Commencement: 1 March 1984

LAND LEASES (PRESCRIBED FORMS)

Order 4 of 1984
Order 10 of 1986
Order 11 of 1986

ARRANGEMENT OF REGULATION*

1. Prescribed forms

SCHEDULE
Form 1 Application For Registration
Form 2 Application For A Certified Copy Of A Register Or Filed Document
Form 3 Application For Stay Of Registration
Form 4 Lease
Form 5 Sublease
Form 6 Variation Of Conditions Of A Lease/Sublease
Form 7 Surrender Of Lease/Sublease
Form 8 Mortgage
Form 9 Variation Of Terms Of Mortgage
Form 10 Discharge Of Mortgage
Form 11 Transfer Of Lease/Sublease
Form 12 Transfer Of A Mortgage
Form 13 Grant Of Easement
Form 14 Grant Of Profit
Form 15 Release Of Easement/Restrictive Agreement/Profit
Form 16 Power Of Attorney
Form 17 Notice Of Revocation Of A Power Of Attorney
Form 18 Application For Registration Of Transmission
Form 19 Caution
Form 20 Consent
Form 21 Application For Inspection Of A Register

1. Prescribed forms

The forms set out in the Schedule hereto are hereby prescribed for the particular purposes of the Act specified on each form.

**Editor's note: This Arrangement contains links to the forms in the Schedule (Control + click)*

SCHEDULE

LR. Form 1

REPUBLIC OF VANUATU

LAND LEASES ACT CAP. 163

APPLICATION FOR REGISTRATION

SECTION 1.

DO NOT WRITE HERE. THIS IS FOR OFFICIAL USE ONLY
APPLICATION No :
TIME AND DATE OF RECEIPT :
..... HOURS the ..... :
day of ..... 20 ..... :

COMPLETE SECTIONS BELOW AFTER READING NOTES ON THE FOLLOWING PAGE

SECTION 2.

WRITE TITLE NUMBER(S) AFFECTED

1	: 4	: 7
2	: 5	: 8
3	: 6	: 9

SECTION 3.

LIST DEALING(S) IN ORDER OF PRIORITY TO BE REGISTERED

1	: 5
2	: 6
3	: 7
4	: 8

SECTION 4.

LIST INSTRUMENT(S) AND OTHER DOCUMENTS ENCLOSED

1	: 4
2	: 5
3	: 6

SECTION 5.

FULL NAMES OF APPLICANT(S) IN BLOCK CAPITALS

1 : 4

2 : 5

3

SECTION 6.

ADDRESS(ES) AND TELEPHONE NUMBER(S) IN VANUATU

1 : 4

2 : 5

3

SECTION 7.

SINGLE NAME AND ADDRESS AND TELEPHONE NUMBER IN VANUATU FOR COMMUNICATIONS WHERE THERE IS MORE THAN ONE APPLICANT

I tender herewith cash/cheque for VT ..... in payment of registration fees.

I/We apply for the registration of the dealings listed in Section 3.

Signature(s)

NOTES

1. Applications may be presented:
   (1) by hand delivered to the Land Records Office, Port Vila; or
   (2) by post addressed to the Land Records Office, P.O. Box 57, Port Vila.
2. Priority is not established until the application with all supporting documents is accepted by the Director of the department responsible for land.
3. The correct fees must accompany the application, otherwise it will be rejected.
4. Instruments presented with an application should bear the seal of the Controller of Stamp Duties together with his stamp indicating either:
   (1) that the instrument is not liable to stamp duty; or
   (2) that stamp duty has been paid.
5. On the first occasion application is made by or on behalf of a company or other incorporated body for it to be registered as proprietor of an interest, a copy of the certificate of incorporation certified by the Registrar of Companies or other evidence of incorporation satisfactory to the Director of the department responsible for land must be produced.
6. In the case of application by more than one person a single address for communication should be entered in section 7 of the form.

REPUBLIC OF VANUATU
REPUBLIQUE DE VANUATU

LR. Form 2

LAND LEASES ACT CAP. 163
LOI No 4 DE 1983 SUR LES BAUX FONCIERS

APPLICATION FOR A CERTIFIED COPY OF A REGISTER OR FILED DOCUMENT
DEMANDE D'UNE COPIE CERTIFIEE D'UN REGISTRE OU D'UN DOCUMENT CLASSE
(Section 20)

TITLE No .....

TITRE No .....

TO: The Director of the department responsible for land

AU: Conservateur de l'Enregistrement et des Hypothèques

Please supply a certified copy of

*(a) the register in *English/*French in respect of the lease comprised in the above-mentioned title;

*(b) the register in *English/*French in respect of the sublease comprised in the above-mentioned title and dated the ..... day of ..... 20.....

