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AMENDMENTS OF LAND REFORM ACT [CAP 123]

REPUBLIC OF VANUATU

**LAND REFORM (AMENDMENT)
ACT NO. 11 OF 2014**

Arrangement of Sections

1 Amendment

2 Commencement

REPUBLIC OF VANUATU

Assent: 19/06/2014

Commencement: 24/06/2014

**LAND REFORM (AMENDMENT)
ACT NO. 11 OF 2014**

An Act to amend the Land Reform Act [CAP 123].

Be it enacted by the President and Parliament as follows-

1 Amendment

The Land Reform Act [CAP 123] is amended as set out in the Schedule.

2 Commencement

(1) This Act commences on the day on which it is published in the Gazette.

(2) Subject to subsection (1), Item 14 commences upon the gazettal of the Public Roads Act No. 35 of 2013.

SCHEDULE

AMENDMENTS OF LAND REFORM ACT [CAP 123]

1 Section 1 (Interpretation)

(a) Insert in its correct alphabetical position:

““Council of Ministers” means the Council of Ministers established under Article 40(1) of the Constitution;”

(b) Definition of “Environmental Management and Conservation Act”
Delete “Management”, substitute “Protection”

2 Paragraph 6A (6)(b)

Delete “Management”, substitute “Protection”

3 Paragraph 6(3)(d)

Repeal the paragraph.

4 Paragraphs 6(3)(e) and (f)

Re-letter the paragraphs as (d) and (e).

5 Paragraph 6I(2)(a)

After “execution”, insert “of the negotiation certificate”

6 Paragraph 6N(d)

Delete “.” substitute “; or”

7 At the end of section 6N

Add

“(e) that the custom owners were not notified in accordance with the procedures in sections 6B and 6K.”

8 Paragraph 6T (2)(e)

Delete “Management”, substitute “Protection”

9 Subsection 6T(7)

(a) After “must”, insert “not unreasonably withhold his or her consent to”

(b) After “lease”, insert “.”

(c) Delete “and notify the negotiator that the lease is to be registered”

10 Subsection 6T(8)

Repeal the subsection, substitute

“(8) Upon approving the registration of a lease, the Minister must send the lease to the Director to be registered and notify the negotiator that the lease is to be registered.”

11 Paragraph 6W(3)(f)

Delete “Management”, substitute “Protection”

12 Subsection 6W(8)

(a) After “must”, insert “not reasonably withhold his or her consent to”

(b) After “type” (first occurring), insert “.”

(c) Delete “and notify the applicant that the subdivision or change of lease type is to be registered”

13 Subsection 6W(9)

Repeal the subsection, substitute

“(9) Upon approving the registration of a subdivision or change of lease type, the Minister must send the subdivision or change of lease type to the Director to be registered and notify the applicant that the subdivision or change of lease type is to be registered.”

14 Subsection 6Z(1)

Delete “conduct an initial mortgage or transfer,”

15 Subsection 6Z(2)

Delete “initial mortgage, transfer or”

16 Subsection 8A(3)

Delete “Management”, substitute “Protection”

17 Paragraph 10C(1)(e)

Delete “Management”, substitute “Protection”

18 Subsection 10E(7)

(a) Delete “delay”, substitute “withhold”;

(b) After “his”, insert “or her”.

19 Subsection 17(2)

Repeal the subsection, substitute

“(2) A Road Administrator may temporarily close a road to enable works to be carried out.

(3) The Road Administrator must notify the relevant Provincial Government Council or Municipal Council of the closure, except in the case of urgent works.”