



Republic of Zambia



NATIONAL LANDS POLICY

May, 2021





REPUBLIC OF ZAMBIA

NATIONAL LANDS POLICY

2021

Foreword

The National Lands Policy provides for the administration and management of the land resource for the benefit of present and future generations. It further gives a comprehensive framework that guides on how land should be administered and managed.

Land administration and management is largely centralised resulting in services not being easily accessible by the people. Further, there has been a challenge with effective monitoring and evaluation of land related programmes.

The successful implementation of this policy will enable all players in Government and other stakeholders to effectively and efficiently administer and manage land systems in order to achieve harmonious growth and prosperity. Further, this will result in services being brought closer to the people and facilitate effective monitoring and evaluation of land related programmes. The successful implementation of this policy will depend on effective and efficient monitoring of programmes.

The National Lands Policy is based on public views and expert opinions gathered through a participatory, inclusive and consultative process across the breadth and length of the country. This policy document will complement other public policy documents and laws that govern land administration and management.



Hon. Jean Kapata, M.P

MINISTER OF LANDS AND NATURAL RESOURCES

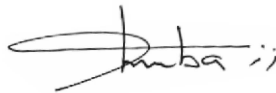
Acknowledgements

The development of the National Lands Policy was based on a consultative process involving key stakeholders from different sectors across the country. Accordingly, appreciation and special gratitude are extended to the following individuals and organizations who generously shared their time, experience, and resources for the purposes of formulating this policy:

- a) All Government Ministries and Departments whose staff participated at various stages of the consultative process;
- b) Members of Parliament from the three (3) Committees of Parliament namely: Agriculture, Lands and Natural Resources; Local Governance, Housing and Chiefs Affairs; and Legal Affairs, Human Rights, National Guidance and Gender Matters, and Governance for contributions provided during the pre-validation meetings;
- c) Provincial Permanent Secretaries and their technical staff who participated in the Provincial Consultative Meetings and contributed to the refinement of the Policy;
- d) The House of Chiefs and all Chiefs who provided their candid and comprehensive feedback on the various drafts of the Policy document;
- e) Civil Society Organizations, academicians and subject matter experts involved in the development of the policy; and
- f) Members of the Land Policy Technical Committee who provided technical and secretariat services to the process.

Finally, special gratitude is extended to the cooperating partners, and in particular, the Land Policy Initiative (LPI) of the United Nations Economic

Commission for Africa (UNECA) with the support of the African Union Commission (AUC), the United Nations Human Settlement Programme (UN-Habitat), the United States Agency for International Development (USAID) supported Tenure Global Climate Change Project (TGCC) and Integrated Land Resources and Governance Project (ILRG) for the technical and financial support rendered throughout the process.



Ndashe L. Yumba,
Permanent Secretary

MINISTRY OF LANDS AND NATURAL RESOURCES

Working Definitions

Alienation refers to making of grants and dispositions of land.

Arbitration refers to the conduct of proceedings for the determination of a dispute by an arbitral tribunal in terms of the Arbitration Act, No. 19 of 2000.

Boundary refers to either the physical objects for marking the limits of a property or line or surface marking the division between two legal divisions.

Cadastral survey refers to survey observation and measurement to determine property boundary, location and associated attributes.

Cadastre refers to a land record. A parcel based and up-to-date land information system (not necessarily computerised) containing a record of interests in land (i.e. rights, restrictions and responsibilities).

Customary land refers to land in a customary area as described in the Lands Act, Cap 184 of the Laws of Zambia.

Customary tenure refers to land rights that are controlled and allocated according to customary practices.

Estate refers to an interest in land and is also used to refer to the physical land and property to which that interest relates.

Governance refers to the system of values, policies and institutions by which a society manages its economic, political and social affairs through interactions within and among the state, civil society and private sector.

Grant means the transfer of property whereby rights pass from the “grantor” to the “grantee”.

Land administration refers to the process of determining, recording and disseminating information about ownership, value and use of land when implementing land policies.

Land lease refers to an agreement for temporary use of land by the lessee, who pays rent to the lessor (owner i.e. the State in the case of statutory lease)

Land parcel refers to a tract of land, being all or part of a legal estate.

Land tenure refers to the mode of holding rights in land, system of access to and control over land and related resources or the set of relationships among people concerning land or its use.