*(c) the following registered instrument/document (*English/*French version) affecting the above-mentioned title.

Prière de délivrer une copie certifiée

*(a) du registre en *anglais/*français relatif au bail compris dans le titre ci-dessus mentionné

*(b) du registre en *anglais/* français relatif au sous-bail compris dans le titre ci-dessus mentionnd et daté le ..... 20 .....

*(c) de l'instrument/document en registrd suivant (*anglais/*français) affectant le titre ci-dessus mentionné.

Please date and sign
Priére de dater et signer

DATED at ..... this ..... day of ..... 20 .....

FAIT à ..... le ..... 20 .....

Signature of Applicant
Name
Address

Signature du demandeur
Nom
Adresse

**Delete whichever is inapplicable.*
**Rayer la mention inutile*

REPUBLIC OF VANUATU

LR. Form 3

LAND LEASES ACT CAP. 163

APPLICATION FOR STAY OF REGISTRATION
(Section 28)

TITLE No .....

TO: The Director of the department responsible for land

I/We (full name(s))

of (address(es) in Vanuatu)

propose to deal with (full name(s))

the registered proprietor(s) of the following interest in the above-mentioned title, namely:

particulars of the said dealing being as follows:
(set out here details of the proposed dealing: it is necessary to show that the dealing is for value)

and with the consent of the registered proprietor(s) (as is hereby evidenced by his/her/their execution hereof) HEREBY APPLY for a stay of registration of any instrument affecting the above-described interest for a period of 2 months.

DATED at ..... this ..... day of ..... 20 .....

*Signed by the above-named applicant(s) in the presence of:

Signature of witness .....

Name of witness .....

Address .....

*Signed by the above-named registered proprietor(s) in the presence of:

Signature of witness .....

Name of witness .....

Address .....

**In the case of execution by a corporation substitute in this part the usual form of words recording the due affixing of this seal*.

ORDER BY DIRECTOR

The land register showing the above-named registered proprietor(s) to be free to deal with his/her/their interest, I do hereby certify that he is/she is/they are so free and stay registration of any instrument affecting the above interest for 2 months from today.

Registered at ..... hours this ..... day of ..... 20 .....

_____
Director of the department responsible for land

REPUBLIC OF VANUATU

LR. Form 4

LAND LEASES ACT CAP. 163

LEASE
(Sections 31 and 35)

CLASS .....

TITLE No .....

(Please read notes in the margin and on the last page before completing this form).

LESSOR(S)

Full name(s)
description(s)
and address(es)
in Vanuatu

LESSEE(S)

Full name(s)
description(s)
and address(es)
in Vanuatu

Delete this paragraph if inapplicable

1. The Lessor(s) has/have received from the Lessee(s) the sum of *(amount in words and figures)*…… ..... (VT .....) for the grant of this Lease.

**Delete whichever asterisked phrase if inapplicable*

2. The Lessor(s) lease(s) to the Lessee(s) the land- *comprised in the above-mentioned title*

OR

shown edged green in the attached plan certified by the Director of Surveys and signed by the persons signing this instrument for the term of ..... years commencing on the ..... day of ..... 20 .....

**Delete as appropriate*

3. The Lessee(s) shall pay to the Lessor(s) the *yearly/*quarterly/*monthly rent of (*amount in words and figures*) ..... (VT .....) reviewable in accordance with the provisions of the Act and payable on the ..... *(date(s) rent is to be paid).*

4. This Lease is granted subject to the provisions of the Land Leases Act and of any Rule relating to leases made thereunder and to those agreements and conditions specified in the Schedule hereto.

Delete if Lessee is a single person or corporation. If paragraph is not deleted, delete whichever asterisked phrase is inapplicable.

5. The Lessees holds this Lease as *joint proprietors/ *proprietors in common in the following undivided shares: -

SCHEDULE

(*The purpose and use for which the land is leased and the development conditions, if any, in addition to those set out in any Rule under the Act, **MUST** be set out below*).

Dated at ..... this ..... day of ..... 20 .....

Signed by the Lessor(s)

in the presence of
Signature of witness .....
Name of witness .....
Address .....
I certify that the above-named .....
..... appeared before me at ..... this ..... day of ..... 20..... *being identified to me by ..... of ..... *(or) being-personally known to me and that *he/*she/*they freely and voluntarily signed and appeared fully to understand this instrument.

**Delete the underlined alternatives inapplicable* .....
Signature, name, description and seal/stamp of office of person completing certificate.

