

**LAWS OF THE GILBERT ISLANDS
REVISED EDITION 1977**

CHAPTER 48

LAND PLANNING

ARRANGEMENT OF SECTIONS

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14 of 1972
(Cap. 93 of
1973)
18 of 1974
26 of 1977
L.N. 54/72

An Ordinance to provide for the control of the development and use of land

Commencement: 1st January 1973

PART I

PRELIMINARY

Short title

1. This Ordinance may be cited as the Land Planning Ordinance.

Interpretation

2. In this Ordinance unless the context otherwise requires—
 "Central Board" means the Central Land Planning Board established by section 4;
 "designated area" means an area designated under section 3;
 "detailed land use plan" means a detailed land use plan prepared, approved and certified in accordance with the provisions of Part III;

"development" means the carrying out of any works or the erection of any structure on any land within a designated area or the use to which such land or any works or structure thereon are put;

"general land use plan" means a general land use plan prepared, approved and certified in accordance with the provisions of Part III;

"local board" means a local land planning board established by section 5;

"redevelopment" means the whole or partial removal, dismantling or demolition of any works or structure or of any part thereof on any land within a designated area and the replacement, rebuilding, reconstruction or restoration of such works or structure or part thereof in the same or different form and includes any variation of the use to which any such land or any works or structure thereon are put.

3. The Central Board may with the approval of the Minister by notice designate any area for the purposes of this Ordinance. Designated areas

PART II

ESTABLISHMENT, MEMBERSHIP AND PROCEDURE OF LAND PLANNING BOARDS.

4. (1) There is hereby established the Central Land Planning Board which shall consist of a chairman, a deputy chairman, a secretary and not less than 5 or more than 9 other members all of whom shall be appointed by notice by the Minister. Establishment of Central Board

(2) Members of the Central Board, other than public officers, may resign their membership by giving written notice to the Minister.

(3) The chairman or in his absence the deputy chairman shall preside at every meeting of the Central Board.

(4) No business shall be transacted at a meeting of the Central Board unless at least 5 members including the chairman or deputy chairman are present.

(5) Meetings of the Central Board shall be held in public:

Provided that the chairman or deputy chairman may where he considers that it is in the public interest to do so direct that a meeting shall be held in private.

(6) Subject to this Ordinance the Central Board may make rules for the procedure at and the conduct of its meetings and the adjournment of any meeting at which a quorum is not present.

Establishment of local boards

5. (1) Subject to the proviso to subsection (3) there is hereby established for each designated area a local land planning board.

(2) Subject to subsection (3) where a designated area is wholly within the area of authority of a single local government council that council shall be the local board for that designated area.

(3) Where a designated area is not wholly within the area of authority of a single local government council and in the case of any designated area where the Minister so determines the local board for that designated area shall consist of such members as the Minister may by notice appoint:

Provided that the Minister instead of appointing members to a local board may by notice under this section appoint a person to perform the functions of a local board under this Ordinance for any designated area and every reference in this Ordinance to a local board shall unless the context otherwise requires be deemed to include a reference to such a person.

(4) A member of a local board constituted under subsection (3) or a person appointed to perform the functions of a local board in accordance with the proviso to that subsection may, unless he is a public officer, resign his membership or appointment as the case may be by giving written notice to the Minister.

(5) Meetings of local boards shall be held in public:

Provided that the chairman of the Central Board may where he considers that it is in the public interest to do so direct that a meeting shall be held in private.

(6) Subject to this Ordinance a local board may make rules for the procedure at and the conduct of its meetings and the adjournment of any meeting at which a quorum is not present.

Appointment of committees

6. (1) The Central Board or a local board or a person appointed in accordance with the proviso to section 5 (3) may appoint such committees as it or he deems fit.

(2) The number of members of a committee and their terms of office shall be determined by the Central Board or the local board or the person appointed in accordance with the proviso to section 5 (3) as the case may be.

(3) The Central Board or a local board may appoint any person whether or not he is a member of that board to be a member of one of its committees.

7. (1) The Central Board or a local board or a person appointed in accordance with the proviso to section 5 (3) may make rules respecting the quorum, proceedings and place of meeting of any of its or his committees. Procedure and meetings of committees

(2) Subject to subsection (1) the quorum, proceedings and place of meeting of a committee shall be such as the committee may determine.

