



Tuvalu

NATIVE LANDS (AMENDMENT) ACT 2016

Act No.13 of 2016

AN ACT TO AMEND THE PROVISIONS OF THE NATIVE LANDS ACT TO PROVIDE FOR UNJUST ENRICHMENT OF LANDOWNERS

Commencement [1st January, 2013]

1 Short Title

This Act may be cited as the Native Lands (Amendment) Act 2016.

2 Amendment

The Native Lands Act is amended by inserting a new section 65 to read as follows:

“65 Compensation for unjust enrichment.

(1) Where the land in issue has been a result of:

- (a) Leases and sub-leases;
- (b) Transfer of leases and sub-leases
- (c) Transfer of native lease;
- (d) Sub-letting;
- (e) Passing of interest of lessee;
- (f) Giving up possession and interests of land;
- (g) Exchange of land;
- (h) Gifting of land and interest to another;

And the tenure of the land under (a) to (h) has lapsed, expired or has been reverted; the landowner shall compensate any and all improvements made on such land including fixtures by the lawful occupants of the said land.

(2) Any dispute arising under subsection (1) shall be brought before any court of law in Tuvalu.

(3) This section shall have retrospective effect from January 2013.