Signed by the Lessee(s)

In the presence of
Signature of witness .....
Name of witness .....
Address .....
I certify that the above-named ..... appeared before me at ..... this ..... day of ..... 20..... *being identified to me by ..... of ..... *(or) being personally known to me and that *he/*she/*they freely and voluntarily signed and appeared fully to understand this instrument.

**Delete the underlined alternatives inapplicable* .....
Signature, name, description and seal/stamp of office of person completing certificate.

NOTES

1. *Alterations*. Do not rub out or write over any words. If you have made a mistake draw one line through it (so that it can still be read) and write or type clearly above it the new words. Everyone who signs the instrument should also sign again at the side near the alteration.

2. *Signing*. Both parties to the instrument must sign. If a party consists of more than one person and they cannot get to a person authorised to complete the verification certificate at the same time or place it will be necessary for separate verification certificates to be prepared, completed and attached to this instrument. In such cases the persons completing the separate certificates should also sign at the end of the instrument. Persons authorised to complete verification certificates in Vanuatu include Secretaries to Local Government Councils, Magistrates, Barristers, Solicitors, Notaries Public, Commissioners for Oaths and Managers of Banks. A full list is contained in the Act.

3. *Execution by corporations*. The form should be changed by crossing out the words "Signed by etc. . . . " and substituting the usual form of words recording the affixing of the corporation's seal. No verification is required.

Approved this ..... day of ..... 20.....…

.....
Minister responsible for Lands.

REGISTERED at ..... hours this ..... day of ..... 20.....

.....
Director of the department
responsible for land

REPUBLIC OF VANUATU

LR. Form 5

LAND LEASES ACT CAP. 163

SUBLEASE
(Section 48)

CLASS .....

TITLE No .....

(Please read the notes in the margin and on the last page before completing this form).

SUBLESSOR(S)

Full name(s)

Full name(s) description(s) and address(es) in Vanuatu

SUBLESSEE(S)

Delete this paragraph if inapplicable

1. The Sublessor(s) has/have received from the Sublessee(s) the sum of (amount in words and figures) ..... (VT .....) for the grant of this Sublease.

**Delete as appropriate*

2. The Sublessor(s) sublease(s) to the Sublessee(s) *the land comprised in the above-mentioned title/*that part of the land comprised in the above-mentioned title shown on the attached plan no. ..... certified by the Director of Surveys and signed by the persons signing this instrument for the term of ..... years commencing on the ..... day of ..... 20.....

**Delete as appropriate*

3. The Sublessee(s) shall pay to the Sublessor(s) the *yearly/*quarterly/*monthly rent of (*amount in words and figures*) ..... (VT .....) reviewable in accordance with the provisions of the Act and payable on the ..... (*date(s) rent is to be paid*).

4. This Sublease is granted subject to the provisions of the Land Leases Act and of any Rule relating to subleases made thereunder and to those agreements and conditions specified in the Schedule hereto.

Delete if sublessee is a single person or corporation. If the paragraph is not deleted, delete whichever asterisked phrase is inapplicable.

5. The Sublessee(s) hold this Sublease as *joint proprietors/*proprietors in common in the following undivided shares: -

SCHEDULE

(*The purpose and use for which the land is leased and the development conditions, if any, in addition to those set out in any Rule under the Act, **MUST** be set out below*).

Dated at ..... this ..... day of ..... 20.....

Signed by the Sublessor(s)

In the presence of etc....

Signed by the Sublessee(s)

In the presence of etc ....

NOTES (as on LR. Form 4).

REGISTERED at ..... hours this ..... day of ..... 20.....

.....
Director of the department
responsible for land.

REPUBLIC OF VANUATU

LR. Form 6

LAND LEASES ACT CAP. 163

VARIATION OF CONDITIONS OF A LEASE/SUBLEASE
(Section 47)

TITLE No .....

(Please read the notes on back page before completing this form).

1. The agreements and conditions contained or implied in the Lease/ Sublease of the land comprised in the above-mentioned title dated the ..... day of ..... 20..... are HEREBY VARIED as shown in the Schedule to this instrument.

SCHEDULE

2. The date of effect of this variation is the ..... day of ..... 20.....

3. In this instrument:

(1) in the case of a variation of conditions of a lease, the expression "the Lessor(s)" means the person(s) who granted the Lease or his/their successor(s) in title who shall be named as such and the expression "the Lessee(s)" means the person(s) for the time being registered as the proprietor(s) of the Lease;

(2) in the case of a variation of conditions of a Sublease, the expression "the Sublessor(s)" means the person(s) for the time being registered as the proprietor(s) of the interest out of which the Sublease was granted and the expression "the Sublessee(s)" means the person(s) for the time being registered as the proprietor(s) of the Sublease.