Lands Tribunal refers to the body established under the Lands Tribunal Act, 2010 with the mandate to determine disputes relating to land.

Leasehold tenure refers to a system where State land is leased to a person for a fixed period on prescribed terms and conditions.

Multi-purpose cadastre refers to a register of attributes of parcels of land.

National Spatial Data Infrastructure (NSDI) refers to the technologies, policies and people necessary to promote the sharing of geospatial data throughout all levels of government, the private and non-profit sectors, academia and citizenry.

Persons with disabilities are people with long-term, physical, mental, intellectual or sensory impairment with various barriers may hinder their full and effective participation in society on an equal basis with others.

Public land refers to any land that is held in trust and managed by the Government and or Customary Authorities.

Resettlement refers to a situation where the State relocates and settles special groups of persons i.e. under privileged, vulnerable or displaced persons such as retirees and unemployed youth.

Settlement refers to a planned place, usually designated by the State, where several persons gain access to land (property) and come to live and share some social amenities and physical infrastructure in agricultural or urban settlement.

Spatial refers to relating to or occupying space.

State land refers to land which is not situated in a customary area.

Subdivision refers to the process of dividing a land parcel into smaller parcels.

Systematic adjudication/mass titling/systematic registration refers to the determination of rights in land on a regular and systematic basis, for example within one area at one time.

Tenure security refers to the degree of confidence held by people that they will not be arbitrarily deprived of the land rights or of the benefits deriving from their land.

Wetlands refer to areas of marsh fen, peat land or water, whether natural or artificial, permanent or temporary, with water that is static or flowing, fresh or brackish.

Acronyms

AUC	African Union Commission
ILRG	Integrated Land Resources and Governance Project
LDF	Land Development Fund
LPI	Land Policy Initiative
NSDI	National Spatial Data Infrastructure
PWD	Persons With Disabilities
TGCC	Tenure Global Climate Change Project
UN-Habitat	United Nations Human Settlements Programme
UNECA	United Nations Economic Commission for Africa
USAID	United States Agency for International Development

TABLE OF CONTENTS

Foreword	2
Acknowledgements	3
Working Definitions	5
Acronyms.....	8
Chapter I: Introduction	11
Chapter II: Situation Analysis.....	13
2.0 Demand for land.....	13
2.1 Land Allocation	13
2.2 Land Registration.....	15
2.3 Land Dispute Management	15
2.4 Ownership of land by Zambians	15
2.5 Ownership of land by Non-Zambians	16
2.6 Land Markets	16
2.7 Climate Change, Environment and Natural Resources Management 17	
2.8 Cross Cutting Issues	18
Chapter III: Vision, Rationale and Guiding Principles	20
3.1 Vision	20
3.2 Rationale.....	20
3.3 Guiding Principles	21
Chapter IV: Objectives and Measures	22
4.1 Policy Objectives.....	22
4.2 Policy Measures.....	23

Chapter V: Implementation Framework.....	28
5.1 Institutional Framework	28
5.1.1 Ministry responsible for Lands	28
5.1.2 Line Ministries	28
5.1.3 Chiefs	30
5.1.4 Local Authorities	30
5.1.5 Cooperating Partners.....	31
5.1.6 Non-State Actors (NGOs and Private Sectors)	31
5.2 Legal Framework	31
5.3 Resource Mobilisation and Financing	32
5.4 Monitoring and Evaluation	32

Chapter I: Introduction

Land is the most fundamental resource in any society as it is the basis of human survival. Land is the space under and over which all human activities take place and provides continued existence of all life forms and minerals. In this regard, land performs basic and fundamental functions that support human and other terrestrial systems such as production of food, fibre, fuel, water and other biotic materials; provision of biological habitats for plants, animals and micro-organisms; regulation of the storage and flow of surface and ground water; provision of physical space for settlements, industry and recreation; storage and protection of evidence for historic or pre-historic record (fossils etc.) and enable movement of animals, plants and people from one area to another.

Further, land is important as it provides a surface for the flourishing of the forests, which are key in the mitigation of climate change. It is, therefore, important that land being an important resource, is managed in a sustainable manner if Zambia is to prosper.

