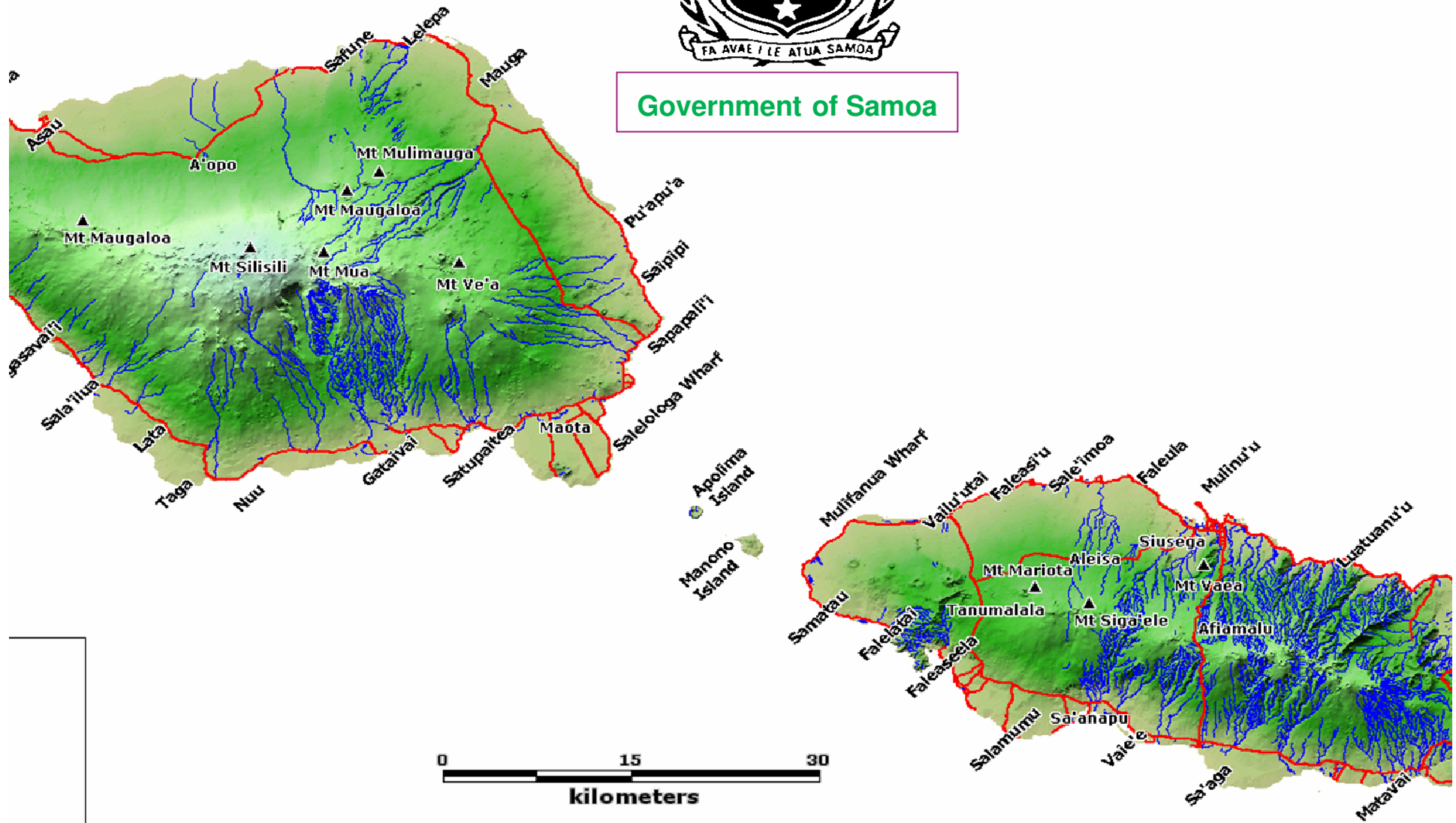




Government of Samoa



Land Tenure in Samoa

- Samoa became Independence in 1962, having been administered by Germany, and then New Zealand until 1961.