Dated at ..... this ..... day of ..... 20.....

Signed by the Lessor(s)/Sublessor(s)

In the presence of etc....

Signed by the Lessee(s)/Sublessee(s)

In the presence of etc ....

NOTES (as on LR. Form 4).

REGISTERED at ..... hours this ..... day of ..... 20.....

.....
Director of the department
responsible for land.

REPUBLIC OF VANUATU

LR. Form 7

LAND LEASES ACT CAP. 163

SURRENDER OF LEASE/SUBLEASE
(Section 49)

TITLE No .....

(Please read the notes in the margin and on back page before completing this form).

1. We (full name(s))

**Delete the underlined words if inapplicable*

*In consideration of the sum of (amount in words and ..... (VT .....) paid to me/us by the Lessor(s)/Sublessor(s) the receipt of which is hereby acknowledged

HEREBY SURRENDER

the Lease/Sublease comprised in the above-mentioned title and dated the ..... day of ..... 20.....

2. I/We (full name(s))

being the Lessor(s)/Sublessor(s) hereby accept(s) this Surrender.

3. In this instrument:

(1) in the case of a surrender of a Lease, the expression "the Lessor(s)" means the person(s) who granted the Lease or his/their successor(s) in title who shall be named as such and the expression "the Lessee(s)" means the person(s) for the time being registered as the proprietor(s) of the Lease;

(2) in the case of a surrender of a Sublease, the expression "the Sublessor(s)" means the person(s) for the time being registered as the proprietor(s) of the interest out of which the Sublease was granted and the expression "the Sublessee(s)" means the person(s) for the time being registered as the proprietor(s) of the Sublease.

DATED at ..... this ..... day of ..... 20.....

Signed by the Lessee(s)/Sublessee(s)

In the presence of etc....

Signed by the Lessor(s)/Sublessor(s)

In the presence of etc....

CONSENT

I/We (full name(s))

being registered as mortgagee(s)/sublessee(s) of the Lease/Sublease of the land comprised in the above-mentioned title

HEREBY CONSENT TO THIS SURRENDER

Signed by the said

In the presence of etc ....

NOTES (as on LR. Form 4).

REGISTERED at ..... hours this ..... day of ..... 20.....

.....
Director of the department
responsible for land.

REPUBLIC OF VANUATU

LR. Form 8

LAND LEASES ACT CAP. 163

MORTGAGE
(Section 51)

TITLE NO .....

(Please read notes in the margin and on back page before completing this form).

MORTGAGOR(S) (*full name(s)*)

being registered as the proprietor(s) of (a) lease(s)/sublease(s) of the land comprised in the above-mentioned titles.

MORTGAGEE(S) (full name(s) and address(es) in Vanuatu)

1. The Mortgagor(s) hereby acknowledge(s) the receipt from the Mortgagee(s) of a loan of (*amount in words and figures*) ..... (VT .....)

Delete whichever alternative is inapplicable

*OR

The Mortgagee(s) has/have agreed to make certain advances advances on the current account of the Mortgagor(s) up to a limit of (*amount in words and figures*) ..... (VT .....).

2. The Mortgagor(s) HEREBY COVENANT(S) with the Mortgagee(s) in the manner set out in the First Schedule hereto.

3. To secure to the Mortgagee(s) the repayment of the loan/advances and the payment of interest thereon in the manner and at the rate set out in the First Schedule hereto, the Mortgagor(s) HEREBY MORTGAGE(S) its/his/her/their interest in the above-mentioned title(s), subject to the provisions of the Act except as far as these may be modified in this Instrument.

**Delete this clause if inapplicable*

4. *The Mortgagee(s) HEREBY COVENANT(S) with the Mortgagor(s) in the manner set out in the Second Schedule hereto.

**Delete if mortgagee is a single person or corporation. If the clause is not deleted, delete the asterisked phrase inapplicable.*

5. The Mortgagees declare that they hold this mortgage as *joint proprietors/*proprietors in common in the following undivided shares: -

_____

FIRST SCHEDULE

SECOND SCHEDULE

DATED at ..... this ..... day of ..... 20.....

_____

NOTE-RULE UP ALL BLANK SPACES BEFORE SIGNING

Signed by the Mortgagor(s) }

In the presence of etc....}

Signed by the Mortgagee(s) }

In the presence of etc ....

NOTES (as on LR. Form 4).

REGISTERED at ..... hours this ..... day of ..... 20.....

.....
Director of the department
responsible for land.

REPUBLIC OF VANUATU

LR. Form 9

LAND LEASES ACT CAP. 163

VARIATION OF TERMS OF MORTGAGE
(Section 54)

TITLE No .....