Administratively, Zambia is divided into 10 provinces and 118 Districts and shares international boundary with eight (8) countries with a combined perimeter of 5,664 kilometres. In Zambia, land has since time immemorial been held under customary tenure. The coming of European settlers saw the introduction of freehold and leasehold tenure systems. At independence, customary land and state land was estimated to be 94 percent and 6 percent respectively of the total land area of the country, which is 752,614 square kilometres. However, the percentage of customary and state land has changed due to conversion of customary to state land. Under these two (2) categories, there is

reserve land, which is allocated to nature, forest, and wildlife sanctuaries. Land under forest accounted for 9% of the total landmass of the country or approximately 67,680 square kilometres. Land for National parks accounted for about 8% or approximately 60,160 square kilometres and Game Management Areas is also estimated at 22% or approximately 165,440 square kilometres. On the other hand, arable land accounts for 56 percent (or 42 million hectares) of the total land mass.

However, despite having vast land resource, factors such as population increases, migration and inadequacies in land administration and management have led to localised pressure for land and problems of access and equity, thereby creating challenges for socio-economic progress.

Therefore, this Policy document seeks to streamline land administration and management services in the development of the country. This is in a bid to improve on land administration and management in order to place the country's land development on a sustainable path.

Further, the Policy seeks to promote equitable access to land on both State and Customary land, irrespective of status. It endeavours to strengthen land tenure security and enhance sustainable and productive management of land resources by upholding transparent and cost-effective systems of administration including settlement of land disputes.

The Policy is divided into five chapters as follows: Introduction; Situation Analysis; Vision, Rationale and Guiding Principles; Objectives and Measures; and the Implementation Framework.

Chapter II: Situation Analysis

2.0 Demand for land

The increasing demand for land, particularly serviced land due to population growth and migratory factors, have created challenges in the land administration and management process, which in turn effects land allocation, registration, ownership and security of tenure. Other challenges are the resultant land disputes as well as environmental degradation and natural resources depletion. The existing legal framework to facilitate the securing of ownership of land rights, servicing and management of land is also weak and inadequate to address the emerging challenges.

2.1 Land Allocation

According to the Laws of Zambia, all land is vested in the President and shall be held by the President in perpetuity for and on behalf of the people of Zambia. Further, the Constitution of Zambia, provides that the President may alienate land to citizens and non-citizens as prescribed. The President has, by Statutory Instrument, delegated the power to alienate land to the Commissioner of Lands.

According to the Land Administrative Circular Number 1 of 1985, citizens can access land through direct application to the Commissioner of Lands or through the local authorities while customary land may be accessed through the Chiefs. In addition, Zambian citizens can access land through Resettlement Schemes under the Office of the Vice President and/or Farm Blocks under the Ministry of Agriculture.

The allocation of land is challenged by weaknesses in the laws governing land administration. The Land Survey Act, for instance, is outdated and thereby restrictive in terms of methods of surveying and processing of survey diagrams. The Lands Act lacks details on land alienation procedures which are rather sitting in a non-binding administrative circular, among other weaknesses. On the other hand, the Lands and Deeds Registry Act does not provide for comprehensive electronic processing of documents maintained by the Registry. Other challenges include limited capacity to provide land related services and lack of integrated land use planning in customary areas. In addition, local authorities have limited capacity to provide services and open-up new areas for development. Chiefdom boundary maps are outdated and need to be enhanced in order to avoid encroachments and land related disputes.

The Government has embarked on a programme to amend all land related legislation with a view to address the above weaknesses and has supported the provision of services by local authorities through the Land Development Fund (LDF). Meanwhile, the Urban and Regional Planning Act of 2015 has to a great extent addressed the challenge of lack of land use planning on customary land. Further, in addressing challenges related to survey, Government has established a National Spatial Data Infrastructure (NSDI) to provide use of low cost and rapid generation of property boundary information using high accuracy imagery. Consequently, the Mass Titling Programme uses the NSDI to generate boundaries and produce survey diagrams for titling. In addition, the Government is addressing the issues of Chiefdom boundary maps.

2.2 Land Registration

Registration of Land and land related interests in Zambia, are currently governed by the Lands and Deeds Registry Act and require physical lodgement of documents with the Deeds Registry. The system for land registration is partially automated with physical land records being digitised. Standard times for processing lodged documents have been set and are being implemented to ease the way of doing business. Currently, registration of land and land related interests is only undertaken in Lusaka and Ndola, which causes overloading and delay in the issuance of Certificates of Title to clients, thereby negatively affecting the security of tenure.