8. Members of the Central Board or of a local board constituted under section 5 (3), a person appointed in accordance with the proviso thereto and members of a committee appointed thereby may be paid out of the Consolidated Fund such travelling and other expenses as may be incurred by them in respect of their duties and, excepting those who are public officers, an attendance allowance at such rate as may be determined by the Minister. Allowances

PART III

LAND USE PLANS

9. (1) The Central Board shall prepare or cause to be prepared in accordance with this Part a general land use plan of every designated area. General land use plan to be prepared

(2) A general land use plan shall consist of a single plan at a suitable scale depicting the whole of the designated area:

Provided that where the designated area is of such an extent as not to be conveniently depicted on one plan it shall be depicted on a series of plans and the general land use plan shall consist of that series.

(3) A general land use plan shall indicate the use or class of use to which every part of the land depicted thereon may be permitted to be put on development or redevelopment.

(4) For the purpose of preparing the general land use plan for a designated area in accordance with this Part the Central Board shall co-opt 2 persons who the Board is satisfied have been chosen by a majority of the recognised elders of all the villages within that designated area and until the plan has been certified under section 10 (8) those persons shall, notwithstanding section 4 (1), be deemed to be members of the Board for that purpose alone.

10. (1) There shall first be prepared a draft general land use plan which or a copy of which shall be open to scrutiny by members of the public for 12 weeks during normal office hours— Draft general land use plan to be open to public scrutiny

- (a) at such Government or local government council office within the designated area the plan depicts and at such other place or places outside that designated area as the Central Board shall determine; and
 - (b) where the Central Board considers it necessary in the public interest at such other place or places within that designated area as the Central Board shall determine.
- (2) Any person may in writing request the Central Board to make or consider specific amendments to the draft general land use plan.
- (3) The Central Board and the local board for the designated area the draft general land use plan depicts shall take all reasonable steps to inform members of the public that that plan is open to public scrutiny and of their right under subsection (2) to request the Central Board to make or consider specific amendments thereto.
- (4) The Central Board shall consider all requests under subsection (2) received by it within 1 month of the end of the 12 weeks' period prescribed by subsection (1) and may amend the draft general land use plan to take account thereof.
- (5) Where the Central Board considers that a request under subsection (2) which may have been posted within 2 weeks of the end of the 12 weeks' period prescribed by subsection (1) cannot or is unlikely in the ordinary course of post to be received by the Board within the 1 month period prescribed by subsection (4) it shall extend that period by such further period as will in the Board's opinion render it likely that that request will be received in the ordinary course of post within the further period.
- (6) After consideration by the Central Board in accordance with subsections (4) and (5) of every request under subsection (2), the draft general land use plan shall be submitted to the Secretary together with all such requests of which no or only partial account has been taken by the Central Board.
- (7) The Minister after consideration of every request submitted with the draft general land use plan under subsection (6) may approve that plan.
- (8) A draft general land use plan approved by the Minister under subsection (7) and certified to that effect by the Secretary shall be the general land use plan for the designated area it depicts.
- (9) The secretary of the Central Board shall prepare a copy of every general land use plan and within 14 days of its certification

under subsection (8) shall transmit 1 copy to the Local Board for the designated area the plan depicts.

11. (1) After receipt by the local board of the copy of the general land use plan transmitted to it under section 10 (9) a detailed land use plan shall be prepared in accordance with this Part and with any regulations or directions which may be made or given by the Central Board. Detailed land use plan to be prepared

(2) A detailed land use plan shall consist of a plan or a series of plans at a suitable scale indicating precisely the use or class of use to which every part of the land depicted on the general land use plan may be permitted to be put on development or redevelopment.

(3) Subject to any directions which may be given by the Central Board the use or class of use to which any part of the land may be permitted to be put indicated on a detailed land use plan shall conform to the use or class of use indicated for that part by the general land use plan.

12. (1) A draft detailed land use plan shall be prepared by the local board within 6 months of receiving the copy of the general land use plan transmitted to it under section 10 (9). Preparation and approval of detailed land use plan

(2) If it appears to a local board when preparing the draft detailed land use plan that minor amendment of the general land use plan would be desirable the Board may so recommend to the Central Board which shall consider the recommendation and may with the approval of the Minister accordingly amend the general land use plan.

