding two new sub-paragraphs (vi) and (vii) as follows –

“(vi) where the land on which an estate is being acquired has fixed improvement which have been constructed by the state or by virtue of the occupation and rights of the State, the value of those improvements shall be offset against that part of the market value attributed to fixed improvements under paragraph (i); and

(vii) any other matters which, in the circumstances and having regard to the provisions of this Act, the customary law of Kiribati, and the rules of law and equity, as to the Court seems appropriate.”

STATE ACQUISITION OF LANDS (AMENDMENT) ACT 2001**EXPLANATORY MEMORANDUM**

The principal object of this Act is to empower the Court when assessing the value of the land to be acquired under the State Acquisition of Lands Ordinance, to take into account the very nature of the estate or land being acquired itself and improvements on the land which the State has made whilst as a lessee or occupier of the land in question. It also empowers the Court to consider other matters, which the Court thinks appropriate and proper to take into account.

Michael N Takabwebe
Attorney General
1 May 2001