2.3 Land Dispute Management

The country has seen a rise in the number of land disputes due to a wave of illegal land allocations and encroachments. Resolution of land disputes is commonly reached through the courts, Lands Tribunal, Traditional Courts and Alternative Dispute Resolution mechanisms such as arbitration and administrative interventions.

2.4 Ownership of land by Zambians

Zambians can own titled land, or potentially titled land, through various mechanisms by obtaining the land from Councils, Agriculture Farm Blocks, Resettlement Schemes and through Customary Land conversion.

However, many Zambians, beside other challenges faced, lack adequate information on land acquisition and registration procedures. The scarcity of State Land acts as an inhibitor to land acquisition by

Zambians. Further, land administration services are also not adequate to meet their needs.

2.5 Ownership of land by Non-Zambians

The President may alienate land to a non-Zambian provided they satisfy the requirements provided in section 3(3) of the Lands Act Cap 184 of the Laws of Zambia. The contents of section 3(3) are generally restrictive on how a non-Zambian can own land.

However, most Non-Zambians are mainly obtaining land from the open market due to their capacity to buy land at higher prices than most Zambians can afford. Furthermore, land hoarding for speculation and change of land use from original investment purposes has been identified as a challenge.

2.6 Land Markets

The land market in Zambia is relatively young. It was suppressed between 1975 and 1995 when land buying and selling activities were prohibited by law. The enactment of the Lands Act of 1995 and the liberalisation of the economy in general, unlocked land market restrictions. Land markets are active on both customary and State land, though there is no formal market in Customary Land. Significant investment in key sectors and overall infrastructure development has driven the demand for properties particularly in urban areas. Customary land, on the other hand, is mainly actively driven by the conversion process by urban and foreign investors. In certain instances, both customary and state land is bought for speculative purposes.

Ineffective land use regulation leads to unplanned settlements and inadequate monitoring and enforcement of lease conditions also results in land hoarding activities.

2.7 Climate Change, Environment and Natural Resources Management

It is globally understood that the property right or 'tenure' has a relationship with how land and natural resources are accessed and managed. Under the Leasehold Tenure, the title holders utilise the land in accordance with terms and conditions contained in lease agreements, while in the Customary Land Tenure System, the local communities have a system for access and utilization of land and other natural resources. Public land, such as Forests and National Parks, can be in any of the two land tenure systems, where access and utilization of land and other natural resources is restricted.

The challenges of land and other natural resources including protection of the environment in the above-mentioned land tenure systems are as follows:

- (a) allocation of land in leasehold and customary tenure systems on vital aquatic and terrestrial eco-systems are due to inadequate enforcement of legislation, which leads to natural resources depletion and environmental degradation;
- (b) human encroachment in Public Land such as Protected Areas causing habitat destruction and land degradation; and

- (c) non-appreciation of the importance of sustainable land management and protection of the environment and natural resources on lease hold tenure.

Climate change affects land by making it unsuitable for certain land uses due to degradation. As a result, some areas in the Southern and Western parts of the country are becoming increasingly unsuitable for agricultural practices due to reduced rainfall, which is exacerbated by climate change.

2.8 Cross Cutting Issues

Some of the cross-cutting issues that are impacted by land administration are gender, youth, disability, and HIV/AIDS.

In certain instances, land administration does not equitably promote gender in land ownership. Instead, it infringes upon women's rights to land ownership. Women may lack access to and ownership of land due to limited financial capacity and traditional practices. This prohibits women ownership and inheritance of land.

The current practice is that anyone who has not attained the age of 21 years is eligible to own land in their own right. There is, therefore, a bias in land allocation towards older persons making it difficult for the youth to access land. This practice overlooks the fact that the youth can mobilise resources using the same land they have acquired in order to develop it. Consequently, there is failure to recognize youth as a valuable resource resulting in their vulnerability.

Persons With Disabilities (PWD) constitute about 10% of the population and are similarly affected by inequality in land allocation and

administration. The fact that these people are in the minority means that the larger population harbours little knowledge about them. The normal reactions of families are to exclude them from normal activities and therefore depends on family members for their upkeep and support. This creates an impression that they cannot live independent economic lives and therefore, do not need land.