- It has a population of 181,000 (2006 Census) and a land area of 2,831 square kilometers. (2010-est-200,000)

- All cadastral and registration services are provided by the MNRE.



Types of Lands

- **80% Customary Land**, is held under customary ownership, this land is protected under the constitution.

12% of Public or Government Land.

- **8% of Freehold Land.**

CURRENT CADASTRAL ARRANGEMENT

* Cadastral Survey were undertaken under the survey Ordinance 1961, and the New Legislation for cadastral surveys is currently passed by the Parliament.

* Any change in boundaries for freehold, Government land or for registration of lease over customary land, requires a cadastral survey signed by the registered or licensed surveyor .

* A survey plan is lodged with the (MNRE) at the Quality Assurance Section of the Technical Division to check and refer to approve by the Chief Executive Officer, if the survey meet all the requirements including the standards described under the survey Regulations.

CURRENT REGISTRATION ARRANGEMENT

- Samoa moved to a system of title registration of the Land Title Registration Act 2008, officially implemented on the 2nd March 2009.
- This change was accompanied by the introduction of standardized forms.
- The implementation of a computerized system and the recognition of the computerized based records, in particular the “Computer Folio”



**LAND REGISTRATION
SYSTEM &
DIGITAL CADASTRAL
DATABASE(DCDB)
IN SAMOA**



- **1) REGISTRATION PROCESS & DCDB.**

- **2) EXPERIENCES-NEW REGISTRATION FORMS.**

- **3) Future Plans**

- **4) Other Future Land Administration**

1) LAND REGISTRATION

A decorative graphic in the top right corner of the slide. It features several dark purple spheres of varying sizes, some of which are exploding into bright, multi-colored streaks resembling fireworks. The colors of the streaks include yellow, orange, and red. The background of the slide is a solid dark blue.

REGISTRATION OF LAND DEALINGS/PLANS

- Transfers, Mortgages, Transmission, Caveats etc
- Approved Survey Plans)

