

GOVERNMENT NOTICE No. 86 published on 4/5/2001

THE VILLAGE LAND ACT, 1999
(ACT No. 5 OF 1999)

REGULATIONS

(Made under section 65)

THE VILLAGE LAND REGULATIONS, 2001

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THE VILLAGE LAND ACT, 1999
(No. 5 of 1999)

REGULATIONS

(Made under section 65)

THE VILLAGE LAND REGULATIONS, 2001

PART I
PRELIMINARY

1. These Regulations may be cited as the Village Land Regulations, 2001.

Citation

2. In these Regulations, unless the context otherwise requires –

*Interpre-
tation
Act No. 5
of 1999*

“Act” means the Village Land Act, 1999;

“authenticated agreement” means a binding and written agreement between the parties to a process of mediation facilitated by a mediator and signed by the parties and the mediator;

“committee” means a village adjudication committee established under section 53 of the Act and includes an adjudication officer exercising powers under section 56 of the Act;

“Council” means the Village Land Council established by section 60 of the Act;

“Court” has the meaning ascribed to it by the Act;

“Customary right of occupancy” has the meaning ascribed to it by the Act;

“derivative right” has the meaning ascribed to it by the Act;

“District Land Officer” means an authorised officer appointed as such under Section 11 of the Land Act, 1999

*Act No. 4 of
1999*

“District Land Registry” means the District Land Registry established under the Land Registration Ordinance, Cap. 334;

“Government” means the Government of United Republic of Tanzania;

“informal mortgage” means the mortgage provided for by paragraph (a) of subsection (6) of section 112 of the Land Act, 1999;

*Act No. 4
of 1999*

“interest in the proceedings” means an interest, pecuniary or otherwise, that could conflict with the proper performance of a person’s functions in hearing and determining any matter and includes an interest of a blood relative or a relative by marriage;

“joint management arrangement” means the arrangement for the joint management of village land which may be provided for under section 8 of the Act;

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Act No. 4
of 1999

"lien by deposit of documents" means the deposit of any document referred to in sub-paragraphs (ii), (iii), (iv) and (v) of paragraph (b) of subsection (6) of section 112 of the Land Act, 1999;

"Local Government Authority" has the meaning ascribed to it by section 2 of the Act;

"Occupier" means holder of customary right of occupancy;

"Officer" means the Village Executive Officer;

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of 1999

"Qualified Valuer" has the meaning ascribed to it by section 2 of the Land Act, 1999;

"registered document" means a certificate of customary right of occupancy or a derivative right as provided for by Part IV of the Act, appearing in the First Schedule of these Regulations;

"Register of Village Land" means the register of village land maintained pursuant to section 21 of the Act;

"Village Executive Officer" means a person appointed under the relevant laws to hold the office of Village Executive Officer;

"village institution" means a village council, a committee of a village council, a village adjudication committee, and an adjudication officer exercising powers under section 56 of the Act.

PART II MANAGEMENT AND ADMINISTRATION

Notices

2. The notice of a hearing into any matter by a village institution under these Regulations shall be as prescribed in the First Schedule.

Orders

4. An order requiring the attendance of a person or requiring a person to produce a document before a village institution shall be in the forms prescribed in the First Schedule.

Summonses

- 5-(1) A summons issued by the chairman of a committee or an adjudication officer exercising powers under section 56 of the Act to a person to attend a hearing under section 54 of the Village Land Act shall give the person to whom it is addressed not less than 14 days notice of the day on which he or she is to attend the hearing.

- (2) A summons to which this regulation refers shall be as prescribed in the First Schedule.

Oaths

6. An oath which may be administered by the chairman of a committee or an adjudication officer exercising powers under section 56 of the Act may be as prescribed in form No. 5 of the First Schedule to these regulations.

Procedures at
hearings by
village
institutions

7. In any hearing held under the provisions of the Act or these Regulations, a village institution shall comply with the rules of natural justice in determining its procedures and shall –

- (a) conduct the hearing in public and in an informal atmosphere but with due regard to order, decorum and fairness to all parties and shall make plain to any representatives appearing for any parties that the village institution shall concentrate on the substance of the matter before it and administer substantive justice without undue regard to technicalities;
- (b) exclude any member of the village institution who has an interest in the proceedings, which interest such member of the village institution shall be under a duty to declare, and that member shall not sit or in any way be involved in a hearing as a member of the village institution;
- (c) before the hearing determine and announce the hours of the day when the hearing shall take place and in doing so shall have regard to the convenience of the parties and the normal patterns of work in the area where the hearing is to take place;
- (d) permit all persons wishing to make representations to the village institution to appear in person or by a representative;
- (e) allow the person summonsed to state his or her case first and then be questioned on any aspect of it or be asked to give further information about it by any member of the village institution present at the hearing or any other person claiming an interest in the land which is the subject of the hearing;
- (f) after the person summoned has put his or her case, allow any person claiming an interest in the land to put his or her case and be questioned on it by any member of the village institution present at the hearing and the person summonsed;
- (g) allow any person to make representations both in person or in writing or in person and in writing;
- (h) where the village institution intends to call evidence on any matter or issue, inform all the parties to the hearing of that fact and allow them to comment on and ask questions about that evidence;
- (i) where the village institution visits and inspects the land which is the subject of the hearing, allow all persons claiming an interest in the land to point out features of the land and make other points about the land and their interests in the land;
- (j) either by the chairman of the village institution or an officer appointed for the purpose by the chairman, keep notes of the proceedings at the hearing including notes of any visits made to any land in the course of the hearing;
- (k) may accept as evidence about the boundaries of the land the subject of the hearing –
 - (i) a statement about the boundaries by any person acknowledged in the community as being trustworthy and knowledgeable about land matters in the village;

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- (ii) simple or customary forms of surveying or demarcating boundaries using natural features and trees or buildings and other prominent objects;
- (iii) human activities on or about the land such as the use of footpaths, cattle trails, watering points, and the placing of boundary marks on the land;
- (iv) maps, plans and diagrams, whether drawn to scale or not, which show by reference to any of the matters referred to in subparagraphs (ii) or (iii) of paragraph (k) the boundaries of the land;
- (l) pay particular regard to the interests in the land the subject of the hearing of women, children and disabled persons and ensure that all such interests are fully and properly considered and recorded;
- (m) in deciding whether to exercise its discretion to adjourn a hearing, may adjourn the hearing to facilitate any parties to the hearing to reconcile any differences they may have about their respective interests in the land and must then record any such agreement which is reached when the hearing recommences;
- (n) have regard to the desirability, at any time during or after a hearing has ended of making a preliminary finding on any matter and where it does so, it shall invite the parties to comment on that finding either in person or in writing;
- (o) try to reach a consensus on all decisions but if that is not possible, then a majority decision may be reached with the reasons for both the majority decision and the minority position being recorded;
- (p) in deciding whether any issue has been proved before the village institution, determine whether the facts have been proved on the balance of probabilities, that is, whether it is more likely than not that any fact has been proved;
- (q) prepare a report which shall include –
 - (i) the names of the members of the village institution who held the hearing;
 - (ii) the date of the hearing;
 - (iii) the names of the parties;
 - (iv) a summary of the evidence of the parties and all witnesses;
 - (v) the findings on all aspects of the case and claims together with the reasons for those findings;
 - (vi) the recommendations on all aspects of the case and claims together with reasons for those recommendations.
- (r) sign the report prepared in accordance with the provisions of paragraph (q).

PART III COMPENSATION

8. The following may claim compensation in respect of village land which is transferred to general or reserved land under section 4 of the Act or which is declared to be hazard land under section 6 of the Act and from which the village council determines that villagers shall be required to vacate that hazard land or part thereof –

Who may
claim
compen-
sation

- (a) a village council on behalf of the villagers in respect of the loss of communal land, assets and benefits derived from that communal land;
- (b) any villager occupying transferred land or hazard land under a customary right of occupancy whether that customary right of occupancy is registered or not.

9. The basis for assessment of the value of any land and unexhausted improvement for purposes of compensation, under the Act shall be the market value of such land.

Basis for
assessment

10. The market value of any land unexhausted improvement shall be arrived at by use of comparative method evidenced by actual recent, sales of similar properties or by use of income approach or replacement cost method where the property is of special nature and not saleable.

Market
Value

11. Every assessment of the value of land and unexhausted improvement for the purposes of the Act shall be prepared by qualified valuer.

Qualified
Valuers

12. Every assessment of the value of land and unexhausted improvement for the purposes of payment of compensation by Government or Local Government Authority shall be verified by the Chief Valuer of the Government or his representative.

Chief Valuer

13. Compensation for loss of any interest in land shall include value of unexhausted improvement disturbance allowance, transport allowance, accommodation allowance and loss of profits.

Compensa-
tion

14. The market rent for the building shall be assessed and multiplied by thirty six (36) months in order to arrive at the accommodation allowance payable.

Accommoda-
tion
Allowance

15. The net monthly profit of the business carried out on the land shall be assessed (evidenced by audited accounts where necessary and applicable) and multiplied by thirty six (36) months in order to arrive at the loss of profits payable.

Loss of
Profit

Village Land

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Disturbance
Allowance

16. The disturbance allowance shall be calculated by multiplying value of the land by average percentage rate of interest offered by Commercial Banks on fixed deposits for twelve (12) months at the time of loss of interest in land.

Transport
Allowance

17. Transport allowance shall be the actual costs of transporting twelve (12) tons of luggage by rail or road (whichever is cheaper) within twenty (20) kilometres from the point of displacement.

Un Occupied
Land

18. The elements of transport allowance, accommodation allowance and loss of profits shall not be payable for unoccupied land at the date of loss of interest in land.

Interest

19. (1) The interest upon any compensation shall be paid by the Government or the local government authority only where there is no prompt payment of compensation made.

(2) For the purpose of computing interest payable upon compensation "prompt payment of compensation" means payment of compensation within six months after the subject land has been acquired or revoked.

(3) Where amount of compensation remains unpaid for six months after acquisition or revocation, interest at the average percentages rate of interest offered by commercial banks on fixed deposits shall be recoverable until such compensation is paid.

Service of
notice to
claim
compensation

20. In cases to which sections 4 and 6 of the Act applies, the Commissioner shall serve a notice in the form set out in the First Schedule on the village council and on all persons occupying land under a customary right of occupancy or a derivative right within the

area of land covered by a notice of proposal to transfer village land or, as the case may be, a notice to declare land as hazard land inviting the village council and all such persons as are referred to in this regulation to submit claims for compensation.

Claims for
compensation

21. A claim for compensation shall be submitted on a form set out in Part III of the First Schedule to these Regulations within not less than sixty days of the receipt of the notice referred to in regulation 20.

Assistance to
prepare
claims for
compensation

22. The Authorised Officer shall, at the request of the Officer of the village whose land is the subject of a notice under section 4 of the Act to transfer village land or a notice under 6 of the Act to declare village land to be hazard land, provide assistance to that village and to persons occupying land the subject of those notices to prepare and submit claims for compensation.

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23 (1) The Commissioner shall, within not more than ninety days from the date on which the claims of compensation are submitted, determine whether to accept or reject those claims or any of them.

Acceptance
of claim for
compensation

(2) Where the Commissioner accepts any claim for compensation submitted under regulation 21, he shall report that fact to the Minister.

