

**REPUBLIC OF KIRIBATI**  
(No. 1 of 2011)

I assent,

Beretitenti  
*Assented: 4 September 2011*

**AN ACT TO AMEND THE NATIVE LANDS ORDINANCE TO  
ALLOW FOR TITLES ACQUIRED BY OR THROUGH FRAUD TO  
BE DEFEATED AND FOR CONNECTED PURPOSES**

Commencement:

**1. Short title**

This Act may be cited as the Native Lands (Amendment) Act 2011.

**2. Amendment of section 4 of the Native Lands Ordinance**

Section 4 of the **Native Lands Ordinance** is hereby amended by inserting subsection (3) as follows:

“(3) Titles acquired under subsections (1) or (2) may be defeated by an application before a Magistrates’ Courts constituted under section 7 (4) or section 7(5) of the Magistrates’ Courts Ordinance only when the person bringing the application is able to prove that the person whose title is being challenged or that person’s predecessor in title obtained such title either by or through fraud.”

## **EXPLANATORY MEMORANDUM**

The purpose of this brief amendment is to address the concerns of the people of Kiribati who feel they have lost their lands as a result of a fraud committed by those who are currently registered over the lands in dispute or by their predecessors in title. The amendment seeks to give these aggrieved people the opportunity to challenge those titles and they may successfully do so if they are able to prove fraud in a Lands Court.

Banuera Berina MP, TUC  
17<sup>th</sup> February 2011