(Please read the notes on back page before completing this form).

1. The terms of the Mortgage dated the ..... day of ..... 20..... and made between (full name(s)) ..... and (full name(s)) ..... mortgaging the:
(give details of registered interest(s) in the above-mentioned title(s) which is/are the subject of the mortgage).
are from the ..... day of ..... 20.....

   HEREBY VARIED as follows: ..... (set out below details of variation of terms).

2. In the instrument the expression "the mortgagor(s)" means the person(s) registered for the time being as the proprietor(s) of the interest mortgaged and the expression "the mortgagee(s)" means the person(s) registered for the time being as proprietor(s) of the mortgage, by and under the mortgage described in clause 1.

DATED at ..... this ..... day of ..... 20.....

Signed by the Mortgagor(s) }

In the presence of etc....}

Signed by the Mortgagee(s) }

In the presence of etc....

CONSENT
(to be completed if appropriate)

I/We (*full name(s)*)

being registered as mortgagee(s) by a subsequent mortgage of the interest(s) described in clause 1 of this instrument HEREBY CONSENT(S) to this INSTRUMENT OF VARIATION.

DATED at ..... this ..... day of ..... 20 .....

Signed by the said

In the presence of etc ....

NOTES (as on LR. Form 4).

REGISTERED at ..... hours this ..... day of ..... 20.....

.....
Director of the department
responsible for land.

REPUBLIC OF VANUATU

LR. Form 10

LAND LEASES ACT CAP. 163

DISCHARGE OF MORTGAGE
(Section 55)

TITLE No(s) .....……

(Please read the notes on back page before completing this form).

I/We (*full name(s)*)

being registered as the proprietor(s) of the Mortgage of: - (*give details of the interest(s) in the above-mentioned title(s) which is/are the subject of the Mortgage*).

created by an instrument dated the ..... day of ..... 20.....

HEREBY DISCHARGE the said mortgage wholly/in relation to
(if discharge is total, delete "in relation to": if not, delete "wholly" and give details below of the interest(s) and titles which are discharged).

DATED at ..... this ..... day of ..... 20.....

Signed by the Mortgagee(s) }

In the presence of etc .……

NOTES (as on LR. Form 4).

REGISTERED at ..... hours this ..... day of ..... 20.....

.....
Director of the department
responsible for land.

REPUBLIC OF VANUATU

LR. Form 11

LAND LEASES ACT CAP. 163

TRANSFER OF LEASE/SUBLEASE
(Section 60)

TITLE No .....

(Please read the notes in the margin and on back page before completing this form).

TRANSFEROR(S) (*full name(s)*)

TRANSFEREE(S) (*full name(s) and address(es) in Vanuatu*)

1. The Transferor(s) has/have received from the Transferee(s) the sum of (*amount in words and figures*) ..... (VT .....) being the consideration for this Transfer.

2. The Transferor(s) HEREBY TRANSFER(S) to the Transferee(s) the registered lease/sublease dated the ..... day of ..... 20..... of the land comprised in the above-mentioned title, subject to the provisions of the Act unless these are varied in this Instrument.

(a) *Delete this clause if inapplicable*

3. (a) This Transfer is also subject to the agreements and reservations set out in the First Schedule to this Instrument.

(b) *Delete this clause if inapplicable*

4. (b) The rights and easements set out in the Second Schedule to this Instrument are included in this Transfer.

(c) *Delete if consideration in clause 1 represents full value*

5. (c) The value of the interest transferred is hereby declared to be (*amount in words and figures*) ..... (VT .....)

(d) *Delete if transferee is a single person or corporation. If the clause is not deleted, delete the asterisked phrase inapplicable.*

6. (d) The Transferees hold the interest as *joint proprietors/*proprietors in common in the following undivided shares:

FIRST SCHEDULE
(Rule a line across this space if inapplicable)

SECOND SCHEDULE
(Rule a line across this space if inapplicable)

DATED at ..... this ..... day of ..... 20.....

Signed by the Transferor(s) }

In the presence of etc....}

Signed by the Transferee(s) }

In the presence of etc....

NOTES (as on LR. Form 4).

REGISTERED at ..... hours this ..... day of ..... 20.....

.....
Director of the department
responsible for land.

REPUBLIC OF VANUATU

LR. Form 12

LAND LEASES ACT CAP. 163

TRANSFER OF A MORTGAGE
(Section 60)

TITLE No(s) .....

(Please read the notes in the margin and on back page before completing this form).