(3) The draft detailed land use plan prepared by the local board or a copy thereof shall be open to scrutiny by members of the public for 12 weeks during normal office hours at such Government or local government council office within the designated area as the local board shall determine and where the local board considers it necessary in the public interest at such other place or places within the designated area as it shall determine.

(4) Any person may in writing delivered or transmitted to the local board request the making or consideration of specific amendments to the draft detailed land use plan.

(5) The local board shall take all reasonable steps to inform members of the public that the draft detailed land use plan is open to public scrutiny and of their right under subsection (4) to request the making or consideration of specific amendments thereto.

(6) The local board shall consider all requests under subsection (4) received by it within 2 weeks of the end of the 12 weeks' period prescribed by subsection (3) and may amend the draft detailed land use plan to take account thereof.

(7) After consideration by the local board in accordance with subsection (6) of every request under subsection (4) the local board shall transmit to the Central Board a copy of the draft detailed land use plan together with all such requests of which no or only partial account has been taken by the local board.

(8) The Central Board shall consider every draft detailed land use plan and every request under subsection (4) which or a copy of which has been transmitted to it under subsection (7) and may direct the local board to amend or may itself amend the draft plan.

(9) After consideration of a draft detailed land use plan and of every request under subsection (4) transmitted to it under subsection (7) the Central Board may approve the draft plan with or without amendment.

(10) A draft detailed land use plan approved by the Central Board under subsection (9) and certified to that effect by the chairman and secretary shall be the detailed land use plan for the designated area depicted in the corresponding general land use plan.

(11) Every local board shall cause a copy of the detailed land use plan to be transmitted to the Central Board as soon as practicable after it has been certified under subsection (10).

Colours and symbols to be used on land use plans

13. The uses or classes of use referred to in sections 9 (3) and 11 (2) shall be indicated on a general or detailed land use plan by such colours, shading, letters, numbers or other symbols as the Central Board may determine or direct.

Substitution of new general land use plan

14. (1) A new general land use plan may at any time be substituted for an existing general land use plan in which case sections 9, 10, 11 and 12 shall apply.

(2) Any draft detailed land use plan prepared in consequence of the substitution of a new general land use plan under subsection (1) shall on certification under section 12 (10) be the detailed land use plan for the designated area depicted in that general land use plan and shall be substituted for the existing detailed land use plan if any.

15. (1) Subject to the provisions of this section the Central Board may at any time with the approval of the Minister amend a general land use plan. Amendment of general and detailed land use plan

(2) No general land use plan shall be amended under this section unless members of the public have been given such opportunity to make representations in relation to the proposed amendment as the Minister considers appropriate having regard to the nature of the proposed amendment.

(3) Where in the opinion of the chairman of the Central Board the proposed amendment to a general land use plan is so extensive as to amount to the substitution of a new plan section 14 shall apply.

(4) Subject to the provisions of this section the Central Board or a local board with the approval of the Central Board may at any time amend a detailed land use plan.

(5) No detailed land use plan shall be amended—

(a) by the Central Board unless the local board has been given the opportunity to make representations in relation to the proposed amendment; or

(b) by the Central Board or a local board unless members of the public have been given such opportunity to make representations in relation to the proposed amendment as the Central Board considers appropriate having regard to the nature of the proposed amendment.

(6) Every local board shall at least once in every 3 years review the detailed land use plan.

16. Every local board shall take all reasonable steps to advise the public of the existence of the general and detailed land use plans and of the draft general and detailed land use plans for the designated area for which the local board is established and to explain to the public the purpose and effect or intended purpose and effect of those plans. Public to be advised of land use plans

PART IV

DEVELOPMENT CONTROL AND APPEALS

17. Any person who develops or redevelops land within a designated area for which there is a general land use plan without then having valid permission in writing so to do granted by a local board or who fails to comply with the terms or conditions of any such permission shall be liable to a fine of \$5000: Penalty for unlawful development or re-development

Provided that it shall not be an offence under this section to carry out works for the repair, maintenance, improvement or other alteration of a building without permission so to do granted by a local board if those works affect only the interior of the building or do not materially affect the external appearance of the building.