Chapter III: Vision, Rationale and Guiding Principles

3.1 Vision

A transparent land administration and management system for inclusive sustainable development by the year 2035.

3.2 Rationale

Land is not only an economic and environmental asset, but it is also a productive resource with a far-reaching role in social, cultural and spiritual development. Zambia has never had a Policy to guide the administration and management of land which has resulted into challenges that retard social progress such as indiscriminate use of land and poor land development practices.

A National Lands Policy is required to guide and improve the operation of institutions established for the purposes of land administration and management of land rights so as to place the country's land development on a sustainable path. The policy is also crucial for sustainable management of natural resources, environmental protection and climate change mitigation and adaptation.

It is envisioned that the Policy will open opportunities for every Zambian to access and secure their interests in land regardless of status. Further, it is anticipated that the Policy will strengthen security of tenure and enhance management of land resources.

3.3 Guiding Principles

The implementation of this Policy will be guided by the following principles:

Governance: The Policy will uphold good Governance principles and practices in land management and administration.

Transparency: Communication is free flowing; processes, institutions and information are accessible to those concerned; and enough information is provided to understand and monitor them;

Equity: People of all status have afforded opportunities to access land; and

Accountability: Public officers involved in land administration and management must be accountable to the general public.

Chapter IV: Objectives and Measures

4.1 Policy Objectives

The objectives are to:

- (i) Strengthen the land allocation mechanisms in order to improve security of tenure;
- (ii) Enhance the land registration system in order to increase volume of registered properties, accuracy, capacity, affordability as well as convenience of land registration;
- (iii) Strengthen the land dispute management mechanisms in order to reduce caseloads and attendant costs for clients;
- (iv) Facilitate ownership of land by Zambian citizens in order to promote decent livelihoods and socio-economic development;
- (v) Regulate land ownership of non-Zambians in order to facilitate reasonable access to land;
- (vi) Enhance the functioning of the land market by making the sector more beneficial to the economy;
- (vii) Mainstreaming of Climate Change, Natural Resources and Environmental Protection in land administration and management for sustainable development; and
- (viii) Achieve a gender sensitive and youth friendly land sector which is inclusive of persons living with disabilities and other socially marginalized groups.

4.2 Policy Measures

The following measures will be undertaken for each of the Policy Objectives:

Objective 1: Strengthen the land allocation mechanisms in order to improve security of tenure.

Measures

- (i) Facilitate development and application of e-governance in land administration and management;
- (ii) Enhance the land allocation system for both State and Customary Lands;
- (iii) Strengthen the mechanism for registration and issuance of Certificates of Title;
- (iv) Strengthen and harmonise institutions for land administration, management and coordination; and
- (v) Strengthen monitoring and evaluation systems in land administration and management.

Objective 2: Enhance the land registration system in order to increase volume of registered properties, accuracy, capacity, affordability as well as convenience of land registration.

Measures

- (i) Establish a mechanism for dissemination of statistics and information on land allocation for both State and Customary Lands;
- (ii) Digitize all land records to maintain a robust land information management system and customize a modern reporting system;
- (iii) Decentralise land registration to Provincial and District centres;

- (iv) Coordinate with relevant authorities to ensure that procedural requirement of subdivision of land and development conditions are adhered to;
- (v) Enhance multi-purpose cadastre for land registration, land planning and development across all land tenure classifications;
- (vi) Prioritize efforts for undertaking comprehensive land audits;
- (vii) Intensify efforts for registration of eligible properties;
- (viii) Enhance land payment system for increased revenue;
- (ix) Stiffen the land laws to discourage land encroachment;
- (x) Ensure that all public and private land is titled; and
- (xi) Revive the Task Force on Land Disputes.

Objective 3: Strengthen the land dispute management mechanisms in order to reduce caseloads and attendant costs for clients;

Measures

- (i) Decentralise the Lands Tribunal to Provincial centres with a view to establish a Land Court;
- (ii) Maintain records of all land disputes reported for monitoring and evaluation purposes;
- (iii) Establish an internal land dispute management system;
- (iv) Promote use of circuit courts for dispute resolution; and
- (v) Adopt mechanism to reduce occurrence of land disputes.

Objective 4: Facilitate ownership of land by Zambian citizens in order to promote decent livelihoods and socio-economic development.