TRANSFEROR(S) (full name(s))

TRANSFEREE(S) (full name(s) and address(es) in Vanuatu)

1. The Transferor(s) in consideration of the sum of (*amount in words and figures*) ..... (VT.....) the receipt of which is hereby acknowledged, HEREBY TRANSFER(S) to the Transferee(s) the mortgage shown as entry number(s)..... in the encumbrances section(s) of the register(s) in respect of the Lease(s)/Sublease(s) of the land comprised in the above-mentioned title(s) under and subject to the provision of the Act.

2. The Transferor(s) hereby declare(s) that the amount of principal and interest owing by the mortgagor(s) at the date hereof is (*amount in words and figures*) ..... (VT .....)

**Delete if transferee is a single person or corporation. If the clause is not deleted, delete the asterisked phrase inapplicable.*

3. The Transferee(s) declare(s) that they hold the said mortgage as *joint proprietors/*proprietors in common in the following undivided shares: -

4. In this instrument the expression "the mortgagor(s)" means the person(s) for the time being registered as the proprietor of the interest(s) subject to the mortgage described in clause 1.

DATED at ..... this ..... day of ..... 20.....

Signed by the Transferor(s) }

In the presence of etc....}

Signed by the Transferee(s) }

In the presence of etc....

**Delete this clause if transferee does not require mortgagor to acknowledge.*

*I/We (*full name(s)*)

the Mortgagor(s) hereby acknowledge(s) that the amount declared in clause 2 of this instrument is the amount due and owing by me/us.

Signed by the Mortgagor(s)

In the presence of etc ....

NOTES (as on LR. Form 4).

REGISTERED at ..... hours this ..... day of ..... 20....

.....
Director of the department
responsible for land.

REPUBLIC OF VANUATU

LR. Form 13

LAND LEASES ACT CAP. 163

GRANT OF EASEMENT
(Section 67)

TITLE No .....
(of the land burdened)

(Please read the notes in the margin and on back page before completing this form).

GRANTOR(S) (*full name(s)*)

GRANTEE(S) (*full name(s)*)

1. The Grantor(s) is/are registered as the proprietor(s) of the lease/a sublease of the land comprised in the above-mentioned title.

2. The Grantee(s) is/are registered as the proprietor(s) of the lease/a sublease of the land comprised in Title No. .....……..

3. The Grantor(s) acknowledge(s) the receipt from the Grantee(s) of the sum of (*amount in words and figures*) ..... (VT .....) being the consideration for this Grant.

**Specify the nature of the easement and the conditions affecting its enjoyment. The particular part of the land burdened must be described and the Director may require a plan adequate to define the easement.*

4. The Grantor(s) HEREBY GRANT(S) to the Grantee(s) the following easement, as appurtenant to the land described in clause 2 above, to be enjoyed for the period of ..... years …….. from the .....… day of part of ..... 20.....

DATED at ..... this ..... day of ..... 20.....

Signed by the Grantor(s) }

In the presence of etc....}

Signed by the Grantee(s) }

In the presence of etc ....

NOTES (as on LR. Form 4).

REGISTERED at ..... hours this ..... day of ..... 20.....

.....
Director of the department
responsible for land.

REPUBLIC OF VANUATU

LR. Form 14

LAND LEASES ACT CAP. 163

GRANT OF PROFIT
(Section 69)

TITLE No .....
(of the land burdened)

(Please read the notes in the margin and on back page before completing this form).

GRANTOR(S) (*full name(s)*)

GRANTEE(S) (*full name(s)*)

1. The Grantor(s) is/are registered as the proprietor(s) of the lease/a sublease of the land comprised in the above-mentioned title.

2. The Grantor(s) acknowledge(s) the receipt from the Grantee(s) of the sum of (*amount in words and figures*) ..... (VT .....) being the consideration for this Grant.

3. The Grantor(s) HEREBY GRANT(S) to the Grantee(s) the profit in the land comprised in the above-mentioned title described in the Schedule hereto, to be enjoyed for the period of ..... years from the ..... day of ..... 20.....

**Delete whichever of the phrases underlined is inapplicable.*

4. The profit is to be enjoyed *<u>in gross/*as appurtenant to the land comprised in the lease/a sublease of the land comprised in title No. …….. of which the Grantee(s)is/are the registered proprietor(s).</u>

**Delete this clause if the profit is appurtenant to other land or the Grantee is a single individual or corporation. If the clause is not deleted, delete the asterisked phrase which is inapplicable.*

5. The Grantees declare that they hold the profit as *joint proprietors/*proprietors in common in the following undivided shares:

SCHEDULE

In setting out details of the profit it is necessary to –

(1) state whether the rights are to be exercised exclusively by the Grantee or in common with the Grantor;

(2) specify the manner and means of entry on the land if any restrictions are intended;

(3) specify any other conditions the parties have agreed on; and

(4) express the consideration if this takes the form of rent, royalties or the like.

