

Improving and Facilitating Land Title Registration Processes in Tanzania

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ABSTRACT

In 1991, the government of Tanzania began to move from its brand of socialism toward land market economy. This move necessitated a change in Tanzania's land policies as well as traditional notions about the value and ownership of land, which are different from western concepts of land ownership. Existing land laws in Tanzania may be summarized as follows:

- There is no absolute ownership of land.
- All the land belongs to the state.
- The President holds the land in trust for the people.
- Undeveloped land has no value and hence it is not a marketable commodity.

The move toward land-market economy underlies a recognition of the value, and therefore, marketability of land. According to the Presidential Commission on Land Reform (1991), existing land policies pose problems for the intensification of agriculture, equitable access to land and sound natural resource management. Arguing in favor of land policy reform, the commission stated among other things, that the benefits include:

- Ensuring recognition of existing customary rights by the state and thereby security in law.
- Ensuring rapid social and economic development by allocating land to its most productive use.
- Streamlining existing land management system and improving efficiency of land management.
- Making it easier to implement a sound land information management system.
- Facilitating protection of land resources from degradation by encouraging development of sustainable resources.

To support this move, it was important for land administrators to anticipate increased transactions involving sale, transfer and mortgage of land as well as increased land development by both public and private sectors. Above all, they have to provide the necessary infrastructure to expedite such transactions and monitor such activities effectively.

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