

G.N. No. 22/56.  
THE ISLAND OF NAURU

No. 1 of 1956.

A N O R D I N A N C E

To amend the Lands Ordinance 1921-1951.

BE it ordained by the Administrator of the Island of Nauru in pursuance of the powers conferred by Article 1 of the Agreement dated the second day of July, 1919, between the Government of the United Kingdom, the Government of the Commonwealth of Australia and the Government of the Dominion of New Zealand, as follows:-

1.-(1.) This Ordinance may be cited as the Lands Ordinance 1956.

(2.) The Lands Ordinance 1921-1951, as amended by this Ordinance, may be cited as the Lands Ordinance 1921-1956.

2. This Ordinance shall be deemed to have come into operation on the first day of July, One thousand nine hundred and fifty-three.

3. Section five of the Lands Ordinance 1921-1951 is repealed and the following sections are inserted in its stead:-

"5.-(1.) Subject to this section, the Commissioners may lease non-phosphate-bearing land on the Island which is required by the Commissioners for or in connexion with their operations from the owner or owners of the land.

"(2.) The Commissioners shall not lease land under the last preceding sub-section unless the approval of the Administrator and the owner or owners of the land has first been obtained.

"(3.) The approval of the Administrator or the owner or owners of land required by the Commissioners shall not be unreasonably withheld.

Short title  
and citation.

Commencement.

Rent payable  
by Commissioners  
for non-phosphate-  
bearing land.

"(4.) The Commissioners shall pay rent for non-phosphate-bearing lands leased in pursuance of this section at the rates calculated in accordance with the succeeding provisions of this section.

"(5.) Subject to the next succeeding sub-section, the rate of rent payable by the Commissioners under a lease for a term of not less than twelve months is -

- (a) in respect of non-phosphate-bearing land which comprises an area of not less than one-third of an acre - Six pounds per acre per annum;
- (b) in respect of non-phosphate-bearing land which comprises an area of less than one-third of an acre but not less than one-fifth of an acre - Two pounds per annum; and
- (c) in respect of non-phosphate-bearing land which comprises an area of less than one-fifth of an acre -
  - (i) if the lease was entered into before the first day of July, One thousand nine hundred and fifty-three - One pound ten shillings per annum; or
  - (ii) if the lease is entered into on or after that date - Two pounds per one-fifth of an acre per annum.

"(6.) On the first day of July, One thousand nine hundred and fifty-six, and on the expiration of each succeeding period of three years, the first of which will commence on that date, the rate of the rent payable by the Commissioners for the lease of non-phosphate-bearing lands under the last preceding sub-section shall be increased or decreased -

- (a) if the land so leased comprises an area of not less than one-third of an acre or comprises an area of less than one-fifth of an acre - at the rate of Two shillings per acre per annum, calculated to the nearest penny, for each One shilling increase or decrease, as the case requires, in the average f.o.b. price per ton of Nauru phosphate sold by the Commissioners to the

United Kingdom, Australia and New Zealand; or

- (b) if the land so leased comprises an area of less than one-third of an acre but not less than one-fifth of an acre - at the rate of Eight pence per annum for each One shilling increase or decrease, as the case requires, in that average f.o.b. price per ton.

"(7.) The rate of the rent payable by the Commissioners for non-phosphate-bearing land under a lease for a term of less than twelve months is double the amount calculated under the last two preceding sub-sections.

Compensation  
for trees  
removed from  
leased land.

"5A.-(1.) Subject to the succeeding provisions of this section, the Commissioners may remove any trees from non-phosphate-bearing land leased in pursuance of the last preceding section.

"(2.) The Commissioners shall, in respect of each tree removed from land so leased, pay compensation, within the limits set out in the next succeeding sub-section, having regard to the type and the growth of the tree removed.

"(3.) The limits of compensation for each tree so removed are -

- (a) for the removal of a coconut tree - Three shillings and ninepence and One pound seventeen shillings and six pence;
- (b) for the removal of a pandanus tree - Three shillings and One pound four shillings;
- (c) for the removal of a tomano tree - Three shillings and One pound ten shillings; and
- (d) for the removal of an almond tree - Three shillings and Fifteen shillings."

Dated this 23<sup>rd</sup> day of JULY, 1956.

*Heys*  
ADMINISTRATOR OF THE ISLAND OF  
NAURU.