(3) Within twenty one days of the receipt of the report by the Minister the Commissioner shall to arrange for compensation to be provided to the claimant.

24.(1) Where the Commissioner determines not to accept a claim for compensation, the claim may, if the claimant and the Commissioner so agree, be referred to a person appointed by the Minister to act as a mediator on the matter.

Mediation
on claim for
compensation

(2) Where the mediator is able to affect an agreement between the parties, he shall report the agreement to the Minister, and the Commissioner shall, within twenty one days of the receipt of the report from the mediator, arrange for compensation to be provided to the claimant.

(3) Where the mediator is unable, within ninety days of negotiation between the parties, to assist the parties to reach an agreement on a claim for compensation or where the parties or one of them are unwilling to refer the claim to a mediator, the claim shall be referred to the competent Court.

25. Compensation under sections 4 and 6 of the Act and regulation 13 may take the form of all or any of the following -

Forms
of
compensation

- (a) land of comparable quality, extent and productive potential to the land lost;
- (b) a building of comparable quality, extent and use with comparable to the building lost;
- (c) plants and seedlings;
- (d) access to communal assets;
- (e) a sum of money equal in value to the unexhausted improvements on the land transferred or declared to be hazard land or to compensate for the reduction in amount of land either through the loss of or damage to the land which can be used for productive purposes or to pay for the costs of disturbance brought about by the transfer of the land or the declaration of the land as hazard land;
- (f) regular supplies of grain and other basic foodstuffs for a specified time;
- (g) such other forms of compensation as may be agreed between the claimant and the Commissioner.

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PART IV JOINT MANAGEMENT OF VILLAGE LAND

Proposal for
joint
management
of village
land

26. A proposal for the joint management of village land between two villages or a village and a district council or an urban authority may be made by the Commissioner to the village councils and district council or urban authority or by a village council to another village council or to any local authority or by any local authority to a village council with which it is proposed to establish such a joint management arrangement.

Vote on
proposal for
joint
management
of village
land

27. A proposal referred to in Regulation 26 shall be considered and voted on by the village councils and the councils of the local authorities.

Rejection of
proposal for
joint
management
of village
land

28. Where a proposal is rejected by any village council or local authority a period of not less than three months shall elapse before that proposal or a revised proposal may be brought forward for reconsideration by the village council or local authority which rejected the earlier proposal.

Appointment
of joint
committee

29. The village councils and local authorities which vote in favour of establishing a joint management arrangement, shall each appoint not less than three nor more than five persons to a joint committee to develop the joint management arrangement.

Consideration of
draft joint
management
arrangement

30. Where the joint committee has reached agreement on a draft joint management arrangement, it shall be referred to the village assembly and the council of the local authority for those bodies to consider and vote on the arrangement.

Changes to
draft joint
management
arrangement

31. A village assembly and the council of a local authority may propose changes in the draft joint management arrangement and any such proposed changes shall be referred to the joint committee for its consideration.

Agreement
to joint
management
arrangement

32. A joint management arrangement shall not come into effect unless and until each and every village and local authority involved in the arrangement is agreed on the terms of the arrangement and has voted to adopt the arrangement.

Joint
committee
responsible
for operation of joint
management
arrangement

33. The joint committee established to develop the joint management agreement shall be responsible of the operation of the joint management agreement and shall meet not less than once every three months to ensure its efficient and effective operation.

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34. A joint committee established under these Regulations shall be governed by and shall comply with the rules regulating committees contained in the Local Government (District Authorities) Act, 1982.

Provisions
regulating
operation of
joint
committee
Act No.7 of
1982

35. A joint management arrangement shall deal with the management of village land to which it refers and without prejudice to the generality of this provision, it may contain provisions on:

Content of
joint
management
arrangement

- (a) the planning and regulation of the construction and use of buildings on the land;
- (b) the disposal of waste on the land;
- (c) the protection and conservation of any village land forest reserves or other areas of forest managed by the village or other special areas of village land;
- (d) the provision of technical support to the village to assist it in the management of the village land;
- (e) cost sharing in respect of the management of village land where the costs involved in the management have been increased by activities and developments taking place in the district council or urban authority;
- (f) the length of time, being not more than three years, for which the joint management arrangement is to last;
- (g) procedures for resolving differences between the parties to the joint management arrangement.

PART V REGISTER OF VILLAGE LAND

36. The Register shall be divided into the following Parts:

Parts of the
Register

- (a) Part A: the Certificate of Village Land;
- (b) Part B: the Title Register; and
- (c) Part C: the Public Charges Register.

37. (1) A Certificate of Village Land shall be in the form prescribed in the First Schedule and shall be kept in a separate folder in the Register.

Certificate
of Village
Land

(2) The only entries that may be made on a Certificate of Village Land are:

- (a) alterations required to be made by the Commissioner to record changes in the boundaries of the village land;
- (b) entries to record parcels of land that have been excised from or added to village land under the provisions of sections 4 and 5 of the Act;

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- (c) entries to record areas of village land declared to be hazard land under section 6 of the Act.

The Title
Register

38. (1) The Title Register shall be the register which contains -

- (a) the record of customary rights of occupancy - Section 1 of the Title Register;
- (b) the record of all derivative rights - Section 2 of the Title Register;
- (c) the record of all dispositions and transactions involving customary rights of occupancy and derivative rights, including any cautions entered on the Title Register - Section 3 of the Title Register.

(2) The Officer shall register in the appropriate section of the Title Register in the manner provided for in these Regulations all documents presented to him in the forms prescribed in the First Schedule.

The Public
Charges
Register

39. (1) The Public Charges Register shall be the register which contains -

- (a) documents of surrender of a customary right of occupancy;
- (b) orders of abandonment of land;
- (c) orders of temporary assignment of a customary right of occupancy;
- (d) information concerning the payment and non-payment of any rent, taxes, rates, fines or other dues payable to any public authority in connection with the holding of a customary right of occupancy or a derivative right or the occupation of village land;
- (e) documents recording the details of a land sharing arrangement;
- (f) entries to record a decision by the village assembly or village council or other body with powers so to decide that an area of village land shall be reserved for forest use wild management or otherwise set aside for purposes of conservation;
- (g) entries to record that part of village land set aside by decision of the village assembly as communal village land under section 13 of the Act.

(2) The Officer shall register in the Public Charges Register in the manner provided for in these Regulations all documents relating to the matters referred to in this Regulation presented to him in the forms prescribed in the First Schedule.

40. A document presented for registration shall be presented by a person claiming an interest under that document or an agent of such a person and the Officer may require to be satisfied as to the identity and interest of the person by whom it is brought or, in the case of an agent, as to his authority.

Persons to present documents for registration

41.(1) Registration shall consist in the filing by the officer of the document presented in accordance with regulation 13 and the handing over to the person presenting the document for registration, of a copy of that document (to be furnished by that person) after such copy has been certified by the officer as a true copy of the document.

Manner of registration

(2) The signature of the Officer appended, as stated in sub-regulation (1) of this regulation, on the registered document and the copy of that registered document shall be conclusive evidence of registration.

42. The Officer shall number every document so filed consecutively and record on the document the date of registration and the name of the person presenting that document and shall file documents in the appropriate section of the Title Register in the order in which they were received by him.

Numbering and filing of registered document

43. A written note signed by the Officer shall be attached to every registered document recording short particulars of the registration, which written note shall be *prima facie* evidence of the due registration of the document.

Written note attached to registered document

44. The Officer shall keep a book in respect of each register in which he or she shall, upon registration of every certificate, enter the registered number, the name of the holder or holders of the certificate, the date of the certificate and the date of registration and a separate page of each book shall be used to enter all such information about a registered certificate.

Abstract book

45 (1) A holder of a customary right of occupancy or a derivative right who undertakes any disposition of or transaction in land or any other party to that transaction may within two months of the completion of the transaction present documentary evidence of that transaction to the Officer.

Transactions

(2) Where any transaction requires the consent of a spouse or spouses, the documentary evidence of that transaction shall be accompanied by written evidence of the fact of that consent or those consents as prescribed in the First Schedule.

46. Where documentary evidence of a transaction is presented to the Officer under Regulation 38 by a party to that transaction other than the holder of a customary right of occupancy or a derivative right, the

Holder of certificate to be informed

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Officer shall inform that holder of that fact and shall not take any steps to register that transaction until that holder or his agent provides satisfactory evidence that he undertook that transaction freely and with full knowledge of the effect of that transaction.

Function of
Officer in
transactions

47. (1) The Officer shall -

- (a) satisfy himself that all the necessary documents have been submitted in connection with any transaction;
- (b) attach a copy of the documentary evidence of the transaction (to be supplied by the holder of the customary right of occupancy or of the derivative right) to the document to which it relates and give such a copy a number;
- (c) attach a written note signed by the Officer to the document referred to in paragraph (b) above recording short particulars of the transaction, which note shall be *prima facie* evidence of the due registration of the transaction;
- (d) enter into the abstract book on the page where in accordance with Regulation 37 the entries for the document to which the transaction relates are contained the registered number of the transaction, the date of the transaction and the date of the registration of the transaction.

(2) An Officer shall have no power to attach any documentary evidence of a transaction to a registered document or enter any information about a transaction into an abstract book if that documentary evidence is not accompanied by the consents referred to in subregulation (2) of Regulation 38 in any case where those consents are required and any such action by an Officer in any such case shall be void.

Priorities

48. (1) Transactions in land which is held under a registered document shall take priority as between themselves according to the date on which and the time at which they were registered in accordance with Regulation 40.

(2) A transaction which is registered in accordance with Regulation 40 shall have priority over a transaction which has not been registered, whether the transaction is registered before or after the transaction which has not been registered was completed.

Officer may
refuse to
register
documents

49. The Officer may refuse to register or enter into the register any document if -

- (a) it is not in the prescribed form; or
- (b) the form or other document is so defective by virtue of its being torn, stained, faded or partially destroyed that it can no longer be understood; or

- (c) there appears in any document any words added between the lines of the document, any blank, erasure or alteration unless the persons presenting the documents affix their signature or initials to such added words, blank, erasure or alteration and in such a case the Officer shall note the fact of such added words, blank, erasure or alteration in the register; or
- (d) in his opinion, a document is not suitable for attaching to an existing registered document by virtue of its size, shape, material used, quality of paper or other similar good reason.

50. Where any person alleges that an error or omission has been made in the register or that any entry or omission in the register has been procured by fraud or mistake, the Officer shall, if he considers that such allegation has been satisfactorily proved, correct such error, omission or entry.

Power of
Officer to
correct
errors and
omissions

51. Registration shall not cure any defect in any document registered or conferred upon any document any effect or validity which it would not otherwise have, except so far as provided in the Act and these Regulations.

Registration
not to cure
defect or
confer
validity

52. A register may be searched and examined by any applicant during the usual office hours and copies certified by the Officer as being true copies of any registered document or part thereof may be obtained if required but no document filed in the register or attached to any registered document filed in the register shall be permitted to be taken from any register.

Registers
may be
searched
and copies
obtained

53. (1) If the original registered document is lost or torn or destroyed the Officer may make a copy of it containing all the entries based on information from all the records in the office and other sources.

