

A N O R D I N A N C E

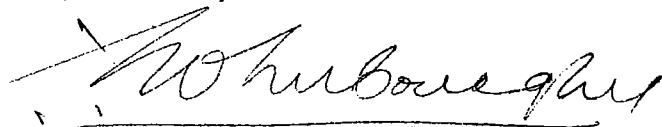
Relating to the Ownership of certain Land.

Whereas a notice was published in the Gazette on the sixth day of May, One thousand nine hundred and sixty-one, stating -

- (a) that the Administration of the Island of Nauru, notwithstanding the fact that the former German wireless station land was the rightful property of the Administration, was willing, following representations by the Nauru Local Government Council, to make available for distribution a sum of money equal to all moneys that had been received by the Administration as surface rights or phosphate royalties in respect of the working of the land for phosphate;
- (b) that, as and when any further moneys were received by the Administration in respect of the working of the land for phosphate, the Administration would make available for distribution sums of money equal to the amounts received;
- (c) that, provided the persons concerned could be satisfactorily identified, the money would be distributed to former Nauruan owners of the land or their descendants according to the respective portions of the land held by the Nauruan owners immediately before it was acquired by the German Government;
- (d) that any person who claimed to be entitled to participate in the distribution of money was invited to submit to the Administrator in writing not later than the sixth day of November, One thousand nine hundred and sixty-one, a claim containing all of the information on which he relied in support of his claim;
- (e) that claims received by the sixth day of November, One thousand nine hundred and sixty-one, would be referred to a committee comprising the Head Chief, the Administrative and Nauruan Affairs Officer and the Government Surveyor for the purpose of investigating the claims and making recommendations to the Administrator on the distribution of the money in the light of the committee's determination of the claims; and
- (f) that, in order to make it quite clear that no further claims or representations in respect of the land other than those admitted by the committee and approved by the Administrator would be considered by the Administration, an Ordinance would be passed to bar any further claims against the Administration in respect of the land:

Now therefore I, the Administrator of the Island of Nauru, in pursuance of the powers conferred by Article 1 of the Agreement dated the second day of July, 1919, between the Government of the United Kingdom, the Government of the Commonwealth of Australia and the Government of New Zealand, hereby make the following Ordinance.

Dated this fourteenth day of May, 1962.



F. W. McConaghy

LAND (DECLARATION OF OWNERSHIP) ORDINANCE 1962.

Short title. 1. This Ordinance may be cited as the Land (Declaration of Ownership) Ordinance 1962.*

Definitions. 2. In this Ordinance -
"encumbrances" means interests, trusts, restrictions, dedications, reservations, obligations, contracts, licences and charges;
"the former German wireless station land" means the land described in the Schedule to this Ordinance, and includes any estate in that land.

Ownership of former German wireless station land 3. It is hereby declared that -
(a) for the purposes of section six of the Laws Repeal and Adopting Ordinance 1922, the Government formerly exercising authority over the Island was, immediately before it ceased to exercise that authority, the absolute owner, freed and discharged of all encumbrances, of the former German wireless station land;
(b) that section applies, and has at all times since the commencement of that Ordinance applied, to that land; and
(c) notwithstanding any claims to the contrary, no person is entitled to any estate in that land other than an estate granted by the Administration since the commencement of that Ordinance.

Saving of power of Administration to distribute moneys. 4. Nothing in this Ordinance prevents the Administration from making available for distribution in accordance with the notice published in the Gazette on the sixth day of May, One thousand nine hundred and sixty-one, amounts equal to the amounts of money that were received by the Administration before the date of commencement of this Ordinance, or that are received by the Administration on or after that date, in respect of the working of the former German wireless station land for phosphate.

THE SCHEDULE

Section 2.

All that piece or parcel of land containing by admeasurement 99.51695 acres a little more or less, being the land known as the former German wireless station land in the Districts of Yaren, Boe and Buada in the Island of Nauru, commencing at a point being the Easternmost corner of Portion 12 and the South Western corner of Portion 42 District of Boe thence generally on the North West and North by lines bearing 43 degrees 26 minutes 245.65 feet 56 degrees 23 minutes 266.51 feet 68 degrees 11 minutes 290.07 feet respectively to the South Eastern corner of Portion 105 District of Buada being generally the Southern boundaries of Portions 42 and 43 District of Boe and of Portion 104 District of Buada and part of the Southern boundary of Portion 106 and the Southern boundary of Portion 105 District of Buada thence generally on the North and North East by lines bearing 86 degrees 54 minutes 30 seconds 294.44 feet 100 degrees 41 minutes 50 seconds 318.73 feet 112 degrees 20 minutes 40 seconds 276.19 feet 124 degrees 18 minutes 40 seconds 139.37 feet and 134 degrees 5 minutes 40 seconds 244.07 feet respectively to the North Western corner of Portion 7 District of Buada thence generally on the East and South East by lines bearing 143 degrees 49 minutes 10 seconds 277.11 feet 161 degrees 35 minutes 289.87 feet 169 degrees 42 minutes 196.61 feet 187 degrees 211.46 feet 188 degrees 22 minutes 218.99 feet 202 degrees 46 minutes 182.16 feet 209 degrees 144.83 feet respectively to the Westernmost corner of Portion 254 and the Northernmost corner of Portion 250 District of Yaren being generally the Western and North Western boundaries of Portions 7 and 6 District of Buada and Portions 335, 334, 333 and 254 District of Yaren thence generally on the South East and South by lines bearing 209 degrees 26.57 feet 225 degrees 9 minutes 178.66 feet 231 degrees 17 minutes 326.90 feet 248 degrees 7 minutes 390.26 feet and 258 degrees 47 minutes 202.12 feet respectively to the Western corner of Portion 222 and the Easternmost corner of Portion 220 District of Yaren being generally the North Western and Northern boundaries of Portions 250, 249, 248, 236, 234 and 222 District of Yaren thence generally on the South and South West by lines bearing 274 degrees 188.56 feet 285 degrees 10 minutes 213.93 feet 285 degrees 37 minutes 150.15 feet 302 degrees 47 minutes 256.08 feet and 308 degrees 54 minutes 233.57 feet respectively to the Northernmost corner of Portion 34 and the South Eastern corner of Portion 28 District of Yaren being generally the Northern and North Eastern boundaries of Portions 220, 230, 229, 214, 38 and 34 District of Yaren thence generally on the West and North West by lines bearing 330 degrees 43 minutes 279.78 feet 335 degrees 28 minutes 274.23 feet 352 degrees 23 minutes 221.99 feet 359 degrees 31 minutes 173.62 feet 15 degrees 27 minutes 219.75 feet 19 degrees 50 minutes 214.69 feet and 32 degrees 257.73 feet respectively being generally the Eastern and South Eastern boundaries of Portions 28, 26 and 1 District of Yaren and Portions 36, 35, 30, 22, 16, 20, 17, 19 and 12 District of Boe to the point of commencement.