Dated at ..... this ..... day of ..... 20 .....

Signed by the Grantor(s) }

In the presence of etc....

Signed by the Grantee(s) }

In the presence of etc ....

NOTES (as on LR. Form 4).

REGISTERED at ..... hours this ..... day of ..... 20.....

.....
Director of the department
responsible for land.

REPUBLIC OF VANUATU

LR. Form 15

LAND LEASES ACT CAP. 163

RELEASE OF EASEMENT/RESTRICTIVE AGREEMENT/PROFIT
(Section 70)

TITLE No .....

(Please read the notes in the margin and on back page before completing this form).

I/We (full name(s))

**Delete whichever is inapplicable*

being the person(s) now entitled to the benefit of the easement*/ restrictive agreement*/profit* shown as entry number ..... in the encumbrances section of the register in respect of the *lease/*sublease of the land comprised in the above-mentioned title HEREBY RELEASE the said *easement/*restrictive agreement/*profit.

Dated at ..... this ..... day of ..... 20.....

Signed by the said }

In the presence of etc ....

NOTES (as on LR. Form 4).

REGISTERED at ..... hours this ..... day of ..... 20.....

.....
Director of the department
responsible for land.

REPUBLIC OF VANUATU

LR. Form 16

LAND LEASES ACT CAP. 163

POWER OF ATTORNEY
(Section 82)

TITLE No(s) .....

(Please read notes on back page before completing this form).

I/The (*full name of individual or corporation*)

of (*address in Vanuatu*)

HEREBY APPOINT(S) (*full name of individual or corporation*)

of (*address in Vanuatu*)

to be my/its attorney and generally in relation to my/its interest in the above-mentioned title(s) to do anything and everything that I myself/the said ..... could do and for me/it and in my/its name to execute all such instruments and do all such acts, matters and things as may be necessary or expedient for the carrying out of the powers hereby given. (*If the power is to be limited to particular acts only, delete everything after the words attorney above and set out below what powers are to be conferred.*)

Dated at ..... this ..... day of ..... 20 .....

Signed by the donor }

In the presence of etc .... }

NOTES (1 and 3 as on LR. Form 4).

2. *Verification certificate*. Persons authorised to complete the verification certificate in Vanuatu include Secretaries to Local Government Councils, Magistrates, Barristers, Solicitors, Notaries Public, Commissioners for Oaths, and Managers of Banks. A full list is contained in the Act.

REGISTERED at ..... hours this ..... day of ..... 20.....

.....
Director of the department
responsible for land.

REPUBLIC OF VANUATU

LR. Form 17

LAND LEASES ACT CAP. 163

NOTICE OF REVOCATION OF A POWER OF ATTORNEY
(Section 82)

TITLE No(s) .....

(Please read notes on back page before completing this form).

I/The (*full name of individual or corporation*)

of (*address*)

HEREBY GIVE(S) NOTICE that the Power of Attorney dated the ..... day of ..... 20 ..... (Registered Power of Attorney number .....) and granted by me/it to (*full name*) ..... of (*address in Vanuatu*) ..... has been revoked by me/it.

DATED at ..... this ..... day of ..... 20.....

Signed by the donor }

In the presence of etc .... }

NOTES (as on LR. Form 16)

REGISTERED at ..... hours this ..... day of ..... 20.....

.....
Director of the department
responsible for land.

REPUBLIC OF VANUATU

LR. Form 18

LAND LEASES ACT CAP. 163

APPLICATION FOR REGISTRATION OF TRANSMISSION
(Section 84)

TITLE No .....

(Please read notes in the margin and on back page before completing this form).

1. (*Give full name of deceased*) ..... was, at the date of his/her death registered as the proprietor of (*give details of registered interest in the above-mentioned title held by deceased*)
.....
.....
.....

2. I/We (*full name(s)*)

of (*address(es) in Vanuatu*)

am/are the personal representatives of the said deceased.

3. Annexed to this application is the -

**Delete as appropriate*

*(a) grant of probate of the will of the deceased;
or

*(b) grant of letters of administration of the estate of the deceased; or

*(c) order of the Supreme Court-together with a copy thereof.

4. I/WE hereby require you to register me/us by transmission as the proprietor(s), as personal representative(s), of the interest described in clause 1 above.

**Delete whichever alternative is inapplicable.*

*OR

**Delete whichever alternatives are inapplicable.*

I/We hereby require you to register the accompanying instrument of are transfer made by me/us in favour of (*full name(s) and address(es) in Vanuatu*), as proprietor*/joint proprietors*/proprietors in common* of the interest described in clause 1 above. The proprietors in common are to hold in the following shares (*Delete if inapplicable*).