Substitute
registered
document

54. (1) If the duplicate registered document is lost, torn or destroyed, the Officer may, upon application by the owner or occupant, supported by a declaration in the form prescribed in the First Schedule to these Regulations, make a true copy of it containing all entries appearing on the original or substitute registered document.

Copy of
registered
document

(2) The Officer shall endorse on the copy that it is a copy registered document.

(3) The Officer shall advertise the application at the applicant's expense in a newspaper with wide circulation in the area for thirty days before issuing a copy registered document.

55 (1) When the lost original registered document is found, the Officer shall update it and cancel the substitute registered document.

Finding
original
registered
document

Village Land

G.N. No. 86 (contd.)

- (2) The cancelled substitute registered document shall be kept in the Registry.
- Finding duplicate registered document
56. (1) When the lost duplicate registered document is found, the Officer shall update it and cancel the copy registered document.
- (2) The cancelled copy registered document shall be kept in the Registry.
- Copy of lost registered document
57. In the event of the loss or destruction of any document registered under these Regulations, a copy certified to be a true copy by the Officer shall be admissible in evidence of its contents in all courts in Tanzania subject to all just and lawful exceptions.
- Certified copy of registered document admissible in civil cases
58. Every certified copy of any registered document purporting to be signed by the Officer shall be receivable in evidence in any civil case in a Tribunal or a court without proof of the correctness of such copy or the genuineness of such signature, unless it is alleged either that the original has been forged or that the copy purporting to be signed by the Officer is a forgery or incorrect.
- Use of certified copy of registered document in civil cases
59. A party proposing to use a certified copy of a registered document in a civil case shall deliver a copy of the certified copy to the opposing party and such copy shall be received in evidence if the Tribunal or court is satisfied that the copy was delivered in sufficient time before the hearing in which it is to be used to enable the opposing party to inspect the original register from which the copy has been taken.
- Opening times of the Registry
60. The Registry shall open to members at the public on such days, hours and intervals as the Village Council shall determine.

PART VI ADJUDICATION

- Notice to interested parties
61. For purposes of section 54 of the Act, the committee shall, in accordance with section 7(2) of the Act, give notice in a form prescribed in the First Schedule to these Regulations.
- Demarcation of boundaries
62. (1) The committee shall walk around the land, the subject of adjudication tracing, ascertaining, verifying, determining and marking the boundary of the land.
- (2) In marking of boundaries the committee shall use boundary markers commonly used in the respective areas including boundary tracks, ditches, fences, sisal and other plants and stones.
- (3) When marking the boundaries, turning points, corners and other changes in direction shall be given prominence and in between them, markers shall be placed at such intervals that they can be easily seen one after the other

Village Land

G.N. No. 86 (contd.)

63. The committee, the applicant, and at least two adult residents of the area present at the time of inspection of the land, shall certify the correctness of the boundaries by signing a form prescribed in the First Schedule to these Regulations.	Certification of boundaries
64. Costs relating to activities referred to in regulation 61 of these Regulations shall be borne by the applicant or as may be agreed between the village council and the applicant.	Boundary clearing and marking
65. Maintenance of the boundaries shall be the responsibility of the holders of the right of customary right of occupancy.	Maintenance of boundaries
66. The unit of measurement shall be the metre.	Unit of Measurement
67. (1) In the process of land demarcation the committee shall prepare a sketch of the land.	Preparation of sketch
The sketch shall -	
(a) be drawn and attached a form prescribed in the First Schedule to these Regulations;	
(b) be drawn on a paper of durable quality using a writing implement which will leave a permanent mark;	
(c) be made of connected lines forming a closed shape;	
(d) indicate along the lines the measured distances in metres between successive marked points drawn as crosses;	
(e) indicate the names of the occupiers of all the adjacent parcels of land;	
(f) show the approximate North direction;	
(g) indicate prominent reference features of a permanent nature, if any, on or near the land, including paths, roads, tracks, rivers, permanent buildings, rocks and trees.	
68. (1) The boundaries shall be measured using a tape and it shall not be necessary to draw the sketch to scale or determine the area.	Methods of measurement
(2) If any applicant wishes to determine the area of the land he may arrange and pay for the services of a land surveyor.	
69. A right of way shall be indicated on the sketch by dotted lines and shall be clearly described.	Recording of rights of way
70. The Committee shall prepare three sketches which shall be distributed to the committee the applicant and Village Council.	Distribution of sketch
71. (1) An adjudication record shall be prepared in respect of each plot of land for which one or more claims have been made and shall consist of: -	Adjudication record

Village Land

G.N. No. 86 (contd.)

- (a) the name of a claimant or where there is more than one claimant to the land, the names of all the claimants;
- (b) the nature and content of the interests in land claimed;
- (c) the amount of land claimed;
- (d) the length of time the claimant or claimants have been on the land or claim an interest in the land;
- (e) the location and boundaries of the plot of land;
- (f) the route and boundaries of any rights of way or wayleaves or other public rights claimed to exist in, on, or under the land;
- (g) the determination of the village adjudication committee, or as the case may be the village adjudication adviser on the claim or claims together with a brief statement of reasons for the determination.

(2) The adjudication record shall be accompanied by a sketch map of location and area of the land prepared in accordance with regulation 66.

(3) The adjudication record shall be in the form set out in the First Schedule to these regulations.

Notification of
survey of land held
for a customary right
of occupancy

72. (1) Where a customary right of occupancy has been issued after the process of adjudication and subsequently land has been surveyed, the occupier shall notify the Officer of the area surveyed and submit a certified plan.

(2) The notification made in accordance with subregulation (1) shall be on the form specified in the First Schedule to these Regulations.

Land Parcel
Identification
Number (LPIN)

73. A parcel of land for which, after adjudication, a customary right occupancy is issued and registered in the village land register shall bear a unique Land Parcel Identification Number (LPIN) which shall be given by the Officer.

Sub-divisions

74. Where there is a sub-division of a registered customary right of occupancy, the old LPIN may be deleted and a new LPIN assigned to each new parcel created by the sub-division by means of the form specified in the First Schedule to these Regulations.

PART VII MISCELLANEOUS

Minister may set
ceilings on land
holdings

75. (1) The Minister may, in consultation with the Minister responsible for agriculture, prescribe, by order published in the Gazette, the maximum amount of land that any person may occupy under a customary right of occupancy or a derivative right.

(2) In exercising his function under sub-regulation (1), the Minister shall take into account: -

Village Land

G.N. No. 86 (contd.)

- (a) all such information and guidance as is available on land evaluation in connection with the use of land for specific smallholder agricultural, pastoral and forestry activities in different areas and agro-economic zones of Tanzania in order to foster efficient and effective agricultural development and sustainable use of land;
 - (b) the need to promote and ensure the protection of the environment;
 - (c) in relation to land to be used for any urban development, any guidance on appropriate plot sizes for different types of urban development prepared by the Department of Town and Country Planning;
 - (d) the need to provide for a reserve of land within each village for future allocation;
 - (e) The existing custom and practices within villages in any district or region for which he is proposing to set land ceilings relating to the maximum amounts of land that any villager or family may occupy.
- (3) Different maximum amounts of land may be prescribed for:
- (a) each region; and
 - (b) each district within a region; and
 - (c) each village within a district.
- (4) Maximum amounts of land prescribed under this regulation shall be kept regularly under review and shall be adjusted as and when necessary.

76 (1) Until such time as orders have been made and published under regulation 74, no village council may grant or agree to grant or agree to a disposition of a customary right of occupancy or create or agree to the creation of a derivative right in village land or out of a customary right of occupancy which exceeds twenty hectares or which would result in a villager occupying land in excess of twenty hectares or the maximum amount of land held by a villager in that village whichever is the lesser amount without the consent of the District Council or the Commissioner as is provided for by this regulation.

(2) Where an application is made to the village council for an amount of land whether by way of a customary right of occupancy or by way of a derivative right or consent to the grant of a derivative right which is between twenty-one and fifty hectares in extent, the village council shall forward that application to the district council having jurisdiction in the district where the village is situate together with its recommendation on that application and shall not grant that application unless and until the District Council shall signify in writing to the village council that it consents to that application.

Consent
arrange-
ments for
ceilings on
land
holdings

Village Land

G.N. No. 86 (contd.)

(3) Where an application is made to the village council for an amount of land whether by way of a customary right of occupancy or by way of a derivative right or consent to the grant of a derivative right which is greater than fifty hectares in extent, the village council shall forward that application to the Commissioner together with its recommendation on that application and shall not grant that application unless and until the Commissioner shall signify in writing to the village council that he consents to that application.

General
principles
of
mediation

77. (1) In exercising any functions of mediation under the Act or these Regulations, a person appointed to exercise functions under section 7 or under regulation 24 a committee in the exercise of its functions under section 54, and a Council in the exercise of its functions under sections 14 and 60 of the Act shall –

- (a) be guided by the principles of objectivity, fairness and justice, giving consideration to, among other things, the rights and obligations of the parties, the customary and statutory laws and traditional practices on land, due regard being had to Constitutional provisions, and the circumstances surrounding the matter including any previous dealings or disputes between the parties;
- (b) conduct the mediation in such a manner as it considers appropriate, taking into account the wishes of the parties, the circumstances of the case and the desirability of reaching a speedy settlement of the dispute;
- (c) meet or communicate with the parties together or separately;
- (d) at any stage of the proceedings make proposals, either orally or in writing and with or without reasons for the settlement of any dispute between the parties;
- (e) as a result of mediation, when it appears that there are elements of an agreement or settlement which may be acceptable to the parties, formulate the terms of the agreement or settlement and explain the terms to the parties and after receiving those comments from the parties, reformulate those terms taking into account those comments.

(2) Where an agreement or settlement has been reached between the parties, the committee or council as the case may be shall draw up a written agreement which, once it has been signed by all parties, shall be binding on the parties.

(3) The written agreement shall be authenticated by the appointed mediator, the committee or the council as the case may be; and copies of the authenticated agreement shall be given to the parties.

Village Land

G.N. No. 86 (contd.)

78. The Officer or the District Land Officer shall assist in the preparation of documents and forms on behalf of a village council, a committee, a council or any applicant or occupier wishing to exercise rights under the Act in order to facilitate the adjudication and registration, of and dispositions and transactions in, interests in land

Preparation
of
documents

79. The forms set out in the First Schedule shall be the forms which shall be used in connection with the exercise of any functions under the Act and the Regulations to which they refer.

Forms to be
used in
connection
with the
Act and the
Regula-
tions.

80. The forms contained in the First Schedule to these Regulations may be modified or altered in expression to suit the circumstances of every case; and any variation from such a form not being a matter of substance shall not affect its validity or regularity.

Variation of
forms

81. The fees which are specified in the third column of the Second Schedule to these Regulations shall be the fees which are payable in respect of any of the activities specified in the first column of that Schedule.

Fees

82. (1) Where any breach of condition of a customary right of occupancy stated in column 2 of the Third Schedule to these Regulations has arisen the village council may impose a fine specified in column 3 of the said Schedule.

Fines

(2) The Village Council shall be at liberty to impose upon an occupier a lesser amount than that specified in the Third Schedule.

83. Attestation and execution of deeds shall be as provided under Section 63 of the Land Act 1999 and Section 91 to 94 of the Land Registration Ordinance, Cap. 334.