Measures

- (i) Promote and facilitate acquisition of land by Zambian citizens without discrimination;

- (ii) Promote opening of land for various land use and ownership;
- (iii) Ensure the timely issuance of certificates of title;
- (iv) Promote and ensure efficient, cost effective and timely cadastral surveys;
- (v) Dissemination of information relating to procedures and benefits of acquiring land;
- (vi) Ensure strict enforcement to the lease conditions and other related laws;
- (vii) Promote coordination in land management and administration system; and
- (viii) Promote pro-poor programs to enhance land ownership among Zambians.

Objective 5: Regulate the land ownership of non-Zambians in order to facilitate reasonable access to land.

Measures

- (i) Regulate access to land of non-Zambians;
- (ii) Limit extent and tenure of land lease for non-Zambians;
- (iii) Reduce the risk of displacement of local communities without adequate compensation;
- (iv) Sensitize Chiefs on the risk of allocating large tracts of land to non-Zambians;
- (v) Sensitize Chiefs on existing laws on land administration; and
- (vi) Ensure allocation of customary land is in line with Integrated Development Plans (IDPs).

Objective 6: Enhance the functioning of the land market in order to make the sector more beneficial to the economy.

Measures

- (i) Collaborate with relevant authorities to avail latest information on the operations of the land market;
- (ii) Creation of asset base to promote property markets;
- (iii) Introduce different rates on productive and idle land;
- (iv) Strengthen capacity of professionals in the property markets for effectiveness;
- (v) Enhance implementation of code of ethics for valuation professionals and other land agents to protect the public.
- (vi) Maintain updated Valuation and Estate Agents Registers; and
- (vii) Publicise information on land market trends.

Objective 7: Mainstreaming of Climate Change, Natural Resources and Environmental Protection in land administration and management for sustainable development.

Measures

- (i) Ensure that policies, plans and programmes that relate to land management, conform to prescribed principles and guidelines on environmental protection and conservation;
- (ii) Promote the establishment and implementation of integrated land-use plans at Provincial District and Chiefdom levels, for the preservation of key environmentally sensitive features, customary sites, historic and cultural heritage; and
- (iii) Strengthen legislation for the maintenance and enhancement of public and local community access to land along the lakes and rivers and other natural resources.

Objective 8: Achieve a gender sensitive and youth friendly land sector which is inclusive of persons living with disabilities and other socially marginalized groups.

Measures

- (i) Discourage discriminatory customary practices against women, youth, and persons with disabilities in the land sector;
- (ii) Ensure 50% of available land for alienation is allocated to women;
- (iii) Ensure 20% of available land for alienation is allocated to youths;
- (iv) Encourage progressive realisation of empowerment of persons with disabilities in land allocation;
- (v) Lower the contractual age for land acquisition from 21 to 18 years;
- (vi) Promote sustained land and gender awareness campaigns using various channels of communication; and
- (vii) Encourage Chiefs to allocate land to women, youths, persons with disabilities and other marginalised groups in their own right.

Chapter V: Implementation Framework

5.1 Institutional Framework

In order to implement the above-mentioned measures, it will be necessary to strengthen the system of land administration and management under both State and Customary Lands. The role of stakeholders in the implementation of this policy will be as follows:

5.1.1 Ministry responsible for Lands

The Ministry responsible for lands will be the lead institution in overseeing the implementation of this Policy and will lead the inter-agency coordination on the management of all lands. The Ministry will have the following responsibilities: Coordinate implementation of the National Lands Policy, Monitor implementation of the policy and review policies, legislation and guidelines for land administration and management.

5.1.2 Line Ministries

Line Ministries shall play a role in the implementation of land administration and management in line with their mandates, as follows:

- (a) The Office of the Vice President shall collaborate with the Ministry responsible for Lands for the purpose of providing land to retirees and other vulnerable groups;

