



RESOURCES ACCESS ISSUES & PRIORITIES IN SAMOA AND THE REGION

- ▶ 1) SOME CONCERNS OF LAND ADMINISTRATION SYSTEM
- ▶ 2) COMPLEX LEGISLATION, REGULATION & PROCEDURES (CUSTOMARY LAND LEASE)
- 3) RISKS AND BENEFITS OF LONG TERM LEASE EXPIRATION (customary land)
- 4) THE FUTURE

1) SOME CONCERNS

- Weaknesses of existing system for administration of lands (customary land processes)
- Delays and difficulty in development of the un-surveyed lands
- Delays in registration and difficulty in searching land titles – (manual land registration system)

- * High incidence of requisitions of survey plans and legal documents
- Delays in registration of decision from the court of customary lands
 - * No backup for all land information, currently stored manually
- * No direct public access to basis land title information(etc)

2. Complex Legislation & Procedures of Customary land lease

- The current land procedures of leases is complicated (*delay Land titles court cases to confirm customary lands issues*)
 - * Review the current Legislation, Alienation of Customary Lands Act 1965

3) Risks of long term lease expiration (*customary land/leases*)

- There will be a delayed in family development
- Promotion of economic use of land is delayed
- *the encouragement of poverty (e.g)people are relying on rental money.
- Might dissolve Board of Trust established e.g (if there is a hotel investment)
- Increase the number of unemployment
- * Downgraded use of land for other purposes, due to the idle presence of hotel facilities without occupation

▶ Benefits of customary owners on lease expiration

- * sense of ownership is reverted to customary owners
- * there is an opportunity to enter investment is granted to customary owner.
- * access to resource prevailed.
- * can develop into Units under Unit Titles Act.
- * there should be a promotion of investment by Board of Trust to continue
- * ties with government, on priority investment issue reviewed.
- ▶ (Etc)

Conclusion

4) THE FUTURE

Making Land Work” we seek for the particular issues surrounding land use, land reform and land tenure in the region.

- The ability to use the status of leased customary land as collateral for the development of our own people
- Full recognition of the authority of customary land owners to determine their own right in terms of the choices they make to use and benefit from their lands
- Improve the land administration system in terms of plan examination, surveying, valuation and land registration.

* Encourage the reforms and review for new legislations such as Survey Act, Valuation Act, Spatial and Information Act, Customary Land Act and Land Title Registration Acts.

- ▶ Clarify the ability for the economic purposes to obtain security over leasehold, subject to the outcome of court’s decision on a case seeking a declaration judgement on the validity of mortgages taken over customary land leases.(consent from Minister/trustee

