

*Land (Ceilings on Land Occupancy)*

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GOVERNMENT NOTICE NO. 80 published on 4/5/2001

THE LAND ACT  
(No. 4 OF 1999)

THE LAND (CEILINGS ON LAND OCCUPANCY)  
REGULATIONS, 2001

*(Made under sections 21 and 179)*

1. These Regulations shall be cited as the Land (Ceilings on Land Occupancy) Regulations, 2001. Citation
  
2. In these Regulations, unless the context requires otherwise - Interpretation
  - "Act" means the Land Act 1999;
  - "authorized officer" has the meaning ascribed to it by the Act;
  - "Commissioner" means the Commissioner for Lands;
  - "Minister" means the Minister responsible for lands;
  - "Scheme of regularization" has the meaning ascribed to it by the Act;
  - "planning area" has the meaning ascribed to it by the Town and Country Planning Ordinance. Cap.378
  
3. In the process of setting ceiling on land regard shall be had to the following factors - Ceiling on Land occupancy
  - (a) land use;
  - (b) location;
  - (c) feasibility study;
  - (d) proven ability of applicant to develop the land;

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*G.N. No. 80 (contd.)*

**Procedure**

4.-(1) Every local government authority shall, after having regard to its land use plans, investment and development of its area of jurisdiction prepare and submit to the Minister for approval of land ceiling for its area of its jurisdiction.

(2) Every local government authority before preparing and submitting to the Minister schemes of land ceiling within its area of jurisdiction shall -

- (a) invite any interested person to submit proposals for land ceiling on the basis of factors provided for under regulation 3;
- (b) commission feasibility study:
  - (i) assess ability of land applicants and land availability within its area with the view of ensuring equitable distribution of land;
  - (ii) the land ceiling scheme prepared in accordance with sub-regulation (i) of this regulation, shall be submitted to the Commissioner for advise to the Minister;
  - (iii) the Commissioner may consult with associations of relevant stakeholders before advising the Minister on the land ceiling of any local government authority;
  - (iv) the Minister shall, after having regard to the recommendations of the Commissioner, and every other views and recommendations submitted to him in respect of land ceiling schemes, approve the land ceiling and cause the same to be published in a manner that will come to the notice of all interested persons;

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*G.N No. 80 (contd.)*

(v) the land allocation committee authorised officers, town planners and surveyors shall **have regard to the approved ceiling by the Minister.**

(3) The Commissioner may, on his own motion, make a proposal on ceiling on land occupancy or in respect of a particular area of Tanzania or land for a particular purpose.

(4) The Commissioner shall consult with associations of peasants, associations of farmers and other civic organizations on any proposal or proposals *under these Regulations.*

(5) The Commissioner shall, in making his recommendation to the Minister take into account the views and representations submitted to him under these Regulations.

5. For avoidance of doubt setting of ceiling shall not affect existing granted right of occupancy.

Application of  
these Regulations

Dar es Salaam,  
3<sup>rd</sup> May, 2001

G. CHEYO,  
*Minister for Lands and  
Human Settlement Development*

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