Development not to be permitted save in accordance with land use plans

18. Subject to the provisions of this Part a local board shall not grant permission for development or redevelopment within a designated area unless that development or redevelopment is in accordance with the general land use plan and with the detailed land use plan, if any, for that area.

Applications for permission to develop land

19. (1) Any person wishing to develop or redevelop land within a designated area may apply to the local board established for that area for permission so to do.

(2) Every application under subsection (1) shall be in writing and shall where the local board so requires be supported by—

(a) drawings clearly indicating—

(i) the land to be developed or redeveloped; and

(ii) the siting of any works or structure proposed to be carried out or erected on the land in relation to the boundaries thereof; and

(b) details in writing, which may be upon the drawings prescribed by paragraph (a), of the type of development or redevelopment proposed including the use to which the land or any works or structure thereon are intended to be put in consequence thereof.

(3) In any case where the local board so determines the name and address of the person making an application under subsection (1) and a summary of the permission sought shall forthwith be published by exhibition at such Government or local government council office within the designated area as the local board shall also determine and thereafter for 14 days that application and the supporting documents, if any, prescribed by subsection (2) shall be there open to scrutiny by members of the public during normal office hours.

Local boards to consider applications for development permission

20. (1) Subject to subsection (2) the local board shall as soon as practicable consider every application under section 19 together with such written and oral submissions or representations as the applicant or any other person may wish to make in respect thereof and after taking into account all the relevant factors may grant the permission sought subject to such terms, conditions and modifications as the board may deem fit to impose:

Provided that no application that has been open to public scrutiny under section 19 (3) shall be considered by a local board earlier than 7 days after the end of the 14 days' period therein prescribed.

(2) No decision shall be taken by a local board under subsection (1) unless notice in writing of the date on which the application together with submissions and representations is to be considered by the board has at least 7 days before that date—

- (a) been given to the applicant; and
- (b) where the application has been open to public scrutiny at a Government or local government council office under section 19 (3), been published by exhibition at that office.

(3) The local board shall within 7 days of making a decision under subsection (1) transmit that decision in writing to the applicant and, where the application in question has been open to public scrutiny at a Government or local government council office under section 19 (3), publish the same by exhibition at that office.

21. (1) Any person aggrieved by a decision of a local board under section 20 may appeal against that decision to the Central Board if within 1 month of that decision being made notice in such form on payment of such fee as may be prescribed has been given to the secretary of the Central Board.

Appeal from
local to
Central
Board

(2) The Central Board or the chairman thereof may in any case extend the time within which notice of appeal under this section is required to be given.

(3) The Central Board shall inform the local board and, where he is not the appellant, the original applicant under section 19 of the appeal and shall within 1 month of the receipt of the notice of appeal under subsection (1) consider the appeal taking into account the material land use plans and all other relevant factors.

(4) The Central Board shall either affirm the decision of the local board or direct the local board—

- (a) where permission has not been granted under section 20 to grant the permission sought subject to such terms, conditions and modifications as the Central Board may specify;
- (b) where permission has been granted under section 20—
 - (i) to revoke that permission; or
 - (ii) to substitute for that permission fresh permission containing such terms and conditions as the Central Board may specify; or

(iii) to alter that permission in the manner specified by the Central Board.

(5) The Central Board shall transmit a copy of every order made under subsection (4) to the appellant, to the local board and in any event to the original applicant under section 19 within 7 days of the order being made.

Provision
for further
appeal

22. (1) Any person aggrieved by a decision of the Central Board under section 21 (4) may appeal against that decision on the ground that it was wrong in law to the High Court if within 1 month of the decision being made notice in such form on payment of such fee as may be prescribed has been given to the Registrar of the High Court.

(2) A judge in the case of an appeal under subsection (1) may in any case extend the time within which notice of appeal under this section is required to be given.

(3) The High Court shall either affirm the decision of the Central Board or direct the local board in accordance with section 21 (4) as if the references therein to the Central Board were references to the High Court.

(4) The High Court shall transmit a copy of every order made by it under subsection (3) to the appellant, to the local board in question and in any event to the Central Board, to the original applicant under section 19 and to the original appellant to the Central Board within 7 days of the order being made.

