

Scheme of Land Rights in Mainland Tanzania – A Synoptic Outline through a Matrix¹

1 1880	2 1895 – 1918 German (Imperial Decree 1895-1918)	3 1920-1960 1923 (British) Land Ord. Cap. 113, Land Registry Ord. Cap. 70, later Cap. 334 and L(LP & C) Ord. Cap. 114	4 1928	5 1961 – 1963	6 1969	7 May 2001 After Shivji Commission Report 1992; National Land Policy 1995 – New Land Acts -1999: Land Act, Cap.113; Village Land Act, Cap. 114)	Land Act – Cap. 113 reclassifies Public Land [Village Land Act Cap.114 Deals with Village land Only]
Pre-Colonial <u>Customary Land Tenures:</u>	1. Absolute ownership- <u>Conveyances of Ownership</u> – subject to Resumption Clauses	1. <u>Freehold Titles</u> (Including Wakf & Resumption Clauses)	1. Unchanged.	1. - Freehold Titles (Conversion to <u>Government Leases</u>) Act Cap. 523 - Govt. Leases (+ Resumption Clauses (Wakf))	Government Leases(Conversion) to R/O Act. - R/O “deemed” to be granted under L/ O (Resumption Clause)	1.Deemed Granted R/O	<u>PUBLIC LAND – 3 Categories</u> a. General b. Village c. Reserved
A. Clan/Tribe Controlled Land Tenure	1. <u>German Leases</u> a. 21 years b. Perpetual, (Govt. can terminate after 21 years with compensation (Option to purchase.	2. <u>Right of Occupancy by Grant</u> • Perpetual German Leases	2. Development Conditions 1926, 1927 & Land Reg. 1930 & 1948 • 1936 GN 265	2. R/O (Dev. Conditions) Act 1963	-	2. Granted R/O • R/O Under Acts Other than the Land Ord. [e.g. Rural Farmlands (Planning & Utilisation) Act, 1973 • German Leases?	A. GENERAL LAND • Granted • Ungranted B. VILLAGE LAND • Land delimited by Statute (Act 7/82; Act 27/65) • Acquired land • Land held by prescription
B. Chief/Elder Controlled Land Tenure	3. Customary Land Tenures	3. Customary Land Tenures	3. 1928 LL(A) Ord. “Deemed R/O” definition of R/O	3. Unchanged.	-	3. Customary Tenures (Extinction under RF (P + U) Act 1973 (changes at Village Act 1975; and Local Govt. Acts No. 7 + 8 of 1982); Act 22/92, Land Acts- now CRO	C. RESERVED LAND • By Statute e.g. Forest, fauna and marine • Recreation • Compulsory Acquisition • Conservation limits • Hazard land
C. Individual Tenures (Exceptional)							
D. Unoccupied Land	4. Crown Land	4. Public Land	4. Unchanged.	4. Unchanged.	-	4. “Public Land” unoccupied e.g. S. 2 of Limitation Act.	

¹ Adapted from **A.B. Lyall, 1973**; adding the Land Acts 1999 scheme,