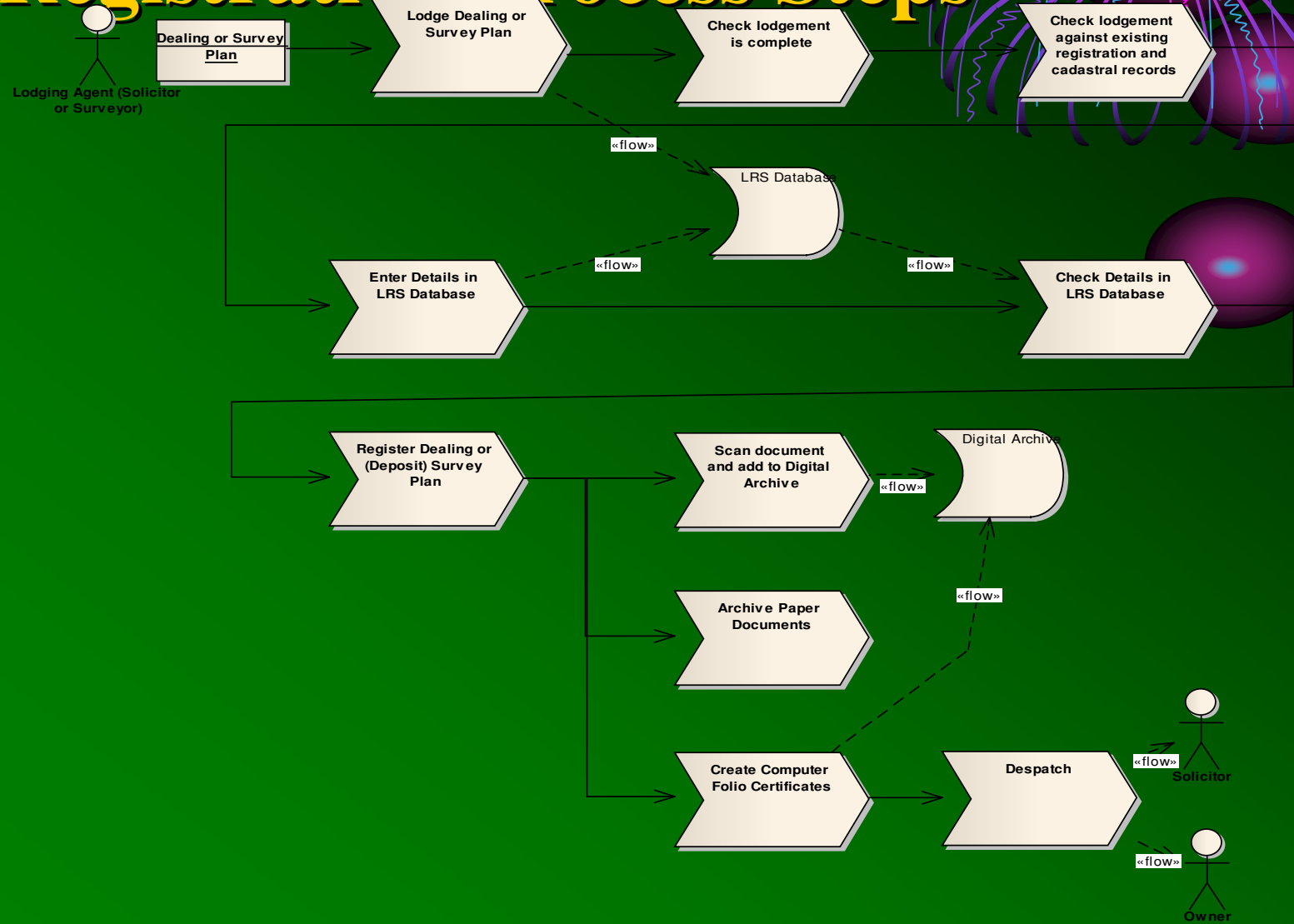
PROVIDING LAND INFORMATION

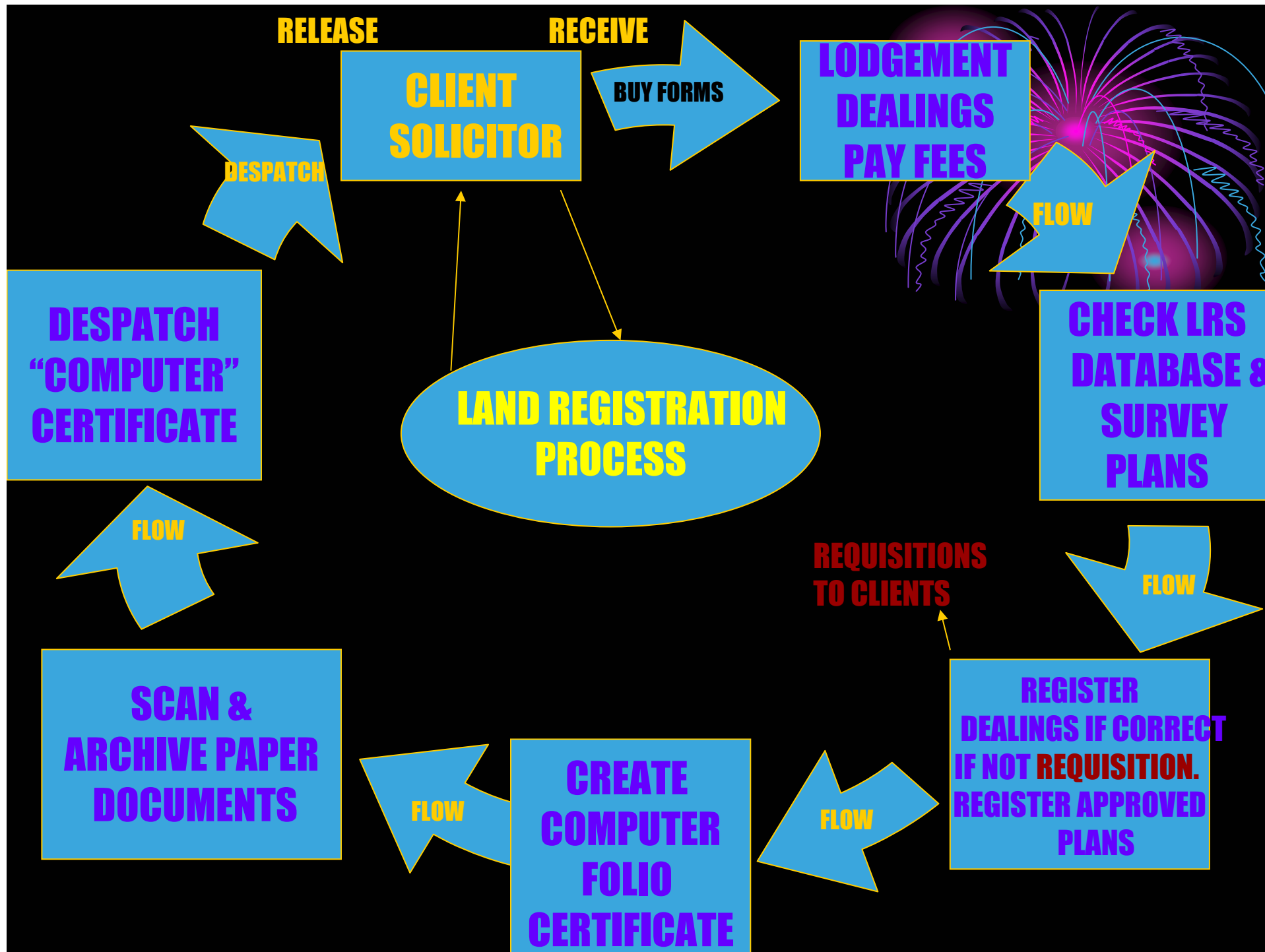
- Search Registration & Cadastral Records
- Digital Archive, LRS Database, Old Land Records)
- Create "Computer Folio Certificates"