Central
Board may
state a case
for High
Court

23. (1) The Central Board may, in respect of any appeal to it under section 21, on its own motion state a case setting forth the material facts and requesting the determination of a question or questions of law arising therefrom by the High Court.

(2) The High Court shall hear and determine the question or questions of law arising on a case stated under subsection (1) and shall transmit a copy of its determination to the Central Board within 7 days of the determination.

(3) The Central Board shall inform the appellant, the local board in question and in any event the original applicant under section 19 of any determination of the High Court under subsection (2) and shall then decide the appeal in accordance with section 21 (4).

(4) The provisions of this section shall be without prejudice to the provisions of section 22:

Provided that no person may appeal against a decision of the

Central Board made after a determination on a case stated under this section without leave of the High Court.

24. (1) Before an order is made by the Central Board under section 21 (4) the appellant, the local board and in any event the original applicant under section 19 shall be entitled to make to the Central Board, and before an order is made by the High Court under section 22 (4) the appellant and in any event the Central Board, the original applicant and the original appellant to the Central Board shall be entitled to make to the Court—

Right of audience on appeal

- (a) oral submissions either in person or by an advocate or other person;
- (b) written submissions either in addition to or in substitution for oral submissions under paragraph (a).

(2) Before the High Court makes a determination on a case stated under section 23 the appellant in the appeal to the Central Board in respect of which the case has been stated, the Central Board and in any event the original applicant under section 19 shall be entitled to make to the Court both oral and written submissions in the manner prescribed by subsection (1).

25. (1) If within 1 year of the grant of permission by a local board under this Ordinance to develop or redevelop land within a designated area no development or redevelopment in accordance with that permission takes place the permission shall forthwith cease to be valid and shall be deemed to have been revoked.

Period of validity of permission to develop or redevelop land

(2) Where permission ceases to be valid by virtue of subsection (1) a fresh application for permission may be made under section 19.

26. (1) Notwithstanding the other provisions of this Ordinance a local board may grant permission for the use to which any land within a designated area or any works or structure thereon are put at the time the general land use plan for that area comes into effect to continue notwithstanding that that use is not in accordance with the general or detailed land use plan.

Non-conforming land uses

(2) A local board may at any time revoke any permission granted under subsection (1) if reasonable notice of its intention so to do has first been given.

(3) Where permission is revoked under subsection (2) compensation shall be paid and the amount thereof shall be determined in the manner which may be prescribed.

(4) Any person aggrieved by a revocation of permission under

subsection (2) shall have the rights of and on appeal conferred by sections 21, 22 and 24.

Non-complying use not to continue

27. Where permission for the use to which land or any works or structure thereon may be put is granted under section 26 no permission subsequently granted under section 20 shall permit the continuance of that use unless the Central Board so directs.

Power to require the discontinuance and demolition of any unlawful development

28 (1) Any person responsible for any unlawful development or redevelopment may be required in writing by the local board to discontinue the same and to remove, dismantle or demolish any works or structure or part thereof in being in consequence of that development or redevelopment.

(2) Any person who wilfully and without reasonable excuse, the proof whereof shall lie on him, fails to comply with a requirement under this section shall be liable to a fine of \$5000.

(3) The local board may cause any works or structure or part thereof referred to in subsection (1) to be removed, dismantled or demolished if within 6 weeks of a requirement under subsection (1) being served that requirement has not been fully complied with.

(4) The Attorney-General may recover in any court from any person responsible for the unlawful development or redevelopment the cost occasioned by the removal, dismantling or demolition of any works or structure or part thereof under subsection (3).

(5) No compensation shall be payable in respect of any action taken by a local board under this section.

Transitional provision

29. Any person who continues the use to which any land within a designated area or any works or structure thereon are put at the time the general land use plan for that area comes into effect shall for the following periods be deemed to do so in accordance with valid permission granted him under section 20 notwithstanding that no such permission has in fact been granted—

- (a) until the expiration of 1 month from the date on which he is given notice in writing by the local board that this section shall no longer apply to that use, and
- (b) thereafter for so long as any application to continue that use made under section 19 within the period prescribed by paragraph (a) has not been finally disposed of on appeal or otherwise.