Attestation

Village Land

G.N. No. 86 (contd.)

Village Land Form No. 1

THE UNITED REPUBLIC OF TANZANIA

THE VILLAGE LAND ACT, 1999
(No. 5 of 1999)

**ORDER TO ATTEND HEARING BY
VILLAGE ADJUDICATION COMMITTEE**
(Under Section 53)

To:

*Mr/Ms/Mrs.

The Village Assembly of _____ Village has approved an application for the
spot adjudication of a piece of land located at ... of approximately (area/size).

You are ordered to attend in person and give evidence in the hearing relating to the
process of land adjudication in respect of land located above.

The hearing will take place at _____ on _____ day _____ of at _____ o'clock.

Please note that the giving of false information in your evidence may lead to criminal proceedings
being taken against you.

Name and signature of Chairman, Village Adjudication Committee.

Date

SERVED UPON

SIGNATURE.

DATE..

*Delete whichever is not applicable

Village Land

G.N. No. 86 (contd.)

Village Land Form No. 2

THE UNITED REPUBLIC OF TANZANIA

THE VILLAGE LAND ACT, 1999
(No. 5 of 1999)

**ORDER TO PRODUCE DOCUMENTS AT A HEARING
BY VILLAGE ADJUDICATION COMMITTEE**
(Under Section 53)

TO.

*MR/MS/MRS.

The Village Assembly of. Village has approved an application
for the spot adjudication of a piece of land located at of approximately
(area/size).

You are ordered to produce documents in person or by an agent at a hearing into
claims relating to the adjudication of land.

The hearing will take place at on the day of at o'clock.

Please note that failure, without a reasonable excuse, to produce the required
documents may lead to criminal proceedings being taken against you.

Name and signature of Chairman,
Village Adjudication Committee
Date

SERVED UPON:

SIGNATURE:

DATE:

*Delete whichever is not applicable.

Village Land

G.N. No. 86 (contd.)

Village Land Form No. 3

THE UNITED REPUBLIC OF TANZANIA

THE VILLAGE LAND ACT, 1999
(No. 5 of 1999)

**SUMMONS TO ATTEND A HEARING BY
VILLAGE ADJUDICATION COMMITTEE.**
(under section 53)

TO:

*Mr/Mrs/Ms

has submitted an application to the Village Council for spot adjudication of land for which he/she/they have applied for customary right of occupancy/location at. Of approximately (area/size).

The Village Assembly has decided to begin a process of village adjudication of land in (state the location and approximate area of the land)*.

You are invited to appear before this committee in person on the day of at o'clock to state your claim.

TAKE NOTICE that if you fail to appear without good cause, you may be deemed to have forfeited your claim.

Name and signature of Chairman, Village Adjudication Committee

Date

SERVED UPON.

QUALIFICATION.

DATE.

*Delete whatever is not applicable

Village Land

G.N. No. 86 (contd.)

Village Land Form No. 6

THE UNITED REPUBLIC OF TANZANIA

THE VILLAGE LAND ACT, 1999
(No. 5 of 1999)

NOTICE OF INTENTION TO DECLARE HAZARD LAND
(Under Section 6)

Ref. No

I.

of.

HEREBY GIVE NOTICE

that I intend to declare the following land to be hazard land.

- a) Location of the land
- b) Boundaries and extent of the said land.
- c) Reasons for declaration

The declaration will be made after the expiration of sixty days from the date of publication of this notice in the Gazette.

All persons and authorities on whom this notice shall be served may make representations to the Commissioner for Lands on the proposed declaration within not less than thirty days after the date of service of this notice.

Dated at this day of 20

Minister for Lands

Served upon us:

Chairman of Village Council Date:

Occupier(s) of proposed hazard land:

Name and signature/thumbprint:

Village Land

G.N. No. 86 (contd.)

Village Land Form No. 7

THE UNITED REPUBLIC OF TANZANIA

THE VILLAGE LAND ACT, 1999
(No. 5 of 1999)

NOTICE OF DECLARATION OF HAZARD LAND
(under section 6)

Ref. No

I
of
DECLARE the following land to be hazardous land.

HEREBY

- d) Location of the land
- e) Boundaries and extent of the said land
- f) Reasons for declaration

This notice shall come into force thirty days after the date of its publication in the Gazette.

TAKE NOTE: This declaration operates as an order for the compulsory acquisition of the land referred to in this declaration. You will be paid compensation for all the losses which will be caused you by this order in accordance with the provisions of the Village Land Regulations. You should consult the Village Executive Officer on all matters connected with this declaration.

BY COMMAND OF THE PRESIDENT

MINISTER FOR LANDS

Served on:

Name and Signature/Thumbprint of occupier:

Date.

Village Land

G.N. No. 86 (contd.)

Village Land Form No. 8

THE UNITED REPUBLIC OF TANZANIA

THE VILLAGE LAND ACT, 1999

(No. 5 of 1999)

NOTICE OF INTENTION TO TRANSFER VILLAGE LAND
TO GENERAL OR RESERVE LAND
(Under Section 4)

Ref. No

I. _____ of

HEREBY GIVE NOTICE that the President of the United Republic of Tanzania intends to transfer the following village land to general/reserve* land.

* delete whichever is inapplicable

- a) Location of the land
- b) Boundaries and extent of the said land
- c) Reasons/purposes of the transfer of the land.

The transfer may be made after the expiration of ninety days from the date of publication of this notice in the Gazette.

Any person occupying any village land which may be transferred in accordance with this notice may make representations to the Commissioner of Lands and the Village Council as to why his or her land should not be part of the land to be transferred or as to why the designated land as a whole should not be transferred.

Any person who will suffer losses by reason of the proposed transfer may apply to the Commissioner of Lands for compensation using the form headed APPLICATION FOR COMPENSATION FOR LOSSES CAUSED BY LAND TRANSFER.

Dated at. _____ this _____ day of. _____ 20

Minister for Lands

Served upon us:

Chairman of
Village Council

Date: _____

Village Land

G.N. No. 86 (contd.)

Village Land Form No. 9

THE UNITED REPUBLIC OF TANZANIA

THE VILLAGE LAND ACT, 1999
(No.5 of 1999)

NOTICE OF TRANSFER OF VILLAGE LAND
(Under Section 4)

Ref. No.
LPIN. No.

I.
of.

HEREBY TRANSFER the following village land to general/reserve* land.

* delete whichever is inapplicable

- (a) Location of the land.
- (b) Boundaries and extent of the land.
- (c) Reasons/purposes of the transfer.

This transfer shall take effect thirty days after the date of its publication in the Gazette.

BY COMMAND OF THE PRESIDENT

MINISTER FOR LANDS

Village Land

G.N. No. 86 (contd.)

Village Land Form No. 10

THE UNITED REPUBLIC OF TANZANIA

THE VILLAGE LAND ACT, 1999
(No.5 of 1999)

DECLARATION OF INTEREST
(Under Section 10)

C.T. No.

L.O. No.

L.D. No.

I,

being a member of the Village Council/member of the

committee of the Village Council

dealing with land in the Village of

IMMEDIATE FAMILY MEMBER

respect of the matter concerning the land

HEREBY DECLARE THAT I/MY

(state relationship) I HAVE an interest in

(Description of the

land),

Dated at

this

day of

Signature

Served upon:

Chairman, Village Council

Date:.

Date:

Village Land

G.N. No. 86 (cond.)

Village Land Form No. 11

THE UNITED REPUBLIC OF TANZANIA

THE VILLAGE LAND ACT, 1999
(No. 5 of 1999)

**NOTICE TO VILLAGE COUNCIL
TO APPLY FOR COMPENSATION**
(Under Sections 4 and 6)

Ref. No.

I _____ of _____
HEREBY GIVE NOTICE
that the Minister of Lands has issued a notice of his intention to declare the following land to be
hazard land/proposing transfer of the following village land to general or reserved land:

- (a) Location of the land.
- (b) Boundaries and extent of the land.

**TAKE NOTE that you are entitled to claim compensation for losses that will be
caused by declaration of communal land as hazard land/transfer of communal
land.**

You must submit your claim to me within 60 days of getting this notice.

Dated at _____ this _____ day of _____, 20__

Commissioner for Lands

SERVED UPON US THIS _____ day of _____, 20__

Chairman Village Council
Secretary Village Council

Village Land

G.N. No. 86 (contd.)

Village Land Form No. 12

THE UNITED REPUBLIC OF TANZANIA

THE VILLAGE LAND ACT, 1999
(No. 5 of 1999)

APPLICATION FOR COMPENSATION BY VILLAGE COUNCIL

(Under Sections 4 and 6)

1. Name of Village
2. District in which Village is located
3. Location of communal village land the subject of claim.
4. Approximate area/size of land
5. Current use of the land
6. Losses caused by *land transfer/declaration of hazard land
7. State the communal rights for which the Village Council is claiming compensation and the amount of compensation it is claiming:†

Attach any report explaining the basis for the claim for compensation.

Names and Signatures of members of Village Council

Date:

C: Decision of Commissioner of Lands:

*Delete whichever is inapplicable.

The whole claim is approved*

The following parts of the claim are approved (state which parts are approved and give reasons for not approving other parts of the claim)*.

The whole claim is not approved for the following reasons*:

* Delete whichever is not applicable

Name and signature, Commissioner for Lands

Date

Village Land

G.N. No. 86 (contd.)

Village Land Form No. 13

THE UNITED REPUBLIC OF TANZANIA

**THE VILLAGE LAND ACT, 1999
(NO. 5 OF 1999)**

**APPROVAL OF COMPENSATION
(Under Section 4 and 6)**

TO.

Your application for compensation has been approved in the following manner/disapproved.

Commissioner for Lands/Authorised Officer

Village Land Form No. 14

THE UNITED REPUBLIC OF TANZANIA

**THE VILLAGE LAND ACT, 1999
(No. 5 of 1999)**

**NOTICE TO LAND OCCUPIER TO
APPLY FOR COMPENSATION
(Under Sections 4 and 6)**

Ref. No.

I _____ of _____
HEREBY GIVE NOTICE
that the Minister of Lands has issued a notice of intention to declare the following land to be hazard
land/proposing transfer of the following village land to be general or reserved land;

- (a) Location of the land.
- (b) Boundaries and extent of the land

Village Land

G.N. No. 86 (contd.)

TAKE NOTE: that you are entitled to claims compensation for losses that will be caused by declaration of communal land as hazard land/transfer of communal land.

You must submit your claim to me through the Village Council within 60 days of getting this notice.

If you need help in filling in your claim for compensation, you may seek assistance from the Village Executive Officer or any other person whom you think may be able to help you.

Dated at. this day of. .20

Commissioner for Lands

Served upon us: this day of .200 Occupier(s).

Chairman of
Village Council.
Date:.

