

**ACT NO. 26 OF 2022**

I assent.

W. KATONIVERE  
President

[13 May 2022]

**AN ACT****TO AMEND THE STATE LANDS ACT 1945**

ENACTED by the Parliament of the Republic of Fiji—

*Short title and commencement*

**1.**—(1) This Act may be cited as the State Lands (Amendment) Act 2022.

(2) This Act comes into force on a date appointed by the Minister by notice in the Gazette.

*Section 16 amended*

**2.** Section 16 of the State Lands Act 1945 is amended by—

(a) after subsection (1), inserting the following new subsection—

“(1A) No person, being the holder of a lease or licence under this Act may enter into or make any arrangement or agreement to permit any other person to acquire by sale or otherwise the land or a portion of the land thereof in respect of which the lease or licence is granted, without the consent of the Director of Lands.”; and

(b) after subsection (3), inserting the following new subsections—

“(4) Notwithstanding anything contained in any other written law or term or condition of a lease, licence or approval notice of lease, the Director of Lands may, where an arrangement or agreement has been made by a lessee in contravention of this section prior to the enactment of the State Lands (Amendment) Act 2022, re-enter the land and cancel the lease, licence or approval notice of lease, provided however that there are no encumbrances on the land.

(5) For the purpose of subsection (4), a committee prescribed by regulations must first confirm a contravention of this section to the Director of Lands.

(6) Notwithstanding anything contained in any other written law or term or condition of a lease, licence or approval notice of lease, the Registrar of Titles or the Registrar of Deeds as applicable, shall cancel any such lease, licence or approval notice of lease following an application made by the Director of Lands under subsection (4).

(7) For the purposes of this section, the committee prescribed by regulations shall be chaired by the permanent secretary responsible for housing and community development and include the permanent secretary responsible for lands and the Solicitor-General or his or her nominee as members.

(8) For the avoidance of doubt, any occupant of land referred to under this section including the lessee shall remain on the land subject to any terms and conditions of any lease, licence or approval notice of lease granted after the enactment of the State Lands (Amendment) Act 2022.”.

Passed by the Parliament of the Republic of Fiji this 12th day of May 2022.