PART V

GENERAL

30. (1) The Central Board shall maintain a register in such form as it may determine and shall record therein the result of every appeal to the Board under section 21 and of every appeal against a decision of the Board under section 22. Registers and returns

(2) Every local board shall maintain a register in such form as may be prescribed and shall record therein details of every application under section 19 and of every permission granted under section 20 or in compliance with a direction of the Central Board under section 21 or the High Court under section 22.

(3) Every local board shall submit to the Central Board in such form as may be prescribed and on such occasions as may be prescribed or as the Central Board may direct the result of every application under section 19.

31. (1) The Central Board may by direction exercise control over and supervision of local boards. Central Board to exercise control over local boards

(2) Without prejudice to subsection (1) the Central Board may direct a local board in exercise of its powers to grant permission to develop or redevelop land not to permit more than a specified density of development.

(3) Every local board shall comply with all directions which may be given to it by the Central Board under this Ordinance.

32. (1) A local board may in consultation with the Central Board and with the approval of the Minister make regulations prescribing the design, structure and materials to be employed in the construction of any works, building or other structure within the designated area for which that board is established. Power of local boards to make regulations

(2) Regulations made under this section shall be published by exhibiting publicly a copy of them, together with a translation thereof in the vernacular approved by the Central Board, at the office of the local board by which they were made where that board is a local government council and in every other case at the office of a local government council situated within the designated area for which the local board is established or where there is no such office at a Government office situated within that area.

(3) Regulations made under this section shall come into operation on the date of publication under subsection (2).

(4) A copy of a notice purporting to have been published at an

office specified in subsection (2) and containing regulations purporting to have been made under this section shall without further proof be *prima facie* evidence in all courts and for all purposes whatsoever of the due making and publication of those regulations in accordance with this section and of the tenor and date of publication of those regulations.

(5) Regulations made under this section may provide that failure to comply with them shall be punishable by a fine of \$1000.

Power of
Central
Board to
make
regulations

33. (1) Subject to section 34 the Central Board may with the approval of the Minister make regulations—

- (a) prescribing the forms and registers to be used and maintained under this Ordinance;
- (b) prescribing the fees payable under this Ordinance;
- (c) regulating the practice and procedure of the Central Board when acting as an appellate tribunal under this Ordinance;
- (d) providing for the control of development and redevelopment;
- (e) generally for the better carrying into effect of the provisions, objects and intentions of this Ordinance.

(2) Regulations made under this section may provide that failure to comply with them shall be punishable by a fine of \$1000.

Power of
Minister to
make
regulations

34. The Minister alone may make regulations in respect of the payment of compensation prescribed by section 26—

- (a) prescribing the manner in which such compensation shall be paid and the amount thereof shall in each case be determined;
- (b) providing for appeals from determinations of the amount of such compensation;
- (c) prescribing the procedure to govern such appeals including the forms of notice of appeal, the fees payable in respect thereof and the rights of audience thereon.

[Subsidiary]

SUBSIDIARY LEGISLATION

Designation of designated areas under section 3

G.N. 69/73

The Central Land Planning Board, with approval, has designated the following areas for the purposes of the Ordinance—

- (a) the islet of Bāiriki;
- (b) the islet of Nanikai;
- (c) the islet of Betio excluding the area of the Government Wharf at Betio Islet as declared under section 35 of the Harbours Ordinance;
- (d) the area of the said Government Wharf at Betio Islet; and

Cap. 40

[Subsidiary]

- (e) that part of Tarawa Atoll known as Bikenibeu extending from the eastern boundary of the land called Tekabinimarebo 646 to the western boundary of the land called Tangabuaka 685.

By virtue of section 5 (2) the following local government councils are the local boards for the before-mentioned designated areas—

- (i) Te Inainano Urban Council for areas (a), (b) and (e); and
(ii) Betio Town Council for area (c).

Appointment by office of members of the Central Land Planning Board under section 4 (1)

The following officers are appointed members of the Central Land Planning Board— L.N. 28/77

Chief Lands Officer *Chairman*
Chairman, Teinainano Urban Council *Deputy Chairman*
President, Betio Town Council
Representative of the Wakin Tarawa Association
Senior Medical Officer (Health)
Chief Agricultural Officer
District Officer in charge of Tarawa District.