Occupier(s) of proposed hazard land:

Name and signature/thumbprint:

Village Land Form No. 15

THE UNITED REPUBLIC OF TANZANIA

THE VILLAGE LAND ACT, 1999
(No. 5 of 1999)

APPLICATION FOR COMPENSATION BY LAND OCCUPIER

(Under Section 15)

**PART 1: (To be filled by applicant) for losses caused by
Land transfer/Declaration of hazard land**

		Sex	Age
1.	Full name(s)	(i)	M/F
	(Surname first)	(ii)	M/F

Village Land

G.N. No. 86 (contd.)

add as necessary

2. Address.
3. Marital status.
4. Children living with you.
5. Location of land the subject of claim:
Village.
District.
6. Approximate area/size of land
7. Current use of the land
8. Losses caused by land transfer/declaration of hazard land
9. State the land right for which you are claiming compensation and the amount of compensation you are claiming*:
 - (a) Customary right of occupancy Yes/No;
Amount being claimed for value of the land.
 - (b) Unexhausted improvements on the land. Yes/No;
Amount being claimed
 - (c) Derivative right (state type of derivative right) Yes/No;
Amount being claimed.
 - (d) Costs involved in moving from the land Yes/No;
Amount being claimed.
 - (e) Other claims and amount being claimed (please state in as much detail as possible):

* fill in what applies to your claim

Name and Signature/Thumb print (s) of applicant (s)

Date

Copy: Village Council

Village Land Form No. 16

THE UNITED REPUBLIC OF TANZANIA

THE VILLAGE LAND ACT, 1999
(No. 5 of 1999)

CERTIFICATE OF VILLAGE LAND
(Under Section 7)

The day of

Ref. No
200

This is to certify that the Village Council (hereinafter called the Council) of Village in District is entrusted as a trustee the management all that land described in the schedule hereto (hereinafter called "the village land") according to the true intent and meaning of the Village Land Act and subject to the following conditions:

Village Land

G.N. No. 86 (contd.)

- i) The Council shall manage the village land in accordance with the customary law applicable to land in the area.
- ii) The Council shall protect the environment by preservation of soil fertility and prevention of soil erosion.
- iii) The council shall protect rights of way.
- iv) The council shall protect and maintain boundaries of the village.
- v) The council shall maintain and keep secure this certificate.
- vi) Where the boundaries of the village are altered or amended, the council shall send the certificate to the Commissioner for endorsement on the certificate of the alteration or amendment of the boundaries.
- vii) The Council shall issue certificate of customary titles and maintain a register of communal village land.

SCHEDULE

(Full description of the land and its general boundaries)

GRANTED by the President and Given under my HAND and my official SEAL the day and year first written above.

SEAL

COMMISSIONER FOR LANDS

SEALED WITH THE common seal of the said

in the presence of us.

- 1. Name:
Signature..
Qualification: Chairman of the Village Council
Address
- 2. Name:
Signature..
Address
Qualification: Secretary of the Village Council

FEE

Copy: Registrar

THE UNITED REPUBLIC OF TANZANIA

THE VILLAGE LAND ACT, 1999
(NO.5 OF 1999)

ABSTRACT BOOK
(Under Section 21 and under regulation 37)

VILLAGE

735

No.	Date	Time	Nature of Transaction	Person lodging documents	Name of Occupier	Contact Address	Location of land (village, block and plot)	LPIN (if allocated)	Signature of person presenting documents	Signature of person receiving documents

Village Land

G.N. No. 86 (cond.)

Village Land

G.N. No. 86 (contd.)

Village Land Form No. 18

THE UNITED REPUBLIC OF TANZANIA

THE VILLAGE LAND ACT, 1999
(No. 5 of 1999)

APPLICATION FOR CUSTOMARY RIGHT OF OCCUPANCY
(Under Section 22)

PART I: (To be filled by the applicant(s))

1. Name of Applicant*:

A. Full name of individual applicant(s): (family name first)

(i)
sex/age

(ii)
sex/age

(add as necessary)

B. Full name of members of the applicant family: (family name first)

At least two members of the family must make the application

(i).
sex/age

(ii).
sex/age.

(add as necessary)

C. Name of the body or organisation which is making the application

Fill in the section which applies to your application

2. Address (if not ordinarily resident in the Village)
/Location in the village.

3. Neighbour(s) name

4. Marital status (applicable only to A and B)

5. Children, and ages (applicable only to A and B).

6. Location of land the subject of application:

Area of the village.

Village Land

G.N. No. 86 (contd.)

Village

District.

7. Approximate area of land.
 8. Use or occupation of land at present e.g. farming, grazing cattle, housing
 9. Proposed use or occupation of land (if different to present use and occupation)
 10.

(a)	Do you want to occupy the land as a family?*	YES/NO
(b)	Do you want to occupy the land as a community?*	YES/NO
(c)	Do you want to occupy the land as individuals?*	YES/NO
- * state divisions of interests in the land (fractions or percentages) if you want to occupy the land jointly or in common

Signature/Thumbprint(s) of applicant(s)

**At least TWO members of a family unit; or
TWO leaders of a traditional group; or
TWO authorised officers of an organisation
Must sign the application**

Date of application

Where an application is made by a person or persons not ordinarily resident in the Village, the application must be signed by FIVE VILLAGERS:

Signature/Thumbprint of five villagers (where relevant)

PART II: (For official use only)

Remarks and recommendations of Village Council*/District Council*
(delete where not applicable).

Names and Signatures of members of Village Council:

Date.
Date
Date
Date
Date

Village Land

G.N. No. 86 (contd.)

Village Land Form No. 19

THE UNITED REPUBLIC OF TANZANIA

THE VILLAGE LAND ACT, 1999
(No.5 of 1999)

OFFER OF A CUSTOMARY RIGHT OF OCCUPANCY
(Under Section 24)

REF:
TO:

RE: LAND DESCRIPTION (including location, size/area)

AREA OF THE PLOT

Your application for a Customary Right of Occupancy (later in this letter called "the Right") over land above described has been approved subject to the terms and conditions of the Right are as follows:-

1. (i) Term: indefinite*/ years* from
(ii) Rent, if any, a year revisable after every ten years.
(iii) User: The land shall be used for: (insert here the purpose for which the land is to be used; e.g., farming and/or livestock keeping;

(iv) You will be responsible for ensuring that the boundaries on the land remain clearly marked throughout the term of the Right.

* delete what is not applicable

2. The following information is required:-

- (a) Your full name(s) in block letters. Requests to have a Certificate of Customary Occupancy issued in the name of a person or persons other than the applied for will not be entertained.
- (b) If matrimonial purpose name of spouse (s).
- (c) Your full residential address.
- (d) Indicate whether:-
 - (i) if you wish to hold the Right individually;
 - (ii) if you wish to hold the Right as joint occupiers except for spouses, leave of the court shall first be obtained;
 - (iii) if you wish to hold the Right of Occupier in common indicate the share to be taken by each of you.

Village Land

G.N. No. 86 (cond.)

3. The amount payable on acceptance of the offer is:
Premium, if applicable
Fees for Certificate of Occupancy
Village Registration fees.
Stamp Duty on certificate & duplicate, if any .
Land Rent from to.
4. The amount shown above should be paid to the Village Executive Officer or authorized officers.
The original receipts should then be sent to me with the information requested above.
5. This offer will remain open for a period of ninety (90) days from the date of its receipt by you. If you want to accept this offer, complete Part II of this form headed **ACCEPTANCE OF OFFER OF CUSTOMARY RIGHT OF OCCUPANCY**

Yours faithfully,

Names and Signatures
CHAIRMAN OF VILLAGE LAND
COUNCIL

SEAL/RUBBER
STAMP OF
VILLAGE COUNCIL

NAME AND SIGNATURE
SECRETARY OF VILLAGE LAND
COUNCIL

Date:

Date:

Village Land Form No. 20

THE UNITED REPUBLIC OF TANZANIA

**THE VILLAGAE LAND ACT, 1999
(NO. 5 OF 1999)**

**ACCEPTANCE OF OFFER OF CUSTOMARY RIGHT OF OCCUPANCY
(Under S. 24)**

I/WE ..hereby accept the offer of customary right of occupancy on the terms
and conditions contained in the offer of customary right of occupancy
dated.

Name(s) and Signature(s)

Date
Date

Photo(s)

Fees:

Village Land

G.N. No. 86 (contd.)

Village Land Form No. 21

THE UNITED REPUBLIC OF TANZANIA

THE VILLAGE LAND ACT, 1999

(No. 5 of 1999)

CERTIFICATE OF CUSTOMARY RIGHT OF OCCUPANCY

(Under Section 25)

The .day of. 200 Village Title No:

This is to certify that. (name and address of Village Council) has granted to (name of Occupier) (hereinafter called "the Occupier") a customary right of occupancy (hereinafter called "the right") in and over the land described in the Schedule hereto (hereinafter called "the land") for an indefinite period/for a term of 99 year/for a term of. years from the day of 200...according to the true intent and meaning of the Village Land Act and subject to the provisions thereof and to any regulations made thereunder and to any enactment in substitution therefor or amendment thereof and to the following conditions:

~~Delete whichever is not applicable~~

- i) The occupier/occupiers to pay an annual rent of TShs before the day of each year. (if applicable)
- ii) The land shall be used for
- iii) The occupier/occupiers shall be responsible for protection of the environment (soil conservation and water protection).
- iv) The occupier/occupiers shall ensure that boundaries of the land are maintained and clearly marked throughout the term of the right.
- v) The occupier/occupiers shall respect and maintain existing rights of way.
- vi) Any assignment of the right to a person or group of persons not ordinarily resident in this village must be approved by the Village Council.

SCHEDULE

(Full description of the land and its boundaries)

1. Name:	Seal or Stamp of	Name
Signature	Village Council	Signature
Qualification: Chairman		Qualification:
of the Village Council		Secretary of the
Address.		Village Council
		Address.
Date.		Date
3. Signature/Thumb print of the Occupier)		
SEAL: Name.)		
Signature)		
Qualification: District Land Officer.)		

Village Land

G.N. No. 86 (contd.)

Village Land Form No.22

THE UNITED REPUBLIC OF TANZANIA

THE VILLAGE LAND ACT, 1999
(No. 5 of 1999)

APPLICATION FOR A COPY OF A CERTIFICATE OF
A CUSTOMARY RIGHT OF OCCUPANCY
(Under Regulation 57)

To the Village Executive Officer

I/we, being the registered occupier(s) under a customary right of occupancy under
LPIN. Abstract Book No. apply for issue of a Copy of a Certificate of customary
right of occupancy, the duplicate certificate having been lost/destroyed/obliterated*

*delete whichever is not applicable

DECLARATION

I/We declare that the above particulars are true to the best of my/our knowledge and belief.

Name and signature,	Registered Customary Occupant
	Date

Declared before me,	Name and signature	Date,	Village
Executive Officer			

Village Land Form No. 23

THE UNITED REPUBLIC OF TANZANIA

THE VILLAGE LAND ACT, 1999
(No. 5 of 1999)

NOTICE TO PAY RENT
(Under Section 28)

Ref.No.
LPIN

To: Name of Occupier:
Address:

You are **HEREBY** required to pay within fourteen (14) days from the date of this notice the sum of
Tshs. being the rent/instalment of rent for your customary right of occupancy as shown
below:

Village Land

G.N. No. 86 (contd.)

RENT DUE FOR THE YEAR	Tshs.
INSTALMENT OF RENT DUE	Tshs.
PENALTY (if any)	Tshs.

TOTAL

TAKE NOTE: if you do not comply with this notice, a copy of the notice will be filled in the Court having jurisdiction in the area of the Village and it shall be deemed to be a decree passed by the court against you.