- (b) The Ministry of Agriculture shall collaborate with the Ministry responsible for Lands in providing agricultural land to citizens;
- (c) The Ministry of Chiefs and Traditional Affairs shall coordinate with the Ministry responsible for Lands for Chiefs participation in land matters;
- (d) The Ministry of Commerce, Trade and Industry shall be responsible for facilitating trade in forestry and natural resources products;
- (e) The Ministry of Finance will mobilise financial resources for management and utilisation as well as for environment and natural resources functions;
- (f) The Ministry of Mines and Mineral Development will provide for safety, health and environmental protection in mining operations;
- (g) The Ministry of Water Development and Environmental Protection shall collaborate with the Ministry responsible for Lands in the protection of wetlands and related environments;
- (h) The Ministry of Community Development and Social Services will be responsible for awareness creation on the importance of land ownership and on land management in communities as well as promoting pro-poor land ownership programmes;
- (i) The Ministry of Tourism and Arts will collaborate with the Ministry responsible for Lands in matters relating to Game Management Areas as well as protection of flora and fauna;

- (j) The Ministry of Local Government shall coordinate and collaborate on Local Government Administration, particularly, on site and integrated development planning;
- (k) Other Ministries will among other things, collaborate with the Ministry responsible for Lands for the purpose of providing titles for their institutional lands, and in accordance with their portfolio functions.

5.1.3 Chiefs

The Lands Act of 1995 offers discretion to the Chiefs in allocation of customary land. The Chiefs shall therefore provide for allocation of land to individuals, families and investors for their use in line with customary land area integrated development plans; collaborate with government in the identification of land for investment; document all land rights and maintain a land register for own area; superintend the use and allocation of rights to communal land; and carry out dispute resolution in their chiefdoms.

5.1.4 Local Authorities

The Local Authorities shall streamline and simplify the system for allocation of land rights; provide for the preparation of district spatial plans and land use plans in collaboration with the Ministry responsible for land; manage the release of land for urban development and provision of services and carryout mass awareness campaigns on village settlement renewal and planning in collaboration with Chiefs.

5.1.5 Cooperating Partners

The cooperating partners are expected to provide technical and financial support to the sectors.

5.1.6 Non-State Actors (NGOs and Private Sectors)

Non-State Actors shall play an important role in policy dialogue.

5.2 Legal Framework

The Land Sector has been operating without a comprehensive policy since independence. Instead, it has operated within the legal framework which include the following legislation:

- (a) The Lands Act Cap. 184;
- (b) The Land Survey Act Cap. 188;
- (c) The Lands and Deeds Registry Act Cap. 185;
- (d) The Lands Tribunal Act of 2010;
- (e) Lands Acquisition Act Cap. 189;
- (f) Lands (Perpetual Succession) Act Cap.186;
- (g) Agricultural Lands Act Cap. 187;
- (h) Co-operative Societies Cap. 397 ;
- (i) Common Leasehold Schemes Cap. 208;
- (j) The Environmental Management Act No.12 of 2011;
- (k) Fencing Act Cap. 190;
- (l) Forests Act of 2015;
- (m) Zambia Development Agency No. 11 of 2006;
- (n) Landlord and Tenant (Business Premises) Act Cap. 193;
- (o) Local Government Act No.2 of 2019;
- (p) Mines and Minerals Development Act No.11 of 2015;
- (q) Property Transfer Tax Act Cap. 340;
- (r) The Urban and Regional Planning Act, 2015;
- (s) Water Resources Management Act Cap. 198;

- (t) Zambia Wildlife Act No. 14 of 2015;
- (u) Intestate Succession Act Cap. 59;
- (v) Wills and Administration of Testate Estates Act Cap 60; and
- (w) Gender Equity and Equality Act of 2015.

There is need to ensure that the legal framework is strengthened and enforced for an efficient, effective and transparent land administration and management system that inspires public confidence and protects the country and citizen's interests. In this regard, Government will need to review and harmonise relevant pieces of legislation that may impede or facilitate the successful implementation of the National Lands Policy.

5.3 Resource Mobilisation and Financing

The implementation of the National Lands Policy will require both the local and external resource mobilisation based on policy objectives. Further, the private sector shall be encouraged to play a bigger role in the service provision to enhance revenue collection.

5.4 Monitoring and Evaluation

The implementation of this National Lands Policy will be coordinated and monitored by the Ministry responsible for Land in collaboration with other public sector institutions, statutory bodies and agencies, Chiefs and all relevant stakeholders. The responsible agency will ensure that the policy is implemented in a coordinated manner and that periodic reviews are made to assess progress on the performance of the policy.

A mid-term policy evaluation will be carried out as part of the process to determine progress achieved and to keep abreast with emerging trends in the sector.