(Note.—There is also a member appointed by name who is the Secretary.)

Appointment of a local board under section 5 (3)

The following persons are members of the local land planning board for the area of the Government Wharf at Betio Islet as declared under section 35 of the Harbours Ordinance— G.N. 68/73
Cap. 40

Marine Superintendent
Chief Customs Officer
Chief Lands Officer
A representative of the Betio Town Council.

CAP. 93 - LAND PLANNING
(CAP. 48 of 1977).

Note. - These amendments are replaced
in Schedule 3.

Land Planning Ordinance

3
Section 3 (1977, S. 3)

Omit "the Governor in Council",
substitute "the Minister".

2
Section 4 (1977, S. 4)

Omit from subsection (1) "shall be appointed by notice by the
Governor in Council",
substitute "shall, subject to section 99 of the Constitution,
be appointed by notice by the Minister".

1
Section 5 (1977, S. 5)

Omit from subsection (3) "the Governor in Council" (thrice
occurring),
substitute "the Minister".

4
Section 8 (1977, S. 8)

Omit "the Governor in Council",
substitute "the Minister".

5
Section 10 (1977, S. 10)

- (a) Do not amend "Government" in subsection (1).
- (b) Omit from subsection (6) "the Clerk of the Executive Council",
substitute "the Secretary".
- (c) Omit from subsection (7) "The Governor in Council",
substitute "The Minister".
- (d) Omit from subsection (8) "the Governor in Council",
substitute "the Minister".
- (e) Omit from subsection (8) "the Clerk of the Executive Council",
substitute "the Secretary".

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Section 11 (1977, S. 11)

Omit from subsection (1) "regulations",
substitute "rules".

Section 12 (1977, S. 12)

Omit from subsection (2) "the Governor in Council",
substitute "the Minister".

Do not amend "Government" in subsection (3).

Section 15 (1977, S. 15)

Omit from subsection (1) "the Governor in Council",
substitute "the Minister".

Omit from subsection (2) "the Governor in Council",
substitute "the Minister".

Section 19 (1977, S. 19)

Do not amend "Government" in subsection (5).

Section 20 (1977, S. 20)

Do not amend "Government" in subsection (2)(b).

Do not amend "Government" in subsection (3).

Section 32 (1977, S. 32)

Omit from subsection (1) "the Governor in Council",
substitute "the Minister".

Omit from subsection (1) "regulations",
substitute "rules".

Omit from subsection (2) "Regulations",
substitute "rules".

Omit from subsection (3) "Regulations",
substitute "Rules".

Omit from subsection (4) "regulations" (twice occurring),
substitute "rules".

Omit from subsection (5) "Regulations",
substitute "Rules".

Section 33 (1977, S. 33)

Omit from subsection (1) "the Governor in Council",
substitute "the Berctitenti".

Omit from subsection (1) "regulations",
substitute "rules".

Omit from subsection (2) "Regulations",
substitute "Rules".

Section 34 (1977, S. 34)

Omit "The Governor in Council alone",
substitute "Only the Beretitenti, acting in accordance with
the advice of the Cabinet,".

CAP. 94 - LOANS AND GUARANTEE
(CAP. 39 of 1977 - GOVERNMENT BORROWING AND GUARANTEE).

Loans and Guarantee Ordinance

Long title

Do not amend "Government" (first occurring).

Section 2 (1977, S. 2)

Omit the section.

Section 3 (1977, S. 3)

Omit the section, substitute -

"Authority to raise loans. "3. Subject to the provisions of this Ordinance, the Beretitenti, acting in accordance with the advice of the Cabinet, may raise loans within or outside Kiribati."

Section 5 (1977, S. 5)

Omit the section.

Section 6 (1977, S. 6)

ch.3) Omit from subsection (1) "The Governor in Council may, with the prior approval of (a Secretary of State) and subject to the provisions of this Ordinance",

substitute "Subject to the provisions of this Ordinance, the Beretitenti, acting in accordance with the advice of the Cabinet,".

Note. - The words "a Secretary of State" were omitted by No. 2 of 1977.

Omit from subsection (1) "he",
substitute "the Cabinet".

ch.3) Omit from subsection (2)(a) "the Governor in Council",
substitute "the Cabinet".