Name and Signature Village Executive Officer	Date.
---	-------

Served on me/us

Name and Signature Occupier	Date.
--------------------------------	-------

Date.

Please bring this form with you when you come to pay your rent

Village Land Form No. 24

THE UNITED REPUBLIC OF TANZANIA

THE VILLAGE LAND ACT, 1999
(No.5 of 1999)

**NOTIFICATION OF ASSIGNMENT OF
CUSTOMARY RIGHT OF OCCUPANCY**
(Under Section 30)

To: Chairman Village Council

I/We. HEREBY NOTIFY you that I/We intend to assign the customary right of occupancy described below to the persons whose names, descriptions and terms set out below.

DESCRIPTION OF LAND

LPIN (if any)

Location of Plot within Village

Area of Plot.

Date of grant of customary right of occupancy

Village Land

G.N. No. 86 (contd)

IN CONSIDERATION OF LOVE AND AFFECTION*/ IN CONSIDERATION OF THE SUM OF*
TSHS

I/We, (Transferor(s)), do hereby transfer to
(Transferee(s))
of.

the unexpired term of the Customary Right of Occupancy granted to me/us.

AND I/We. (Transferee(s))

do hereby apply to be recorded as the holder and occupier of the Customary Right of Occupancy on the
terms and conditions already applicable to it.

1. SIGNED AND DELIVERED by the said

who is known personally/identified to me
by. (TRANSFEROR)
the latter being known to me personally this
day of
20

(Witness)

(Signature)
Qualification.
Postal Address

2. SIGNED AND DELIVERED by the said.

(TRANSFEREE)

who is known to me personally/identified to me
by.
the latter being known to me personally this
day of. 20

(Witness)
Signature:
Qualification:
Postal Address

*. Delete what does not apply

Village Land

G.N. No. 86 (contd.)

Village Land Form No. 25

THE UNITED REPUBLIC OF TANZANIA

THE VILLAGE LAND ACT, 1999
(NO. 3 OF 1999)

APPROVAL/DISALLOWANCE OF ASSIGNMENT
OF CUSTOMARY RIGHT OF OCCUPANCY
(Under Section 30)

To: (Name(s) of Transferee(s))

To: (Name(s) of Transferor(s))

I, Chairman Village Council, on behalf of the Village Council do HEREBY

APPROVE*/
DISALLOW*

the assignment of the customary right of occupancy the details of which are set out in this form.

The reasons for disallowing the assignment are: (refer to section 30(4) of the Village Land Act)

Name and Signature.	Date.
Chairman	Village Council

Name and Signature	Date
Secretary	Village Council

Served upon me/us

Signature(s) of Transferee(s).	Date.
	Date

Signature(s) of Transferor(s)	Date.
	Date

A copy of this form must be sent to the Commissioner for Lands

NOTE: THIS FORM APPLIES TO NON RESIDENTS ONLY.

Village Land

THE UNITED REPUBLIC OF TANZANIA

THE VILLAGE LAND ACT, 1999
(No. 5 of 1999)

APPLICATION FOR APPROVAL TO CREATE
A DERIVATIVE RIGHT
(under Section 31 (c))

PART I

I/WE

HEREBY APPLY for APPROVAL to create a derivative right out of the customary right of occupancy registered in the village register under the above reference:

1. Nature of disposition. (state nature of the disposition).
2. Particulars of purchaser/assignee/mortgage (if not a prescribed lender)

Signed:

(Applicants)

Date:

Part II

For Official Use Only

NR. If this application is for a lease, you must refer to section 32(5) of the Village Land Act in order to know how to deal with it. For leases, go to 2 below.

1. For applications other than leases

- (a) Approved/Refused
- (b) Reasons for refusal

Signed.

Chairman, Village Council

Secretary, Village Council

Date:

Served upon me/us

Signature of Applicant(s)

Date

Village Land

G.N. No. 86 (contd.)

2. For applications for leases

Class A Application: section 32(5)(a)

(b) Approved/Refused

(b) Reasons for refusal

Signed.
Chairman, Village Council

Secretary, Village Council
Date:..

Served upon me/us

Signature of Applicant(s)

Date.

Class B Application: section 32(5)(b)

(a) Approved/Refused

(b) Reasons for refusal

Signed.
Chairman, Village Council

Secretary, Village Council
Date:

(c) Approved/Refused by the Village Assembly

(d) Reasons for refusal

Signed, on behalf of the Village Assembly
Chairman of the Village Assembly
Date:..

Served upon me/us

Signature of Applicant(s)

Date.

Village Land

G.N. No. 86 (contd.)

Class C Application: section 32(5)(c)

(a) *Approved/Refused*

(b) *Reasons for refusal*

Signed.
Chairman, Village Council

Secretary, Village Council
Date:

(c) *Approved/Refused by the Village Assembly*

() *Reasons for refusal.*

Signed, on behalf of the Village Assembly:

Advice by the Commissioner of Lands:

Signed.
Date:

Served upon me/us

Signature of Applicant(s)

Date

Village Land Form No. 27

THE UNITED REPUBLIC OF TANZANIA

THE VILLAGE LAND ACT, 1999
(No. 5 of 1999)

**CERTIFICATE OF APPROVAL TO A DERIVATIVE RIGHT
(LEASE/LICENCE/USUFRUCTUARY INTEREST/MORTGAGE/
SMALL MORTGAGE/PLEDGE)
(Under Section 31 (9))**

Ref. No.
LPIN No.

1. The Village Council of, Village within, District HEREDY
GRANTS APPROVAL to a derivative right (state type of derivative right) granted by
of
To of

Village Land

G.N. No. 86 (contd.)

2. Full description of the land and its general boundaries:
3. Approximate area of the land:
4. Approximate area of the land which is the subject of the derivative right (if different from 3 above)

1.	Name:	Seal Stamp	Name
	Signature.	of Village	Signature.
	Qualification: Chairman of the	Council	Qualification: Secretary
	Village Council		of the Village Council
	Address		Address

Signature/thumbprint of grantor.
Date.

Village Land Form No. 28

THE UNITED REPUBLIC OF TANZANIA

THE VILLAGE LAND ACT, 1999
(No. 5 of 1999)

**APPLICATION FOR GRANT OF A DERIVATIVE RIGHT
IN VILLAGE LAND**
(under Section 32)

Ref. No.:

PART I

I/WE

HEREBY APPLY for a GRANT of a derivative right in the village land under the above reference:

1. Nature of derivative right. (state nature of the disposition).
2. Particulars of purchaser/assignee/leasee/mortgagee (if not a prescribed lender)

Signed:

Date: (Applicants)

Village Land

G.N. No. 86 (contd.)

Part II
For Official Use Only

NB. If this application is for a lease, you must refer to section 32(5) of the Village Land Act in order to know how to deal with it. For leases, go to 2 below.

1. For applications other than leases

(c) Approved/Refused

(b) Reasons for refusal.

Signed,
Chairman, Village Council

Secretary, Village Council
Date:..

Served upon me/us

Signature of Applicant(s)

Date

2. For applications for leases

Class A Application: section 32(5)(a)

Approved/Refused

(b) Reasons for refusal.

Signed,
Chairman, Village Council

Secretary, Village Council
Date:..

Served upon me/us

Signature of Applicant(s)

Date

Class B Application: section 32(5)(b)

(a) Approved/Refused

(b) Reasons for refusal.

Village Land

G.N. No. 86 (contd.)

Signed
Chairman, Village Council

Secretary, Village Council
Date:..

(c) Approved/Refused by the Village Assembly

(i) Reasons for refusal

Signed, on behalf of the Village Assembly:
Chairman of the Village Assembly
Date:..

Served upon me/us

Signature of Applicant(s)

Date

Class C Application: section 32(5)(c)

(a) Approved/Refused

(b) Reasons for refusal.

Signed.
Chairman, Village Council

Secretary, Village Council
Date:

(c) Approved/Refused by the Village Assembly

(d) Reasons for refusal.

Signed, on behalf of the Village Assembly:
Chairman of the Village Assembly

Advice by the Commissioner for Lands:

Signed.
Date:

Served upon me/us

Signature of Applicant(s).

Date.

Village Land

G.N. No. 86 (cond.)

Village Land Form No. 29

THE UNITED REPUBLIC OF TANZANIA

THE VILLAGE LAND ACT, 1999

(No. 5 of 1999)

**GRANT OF A DERIVATIVE RIGHT IN VILLAGE LAND
(LEASE/LICENCE/USUFRUCTUARY INTEREST/MORTGAGE/
SMALL MORTGAGE/PLEDGE)**

(Under Section 32 (9))

Ref. No..

LPIN No.

1. The Village Council of _____ Village within _____ District
HEREBY GRANTS a derivative right (state type of derivative right) in Village Land to
_____ of _____ (hereinafter called "the grantee") for a term
of _____ years/months/weeks* commencing on the _____ day of _____ 200_____ according to the
true intent and meaning of the Village Land Act and subject to the provisions thereof and to any
regulations made thereunder and to any enactment in substitution therefor or amendment thereof and to
the following conditions:

*** Delete whichever is not applicable**

- i) In respect of a grant of a lease, licence or usufructuary right, the grantee shall pay a premium of TShs.
- ii) In respect of a grant of a lease, licence or usufructuary right, the grantee shall pay an annual/monthly/weekly* rent of TShs. _____ on or before the _____ day of each year/month/week*
- delete whichever is not applicable
- iii) The grantee shall keep and maintain the land in good state
- iv) Any assignment of the derivative right is subject to the consent of the Village Council and approval of the Village Assembly
- v) (State any other conditions).
- vi) (State any other conditions).

2. Full description of the land and its general boundaries:

3. Approximate area of the land

4. Approximate area of the land which is the subject of the derivative right (if different from 3 above)

1. Name: _____	Seal of _____	Name: _____
Signature _____	Stamp of _____	Signature _____
Qualification: Chairman _____	Village _____	Qualification: Secretary _____
of the Village Council _____	Land _____	of the Village Council _____
Address _____	Council Address _____	
Date _____		Date _____

NOTE: The subject derivative right to be attached, e.g lease, licence, usufructuary right etc.

Village Land

G.N. No. 86 (contd.)

*Approved by resolution of the Village Assembly held on the . day of ., 200..

Name:

Signature.

Qualification: Chairman of the Village Council

Address

*Advice of the Commissioner for Lands:

Signature.

Date

~~Delete where not applicable~~

Signature(s) of grantee(s)

Date.

Village Land Form No. 30

THE UNITED REPUBLIC OF TANZANIA

THE VILLAGE LAND ACT, 1999
(No. 5 of 1999)

SURRENDER OF CUSTOMARY RIGHT OF OCCUPANCY
(under section 35)

Ref. No

LPIN No

To: Chairman: Village Council

1. I/We . of.
Hereby SURRENDER the Customary Right of Occupancy registered under the above reference to the Village Council on account of: (state reasons)

2. I/We hereby declare that:

- (i) the surrenderer is not designed to deprive any woman of occupational or other rights under customary law which she would, but for the surrender of the said land, be entitled to;
- (ii) the purpose or effect of the surrender is not fraudulent, dishonest, or an unjust deprivation of any person's derivative right;
- (iii) I/We shall remain liable for any breaches of condition which occurred prior to the date of surrender;
- (iv) I/We shall remain liable for interest on any loan taken out on the security of the customary right of occupancy by me/us and all rent, taxes, fees, and dues owing and due for payment at the time of the surrender;

Village Land

G.N. No. 86 (contd.)

