

THE REPUBLIC OF KIRIBATI  
(No. 7 of 1988)

I assent,

*N. Tabai*  
Beretitenti,  
14/6/1988

AN ACT TO PROVIDE FOR THE TRANSFER OF ANY RIGHT OVER  
OR INTEREST IN ANY LAND IN BANABA ACQUIRED BY THE  
REPUBLIC OR ANY OTHER AUTHORITY FOR PHOSPHATE  
EXTRACTION TO ANY BANABAN FROM WHOM ANY SUCH  
RIGHT OR INTEREST WAS ACQUIRED

Commencement:  
14/6/1988

MADE by the Maneaba ni Maungatabu and assented to by the  
Beretitenti.

Short title

1. This Act may be cited as the Banaba Lands (Special Provisions)  
Act 1988.


Reversion of  
lands acquired  
for phosphate  
extraction to  
owners

2. Pursuant to section 119(2) of the Constitution any right  
over or interest in land in Banaba acquired by -

- (a) the Republic from any Banaban for the purpose  
of phosphate extraction; or
- (b) any other authority before Independence Day from  
any Banaban for the purpose of phosphate extraction,

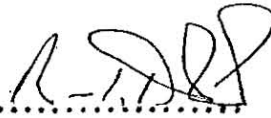
is hereby transferred to the Banaban from whom it was acquired  
or to his heirs and successors without any further assurance.

This printed impression has been carefully examined by me with the Bill which passed the Maneaba ni Maungatabu on 24th May, 1988 and is found by me to be a true and correctly printed copy of the said Bill.



.....  
Clerk to the Maneaba ni Maungatabu

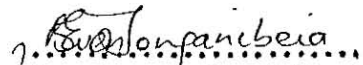
I certify that the above Act was on the 24th day of May, 1988 passed by the Maneaba ni Maungatabu on a certificate of urgency under section 68(3)(a) of the Constitution.




.....  
Speaker

Published by exhibition -

(a) at the Public Office of the Beretitenti on the 14<sup>th</sup> day of June, 1988.

  
.....  
Secretary to the Cabinet

(b) at the Maneaba ni Maungatabu on the 14<sup>th</sup> day of June, 1988.

  
.....  
1 Clerk to the Maneaba ni Maungatabu.

BANABA LANDS (SPECIAL PROVISIONS) ACT 1988

EXPLANATORY MEMORANDUM

The object of this Act is to give effect to the provisions of Section 119(2) of the Constitution.

The said section enjoins the Republic of Kiribati to transfer any right over, or interest in, any land acquired in Banaba from any Banaban for the purpose of phosphate extraction (either by the Republic or by any other authority before Independence Day) to the Banaban from whom it was acquired or to his heirs or successors upon the completion of phosphate extraction from that land.

It is now clear that phosphate extraction as contemplated by section 119(2) of the Constitution has been completed. Hence the need for this proposed law.

Michael N. Takabwebwe  
Attorney General

LEGAL REPORT

I hereby certify my opinion that none of the provisions of the above Act conflict with the Constitution and that the Beretitenti may properly assent to the Act.

Michael N. Takabwebwe  
Attorney-General  
24th May 1988