

GOVERNMENT NOTICE NO. 84 published on 4/5/2001

THE LAND ACT
(No. 4 OF 1999)

THE LAND (FINES) REGULATIONS, 2001

(Made under sections 46 and 179)

1. These Regulations may be cited as the Land (Fines) Regulations 2001.

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

“Act” means the Land Act, 1999;

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

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

“occupier” means holder of a right of occupancy.

Land (Fines)

G.N. No. 84 (contd.)

3. Where any breach of condition of a right of occupancy stated in column 2 of the Schedule to these Regulations has arisen, the Commissioner for Lands or an authorized officer may impose a fine specified in column 3 of the said Schedule.

Fines for breach of condition

SCHEDULE

FINES

S/NO	DESCRIPTION OF BREACH OF CONDITION	FINE
1.	Failure to keep the land in good state e.g. abandonment.	0.01 of the market value of land.
2.	Failure to farm the land in accordance with the practices of good husbandry.	0.01 of the market value of land.
3.	Failure to use the land in a sustainable manner in accordance with the good practices of pastoralism.	0.01 of the market value of land.
4.	Failure to pay premium or any installment due.	1% per month of the prem. payable.
5.	Failure to obtain planning consent or building permit before any buildings are erected.	2% of the market value of the development.
6.	Disposition of the right of occupancy or part thereof without the approval of the Commissioner for Lands or authorized officer.	2% of the market value of the development.
7.	Making a disposition of the right of occupancy or part thereof without delivering to the Commissioner for Lands or authorized officer a notification thereof.	1% of the market value of the development.
8.	Making development on or use of land before applying to the Commissioner for Lands or authorized officer for a change or variation to the conditions of the right of occupancy.	2% of the market value of the development.
9.	Making development on or use of land after the Commissioner for Lands or authorized officer has rejected application for a change or variation to the conditions of the right of occupancy.	3% of the market value of the development.
10.	Failure to retain and keep safe boundary marks, whether natural or otherwise on or at the boundaries of the land.	0.05 of the market value of the development.
11.	Repeated or persistent breach of any conditions of the above.	3% of the market value of the development.

Dar es Salaam,
3rd May, 2001

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