- (v) All persons having derivative rights in this customary right of occupancy are aware of this surrender and have consented in writing by signing at the bottom.

Name:
Signature:.
Date:

Name.
Signature:
Date

3. My/Our dependants are aware of this surrender and have consented in writing by signing at the bottom hereof:

Dependants:

1. Name:
Signature:.
Date:

2. Name:.
Signature:.
Date:.

(add additional names of dependants where necessary)

For Official Use

Entered in the village land register this day of. 20

Name:
Signature
Qualification: Village Executive Officer

Village Land Form No. 31

THE UNITED REPUBLIC OF TANZANIA

THE VILLAGE LAND ACT, 1999
(No. 5 of 1999)

WARNING LETTER
(Under Section 38)

Ref. No
LPIN.No

I.,
Chairman ofVillage Council/Authorised Officer
HEREBY INFORM you that you are in breach of the following condition(s) of the customary right of
occupancy:
(registered in the village register under the above reference)*.

Village Land

G.N. No. 86 (contd.)

* insert if appropriate

(1)

(2)

You are HEREBY ADVISED as follows:-

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

Chairman/Village Council
Authorised Officer

Served upon me/us:

Occupier(s)
Date:

Village Land Form No. 32

THE UNITED REPUBLIC OF TANZANIA

**THE VILLAGE LAND ACT, 1999
(No. 5 of 1999)**

**ASSENT TO ACTION BY VILLAGE COUNCIL
(under section 39)**

To: The Chairman
Village Council
District

I. COMMISSIONER FOR LANDS
of. do hereby
ASSENT to the proposed action by the. Village Council to
deprive of Village of his/her customary right

G.N. No. 86 (contd.)

of occupancy in accordance with the rules of customary law prevailing in the Village owing to his/her persistent breaches of the conditions under which he/she holds that customary right of occupancy.

This ASSENT is subject to the following conditions:

Date.

Village Land Form No. 33

THE UNITED REPUBLIC OF TANZANIA

THE LAND ACT, 1999
(No. 5 of 1999)

NOTICE TO SHOW CAUSE
(Under Section 40)

Ref. No.
LPIN/Plot. No

TO.
OF P.O. BOX
L

You are HEREBY REQUIRE you to show cause as to why a fine of TShs. should not be imposed upon in respect of the breach of the following conditions:

1

2

Dated at, this, day of, 20.

Signed _____
Chairman, _____ Village Council/Authorized officer

Served upon me/us:

Occupier(s) _____ Date _____
Date _____
755

Village Land

G.N. No. 86 (contd.)

Village Land Form No. 34

THE UNITED REPUBLIC OF TANZANIA

THE VILLAGE LAND ACT, 1999
(No. 5 of 1999)

NOTICE TO PAY FINE
(Under Section 40)

Ref. No.
LPIN. No.

TO
OF P.O. BOX

You are **HEREBY** informed that the Village Council, after considering your representations as to why you should not pay a fine on account of a breach of conditions attached to your customary right of occupancy*/derivative right* have decided that you should pay a fine and accordingly you are **HEREBY REQUIRED** to pay a fine of TShs. on account of the breach of the following conditions,

(1)

(2)

Further action will be taken in respect of this breach if this fine is not paid within thirty (30) days of service of this notice upon you.

Dated at this day of .20

Signature

Chairman, Village Council/ Authorized Officer

Qualification:

Served upon me/us:

Occupier(s).

Date.
Date.

Village Land

G.N. No. 86 (contd.)

Village Land Form No. 35

THE UNITED REPUBLIC OF TANZANIA

THE VILLAGE LAND ACT, 1999
(No. 5 of 1999)

NOTICE TO REMEDY BREACH OF CONDITION
(Under Section 41)

Ref. No.
LPIN. No.

To: Name:
Address:

You are **HEREBY INFORMED** that you are in breach(es) of which breach(es) should be remedied within the time hereunder:

- (i) (State time of remedy).
- (ii) (State time of remedy).
(add if necessary)

Dated at This day of 20.

Name:

Signature:

Qualification: Chairman Village Council/ Village Executive Officer

Date:

Received by me/us:

Name of Occupier(s):

Signature(s):

Date:

Village Land

G.N. No. 86 (contd.)

Village Land Form No. 36

THE UNITED REPUBLIC OF TANZANIA

THE VILLAGE LAND ACT, 1999
(No.5 of 1999)

SUPERVISION ORDER
(Under Section 42)

Ref. No..
LPN. No.

To: Name:
Address:.

You are hereby informed that the Village Council, after considering all the circumstances about your breaches of conditions attached to your customary right of occupancy including any representations you have made, has decided to serve this SUPERVISION ORDER on you to ensure that you remedy the breaches of conditions that you have committed within the time hereby specified hereunder (state the remediable breaches and time):

- 1.
- 2.
- 3.

add as necessary

You will be supervised in your actions to make sure that you undertake this work by:
(insert name and post of officer where relevant)

You must complete the actions set out in this SUPERVISION ORDER within sixty (60) days or such longer period as may be decided upon by the officer supervising your work.

Signature.

Date

Qualification.

Chairman

Village Council

Served upon me/us:

Occupier(s)

Date
Date

G.N. No. 86 (contd.)

THE UNITED REPUBLIC OF TANZANIA

REQUEST FOR AUTHORIZATION FOR TEMPORARY ASSIGNMENT
(Under Section 43)

THE.

HEREBY INFORM the Commissioner of Lands that the occupier of the land described herein above has been in continuous failure to remedy the following breaches (state the breaches and actions taken) of the conditions under the customary right of occupancy.

(continue on another sheet of paper if necessary)

Name and Signature _____ Date _____
Secretary. Village Council

Seal/Stamp of the Village Council

Village Land

G.N. No. 86 (contd.)

Village Land Form No. 39

THE UNITED REPUBLIC OF TANZANIA

THE VILLAGE LAND ACT, 1999
(No. 5 of 1999)

CONDITIONAL ORDER OF TEMPORARY ASSIGNMENT
(Under Section 43)

To: (Name of occupier(s)).

Location (and LPIN of customary right of occupancy if there is one)

Village
District

You are HEREBY INFORMED that by virtue of this CONDITIONAL ORDER OF TEMPORARY ASSIGNMENT, your customary right of occupancy is temporarily assigned to _____ of _____ for a term of _____ (months years effective from the _____ day of _____ 20____.

YOU ARE NOT ALLOWED TO INTERFERE IN THE MANAGEMENT OR USE OF THE LAND WHILE IT IS UNDER THE CONTROL OF THE PERSON(S) NAMED IN THIS ORDER.

Signature
Qualification Chairman,
Village Council
Date.

Seal/Stamp
Village Council

Signature.
Qualification Secretary,
Village Council
Date.

Served upon me/us:

Occupier(s)

Date.

Date:

Assignee
Land Registry

Village Land

G.N. No. 86 (contd.)

Village Land Form No. 40

THE UNITED REPUBLIC OF TANZANIA

**THE LAND ACT, 1999
(No. 3 of 1999)**

RESIDENTIAL LICENCE

(Under Section 43)

To: (Name of occupier)

Location (and LPIN of customary right of occupancy if there is one).

**Village
District**

You are HEREBY AUTHORISED BY THIS RESIDENTIAL LICENCE to reside on the land which has been temporarily assigned to (state the name of the person) under a conditional order of temporary assignment served on you on the. day of. 20.

The conditions of this residential licence are as follows:

- 1. You must not interfere with the management of the land which has been temporarily assigned to. (state name of person to whom land has been temporarily assigned).**
- 2. If you intend to grow anything on the land which you are occupying under this licence, you must comply with all terms and conditions on which the customary right of occupancy of which your plot is a part is held.**
- 3. You must comply with all directions given to you by the person to whom the land has been temporarily assigned about your use of the land**

4(add as necessary)

**Signed.
Chairman,**

Village Council

Date

**Signed
Secretary,**

Village Council

Date.

**Served upon me:
Occupier**

Date.

Village Land

G.N. No. 86 (contd.)

Village Land Form No. 41

THE UNITED REPUBLIC OF TANZANIA

THE VILLAGE LAND ACT, 1999

(No. 5 of 1999)

NOTICE TO ESTABLISH ABANDONMENT OF LAND

(Under Section 45)

TAKE NOTE

The Village Council at a meeting to be held at . o'clock on the day of . 20.., being not less than 30 days from the date of this notice will consider the matter of whether the land located at . held for a customary right of occupancy by (state name(s) of holder(s) in the Village has been abandoned.

ANY PERSON WITH AN INTEREST IS HEREBY INVITED TO THE MEETING AND PUT FORWARD HIS CASE AS TO WHY THE LAND SHOULD NOT BE DECLARED TO BE ABANDONED

Name and Signature

Qualification: Chairman
Village Council

(Seal/ Stamp
Village Council)

Name and Signature

Qualification: Secretary,
Village Council

Copy to:

The Commissioner for Lands

Name:

Signature

Date:

Village Land Form No. 42

THE UNITED REPUBLIC OF TANZANIA

THE VILLAGE LAND ACT, 1999

(No. 5 of 1999)

ORDER OF ABANDONMENT OF LAND

(Under Section 45)

THE Village Council do HEREBY GIVE NOTICE that after giving careful consideration to all the arguments put forward at the meeting of the Village Council held on the . day of . 20.. the Village Council has determined that the land the subject of a customary right of occupancy described below has been abandoned and accordingly makes this PROVISIONAL ORDER OF ABANDONMENT declaring the land to be abandoned.

Location of the land

Extent and boundaries of the land

Names of the occupier(s)

Village Land

G.N. No. 86 (contd.)

Reasons for deciding that the land has been abandoned.

Name and Signature. Qualification Chairman, Village Council Date	(Seal/Stamp The Village Council)	Name and Signature Qualification Secretary, Village Council Date:
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Village Land Form No. 43

THE UNITED REPUBLIC OF TANZANIA

**THE VILLAGE LAND ACT, 1999
(No. 5 of 1999)**

**APPLICATION FOR CONSENT TO A TRANSACTION FOR AN AMOUNT OF LAND
WHICH EXCEEDS THE VILLAGE LAND CEILING
(Section 18(2))**

PART I: (To be completed by the Village Council)

I Chairman of the Village Council in
the District do

HEREBY REQUEST CONSENT to the transaction set out in this form.

Grant of a customary right of occupancy*

Assignment of a customary right of occupancy*

Grant of a lease out of a customary right of occupancy*

Grant of a lease out of village land*

(state any other transaction where the person obtaining occupancy of land will occupy land in excess of the village ceiling)*

*** Delete whichever is not applicable**

1. Full name of individual applicant(s): (family name first)

(i).

sex/age

(ii)

sex/age

(add as necessary)

2. Address (if not ordinarily resident in the Village) /Location in the village

Village Land

G.N. No. 86 (contd.)

