

[Ordinance No. 12.]

LANDS ORDINANCE, 1921.

I, THOMAS GRIFFITHS, Administrator of the Island of Nauru, by virtue of the powers me thereunto enabling, do hereby enact, order, and proclaim as follows:—

2. This Ordinance may be cited for all purposes as the Lands Ordinance, 1921, and shall come into operation forthwith.

3. In this Ordinance “the Administrator” shall mean the person for the time being administering the Government of the Island of Nauru.

4. (1.) Any person, firm, or company who, without the consent in writing of the Administrator, or a person duly authorized by the Administrator to give such consent, transfers, sells, or leases, or enters into any contract or agreement for the sale, or lease of, or for the granting of any estate or interest in any land, shall be guilty of an offence and shall be liable to a penalty not exceeding £10, or in default, imprisonment for a period not exceeding two months.

(2.) Any transfer, sale, lease, contract, or agreement made or entered into in contravention of this section shall be absolutely void and of no effect.

5. Subject to the approval of the Administrator, land may be leased for such periods as the Administrator may approve, subject to the following conditions:—

(a.) Phosphate-bearing lands may be leased to the British Phosphate Commission for a period terminating not later than the 31st March in the year 2000, subject to—

(1.) Payment to the owner, when lease is entered into, at the rate of £20 per acre, or proportional rate thereof if less than 1 acre; and

(2.) Payment of royalty on all phosphate actually shipped in accordance with bill-of-lading figures at the rate of 3d. per ton, of which 2d. shall be paid to the owner and 1d. to the Administrator, to be held in trust for the benefit of the Natives of Nauru. These payments shall be made twice yearly: the first payment to be in January, for all phosphates shipped from the 1st July to 31st December preceding; the second payment to be in July, for all phosphates shipped from 1st January to 30th June preceding.

The trees and shrubs on land acquired under this subsection shall be the property of the British Phosphate Commission, to be disposed of as the British Phosphate Commission may deem fit.

The Administrator shall determine what lands shall be classed as phosphate-bearing lands for the purpose of this subsection.

(b.) Non-phosphate-bearing lands may be leased by any person, subject to the approval of the owner and the Administrator, for a period terminating not later than the 31st day of March in the year 2000, subject to—

(1.) Payment of an annual rental at rate of £1 5s. per acre, or proportion thereof if less than 1 acre.

(2.) The trees and edible fruits thereof on land leased under this subsection shall remain the property of the lessor, who shall at all times between the hours of sunrise and sunset have the right to enter on such land and remove the fruits of such trees.

(3.) The lessor shall not plant any trees on the leased land without the consent of the lessee, except to replace trees that may die from natural causes.

(4.) No trees shall be removed, destroyed, or damaged by the lessee or his agents unless the consent of the Administration is first obtained; and the Administrator shall assess the amount of compensation for such removal, destruction, or damage to be awarded to lessor in each case, in accordance with the following schedule:—

	Per Tree.
	£ s. d.
Coconut-trees, full grown	1 0 0
„ three-quarter grown	0 15 0
„ half grown	0 10 0
„ smaller	from 6s. to 0 10 0
Pandanus-trees, full grown	from 0 8 0
„ three-quarter grown	from 0 6 0
„ half grown	from 0 4 0
„ smaller	from 6d. to 0 4 0
Tomato-trees (according to size)	from 1s. to 0 5 0
Almond-trees (according to size)	from 1s. to 0 4 0

Penalty—fine not exceeding £5.

6. Notwithstanding the foregoing, the Administrator shall have the power to fix special rates for leasing of non-phosphate-bearing lands in exceptional cases where he considers the rates specified in subsection (b) of 5 are not equitable.

Given under my hand, this 24th day of October, 1921.

T. GRIFFITHS, Administrator.

[Ordinance No. 13.]

SUSPENSION OF SENTENCES ORDINANCE, 1921.

I, THOMAS GRIFFITHS, Administrator of the Island of Nauru, by virtue of the powers me thereunto enabling, do hereby enact, order, and proclaim as follows:—

2. This Ordinance may be cited for all purposes as the Suspension of Sentences Ordinance, 1921, and shall come into operation forthwith.

3. In this Ordinance “the Administrator” shall mean the person for the time being administering the Government of the Island of Nauru.

4. The Administrator may at any time suspend the operation of any sentence of imprisonment (a) for a specified period, or (b) for an indefinite period, and may at any time by order under his hand—

(a.) Withdraw such suspension, whereupon the sentence, or, if the person concerned had undergone any period of the imprisonment awarded at the date on which the sentence was suspended, the uncompleted portion of such sentence shall be immediately put into operation; or

(b.) Wholly, or in part, remit the sentence awarded.

Given under my hand, this 25th day of November, 1921.

T. GRIFFITHS, Administrator.

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