DATED at ..... this ..... day of ..... 20.....

Signed by the personal representative(s) }

In the presence of etc....

NOTES

1. *Alterations*. Do not rub out or write over any words. If you have made a mistake draw one line through it (so that it can still be read) and write or type clearly above it the new words. Everyone who signs the instrument should also sign again at the side near to the alteration.

2. *Signing*. If there is more than one personal representative and they cannot get to a person authorised to complete the verification certificate at the same time or place, it will be necessary for separate verification certificates to be prepared, completed and attached to this instrument. In such cases the persons completing the separate certificates should also sign at the end of the instrument. Persons authorised to complete verification certificates in Vanuatu include Secretaries to Local Government Councils, Magistrates, Barristers, Solicitors, Notaries Public, Commissioners for Oaths, and Managers of Banks. A full list is contained in the Act.

REGISTERED at ..... hours this ..... day of ..... 20.....

.....
Director of the department
responsible for land.

REPUBLIC OF VANUATU

LR. Form 19

LAND LEASES ACT CAP. 163

CAUTION
(Section 93)

TITLE No .....

To: Director of the department responsible for land

**Delete such of the words underlined as are inapplicable.*

TAKE NOTICE that *I/*We (*full name(s)*)

of (*address(es) in Vanuatu*)

claiming in respect of the above-mentioned title (state by reference to the appropriate subsection in the Act the grounds on which the claim is founded and the nature of the interest claimed).

HEREBY FORBID the registration without my*/our* written consent of any person as transferee of*/any dealing or instrument affecting* that interest unless the conditions in the Schedule hereto have been fulfilled*, until this caution is withdrawn by me*/us* or is otherwise removed or lapses in accordance with the Act.

I/We APPOINT (*specify address in Vanuatu at which notice relating to caution or proceeding in respect thereof may be served on the cautioner*)

as the place at which notices and proceeding relating to this caution may be addressed to or served upon me*/us*.

SCHEDULE

DATED at ..... this ..... day of ..... 20 .....

**Signed by the above-named }
Cautioner(s) in the presence of }

Signature of witness

Name of witness

Address

***In the case of a corporation, substitute in this part the usual form of words recording the affixing of its seal.*

REGISTERED at ..... hours this ..... day of ..... 20.....

.....
Director of the department
responsible for land.

WARNING: "Any person lodging any caution with the Director or allowing any caution to remain without reasonable cause shall be liable to pay such compensation as the Court thinks just to any person who sustains damage or who has incurred costs or expenses thereby". (section 97(5) of Land Leases Act Cap. 163).

REPUBLIC OF VANUATU

LR. Form 20

LAND LEASES ACT CAP. 163

CONSENT
(Sections 36, 41(h), 48(2), 56(1)(c) and 57)

(Please read notes in the margin and on back page before completing this form).

TITLE No .....

I/We (*full name(s)*)

being registered as lessor(s)/sublessor(s) of the land comprised in the above-mentioned title

*OR

**Delete whichever alternatives are inapplicable.*

being registered as the mortgagee(s) of the lease/sublease of the land comprised in the above-mentioned title

Here give details of dealings to which consent is given including names of parties.

HEREBY CONSENT to the registration of

DATED at ..... this ..... day of ..... 20.....

Signed by the giver(s) of the consent in the presence of etc.

NOTES (as on LR. Form 16).

REPUBLIC OF VANUATU

LR. Form 21

REPUBLIQUE DE VANUATU

LAND LEASES ACT CAP. 163
LOI NO. 4 DE 1983 SUR LES BAUX FONCIERS

APPLICATION FOR INSPECTION OF A REGISTER
DEMANDE DE CONSULTATION D'UN REGISTRE
(Section 19)

TITLE No(s)
TITRE(S) No

To: Director of the department responsible for land
Au: Directeur de L'Enregistrement et des Hypothèques

I/Je soussigné.....……..
(full names) (nom et prénoms)

of

résidant à .....
……
(address) (adresse)

hereby apply to inspect the register relating to the land comprised in the above-mentioned title number(s)

demande à consulter le registre afférant au fonds de terre objet (des) titre(s) No.

I enclose VT ..... in respect of the fee(s) payable.

Veuillez trouver ci-joint la somme de VT ..... en règlement des droits eligibles.

DATED at ..... this ..... day of ..... 20.....

FAIT à ..... le ..... 20.....

Signature of applicant
Signature du demandeur .....

Table of Amendments(since the Revised Edition 1988)

Throughout *References to Director of Lands Records changed to Director of the department responsible for land, per Act 24 of 2003*