3. Marital status
4. Children, and ages
5. Location of land the subject of application:
Area of the village
Village
District
6. Approximate area of land
7. Approximate amount of land over the village ceiling which the applicant will occupy if
consent granted
8. Use or occupation of land at present e.g. farming, grazing cattle, housing
9. Proposed use or occupation of land (if different to present use and occupation)

Signature/Thumbprint(s) of applicant(s)

Reasons why the applicant is applying for land in excess of the village ceiling:
(to be completed by the Chairman of the Village Council)

Reasons why the Village Council supports the application
(to be completed by the Chairman of the Village Council)

Signed
Chairman, Village Council

Signed
Village Executive Officer

Date

Village Land

G.N. No. 86 (contd.)

PART II: (For use by Commissioner for Lands only)

I CONSENT*/I REFUSE CONSENT*

My reasons are:

* Delete whichever does not apply

Signed:

Date:

Village Land Form No. 44

THE UNITED REPUBLIC OF TANZANIA

THE VILLAGE LAND ACT, 1999
(No. 5 of 1999)

APPLICATION FOR SPOT ADJUDICATION
(Under Section 49)

PART I: (To be filled by applicant)

I/WE,
OF
hereby apply for spot adjudication of the land hereinafter described:-

1. (i) Location of land the subject of application:
(ii) Village
(iii) District
(iv) Approximate Area/size
2. Names of occupiers of adjacent land
(i)
(ii)
(iii)
(add as necessary)
3. Names of persons with rights or interests over the land or to use the land for any purpose
(i)
(ii)
(iii)
(add as necessary)

Name and signature/Thumb print (s) of applicant (s)

Date

Village Land

G.N. No. 86 (contd.)

PART II: (for official use only)

A: Decision of the Village Council.

Names and Signatures of members of Village Council

Date:

B: Decision of Village Assembly (where relevant)

Names and Signatures of Chairman and Secretary of Village Assembly Date:

C: Decision of District Council (where relevant)

The application is approved*

The application is not approved for the following reasons*

* Delete whichever is not applicable

Name and signature, Chairman
District Council/Committee

Date

Village Land Form No. 45

THE UNITED REPUBLIC OF TANZANIA

THE VILLAGE LAND ACT, 1999
(NO. 5 OF 1999)

RECOMMENDATION TO APPLY VILLAGE ADJUDICATION
(Under Section 51)

1. The Village Council of _____ Village
District HEREBY RECOMMENDS to the Village Assembly that a process of Village Adjudication be
applied to the whole/defined portion of the Village Land.
2. Description of the land
Location:
Village:
Approximate area/size
3. Names of occupiers:
(i)
(ii)
(iii)
4. Names of persons with rights or interests over the land or want to use the land
for any purpose:
(i)
(ii)
(iii)

Village Land

G.N. No. 86 (contd.)

5. Reasons for the recommendation

6. Procedures to be followed

Name and Signature:	(SEAL OR	Name and Signature:
Qualification Chairman;	STAMP OF	Qualification Secretary:
Secretary:	VILLAGE	Date
Date.	COUNCIL)	

Copy to: The Commissioner for Lands

Village Land Form No. 46

THE UNITED REPUBLIC OF TANZANIA

THE VILLAGE LAND ACT, 1999

(No. 5 of 1999)

**NOTICE OF A HEARING BY THE VILLAGE ADJUDICATION COMMITTEE INTO LAND
ADJUDICATION MATTERS
(Under Section 54)**

TAKE NOTE

The Village Assembly has approved a process of village adjudication of land located at (THE ADJUDICATION AREA) The Village Adjudication Committee will conduct the spot adjudication of the land.

NOTICE IS HEREBY GIVEN THAT A MEETING IS TO TAKE PLACE AT ON AT O'CLOCK AND ALL PERSONS WITH AN INTEREST IN OR NEAR TO THE LAND ARE REQUIRED TO ATTEND THE MEETING AND PUT FORWARD THEIR CLAIMS.

NOTE FURTHER: any person who claims to occupy land within THE ADJUDICATION AREA must clearly mark or indicate the boundaries of that piece or plot of land before the date of the meeting announced by this notice.

Name:
Signature:
Qualification: Village Adjudication Committee
Date:

Village Land

G.N. No. 86 (contd.)

Village Land Form No. 47

THE UNITED REPUBLIC OF TANZANIA

THE VILLAGE LAND ACT, 1999

(No. 5 of 1999)

**CERTIFICATION OF BOUNDARIES FOR
ADJUDICATED CUSTOMARY RIGHT OF OCCUPANCY**
(Under Section 65)

LPIN

REGION	DISTRICT	VILLAGE	PARCEL No	FILE No.

Name of Occupier

Location of land

Sketch (not drawn to scale)

Description of rights of way and other rights to use the land (if any):-

We the undersigned certify that the boundaries demarcated and shown on the sketch to the best of our knowledge are correct:

- | | Name | Signature |
|--|------|-----------|
| 1. Occupant(s) of adjacent land | | |
| 2. Holders of rights of way and other use right(s) | | |
| 3. Witnesses | | |
| 4. Members of Village Adjudication Committee | | |

Date:

Village Land Form No. 48

THE UNITED REPUBLIC OF TANZANIA

THE VILLAGE LAND ACT, 1999

(No. 5 of 1999)

NOTIFICATION OF SURVEY OF CUSTOMARY RIGHT OF OCCUPANCY
(Under Section 65 and Regulation 72)

LPIN

REGION	DISTRICT	VILLAGE	LOCATION	PARCEL No.

Village Land

G.N. No. 86 (contd.)

Notice is hereby given that the land mentioned above has been surveyed as per Survey Plan No. _____
Attached herewith is the true copy of the Survey Plan No. _____

Name of Occupier
Signature.
Date

Village Land Form No. 49

THE UNITED REPUBLIC OF TANZANIA

THE VILLAGE LAND ACT, 1999
(No. 5 of 1999)

SUBDIVISION
CUSTOMARY RIGHT OF OCCUPANCY
(Under S.65 & Regulation 74)

LPIN

REGION	DISTRICT	VILLAGE	LOCATION	PARCEL No.

Name of Registered Occupier(s)
Sketch (not drawn to scale)

Applicant(s)
New LPIN:

Name of Applicant(s):

Description of rights of way and other rights of use over the land (if any):-

We the undersigned certify that the boundaries demarcated and shown on the sketch to the best of our knowledge are correct.

	Name	Signature
1.	Applicant(s)	
2.	Head of family (in cases of succession)	
3.	Witnesses	
4.	Members of Village Council	

Date:

Village Land

G.N. No. 86 (contd.)

Village Land Form No.50

THE UNITED REPUBLIC OF TANZANIA

THE VILLAGE LAND ACT, 1999
(NO.5 OF 1999)

ADJUDICATION RECORD
(Under Section 54)

Adjudication Area:

Village:
District:

No.	Date	Time	Location and boundaries of land	Name of Claimant	Interest Claimed	Amount of land claimed	Length of time claimant has been on land	Description of any public or communal rights over land

Append a sketch plan of the adjudication area showing the boundaries of adjudicated parcels of land.

Village Land

G.N. No. 86 (contd.)

SECOND SCHEDULE

Under Regulation 81)

FEEs

Activity	Section	Fee - TShs
1. Application for customary right of occupation by a person or a family. VLF No. 22	Section 22	500/=
2. Application for a Customary Right of Occupation by an association, primary co-operative society or any other lawfully recognised group. VLF No. 22	Section 22	2,500/=
3. Application for approval of the grant of a derivative right: a lease VLF No. 28	Section 31	500/=
4. Application for approval of the grant of a derivative right: a licence. VLF No. 28	Section 31	500/=
5. Application for approval of the grant of a derivative right: a usufructuary right. VLF No. 28	Section 31	500/=
6. Application for approval of the grant of a derivative right: a mortgage VLF No. 28	Section 31	1,000/=
7. Application for approval of the grant of a derivative right other than a lease, licence, usufructuary right or mortgage. VLF No. 28	Section 31	750/=
7a. Application for grant of a derivative right in village land. VLF No. 29	Section 32	1,000/=
8. Class A application to a Village Council for the grant of a lease. VLF No. 29	Section 32(5)(a)	1,000/=
9. Class B application to a Village Council for the grant of a lease. VLF No. 29	Section 32(5)(b)	1,000/=
10. Class C application to a Village Council for the grant of a lease VLF No. 29	Section 32(5)(c)	1,000/=
11. Entry of a record of a customary right of occupancy on Section 1 the Title Register of the Register of Village Land.	Section 21 Reg. 31(1)(a)	750/=
12. Entry of a record of a derivative right on Section 2 of the Title Register of the Register of Village Land	Section 21 Reg. 31(1)(b)	750/=
13. Entry of a record of a disposition or a transaction affecting a customary right of occupancy or a derivative right or any other transaction not otherwise mentioned on Section 3 of the Title Register of the Register of Village Land	Section 21 Reg. 31(1)(c)	750/=

Village Land

G.N. No. 86 (contd.)

14.	Entering a caution in the register of Village Land, VLF Nos. 17 and 18	Reg. 42	1,000/=
15.	Search of the Register of Village Land	Reg. 49	500/=
16.	Certified copy of a document in the Register of Village Land	Reg. 49	500/= per page
17.	Application for a Special Certificate of a customary right of occupancy. VLF No. 21	Reg. 51	650/=
18.	Registration of a successor in respect of a customary right of occupancy		750/=
19.	Any application to the Village Land Register not already provided for.		800/=
20.	Application for spot adjudication. VLF No. 45	Section 49	1,500/=
21.	Assistance by an official of the Village Land Registry with the preparation of any document in connection with any action, disposition, transaction, or other matter falling under the Village Land Act.		1,200/=

THIRD SCHEDULE

Under Regulation 82

FINES

S/NO	DESCRIPTION OF BREACH OF CONDITION	FINE - SHS
1	Failure to keep the land in good state.	1000/-
2	Failure to farm the land in accordance with the practices of good husbandry customarily used in the area	250/= per acre
3	Failure to use the land in a sustainable manner in accordance with the highest and best customary principles of pastoralism practiced in the area.	250/= per acre
4	Failure to obtain permission before any buildings are erected	750/=
5	Failure to pay rent, fees, charges, taxes and other required payments due in respect of occupation of land	1% per month of rent
6	Failure to pay rent, fees, charges taxes and other required payments due in respect of occupation of land	1% per month of rent
7	Failure to retain and keep safe boundary marks, whether natural or otherwise on or at boundaries of the land	500/=

Village Land

G.N. No. 86 (contd.)

S/NO	DESCRIPTION OF BREACH OF CONDITION	FINE - SHS
8	Failure to reside in the village.	200/= per month
9	Making an assignment of a customary right of occupancy or part thereof to a person or group of persons not ordinarily resident in the village without prior approval of the village council	1,500/=
10	Failure to cancel or avoid an assignment of customary right of occupancy which has been disallowed by the village council.	2,000/=
11	Making grant of a derivative right (save one which falls under subsection 4 of section 31) without the prior approval of the village council.	1,200/=
12	Repeated or persistent breach of condition.	2,000/=

Dar es Salaam,
3rd May, 2001

G. A. CHEYO,
Minister for Lands and Human
Settlements Development

Price Shs. 3,770/=