-KEEPING & SCANNING OF LAND RECORDS.

- Court Grants, Land Claims, Old land records (etc)
- Archive Paper Documents

Registration Process Steps





**RECEIVE & DESPATCH
PROVIDE INFORMATION**

REGISTRATION STAFF

NUMBERING PLANS/DEALINGS

REGISTRATION OF DEALINGS



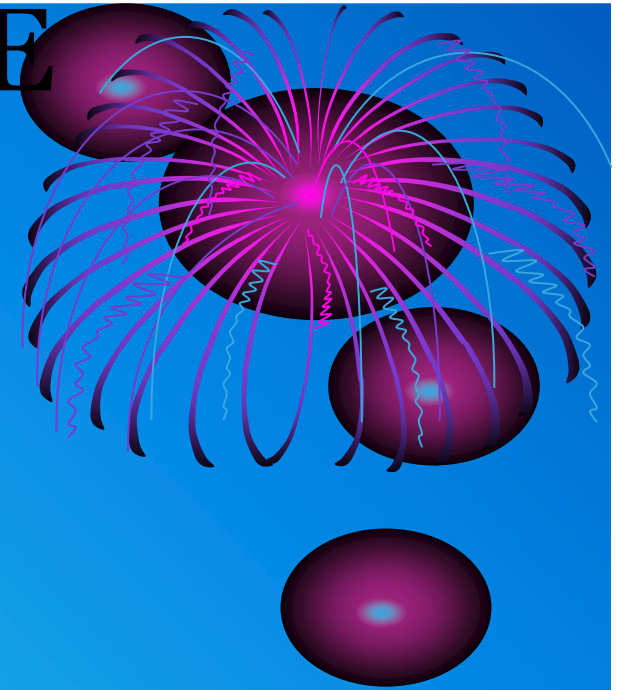
SCAN

UPDATE LRS DATABASE

ARCHIVE PAPER



QUALITY ASSURANCE SURVEY SECTION



MAIN ACTIVITIES

**RECEIVE
SURVEY
PLANS**

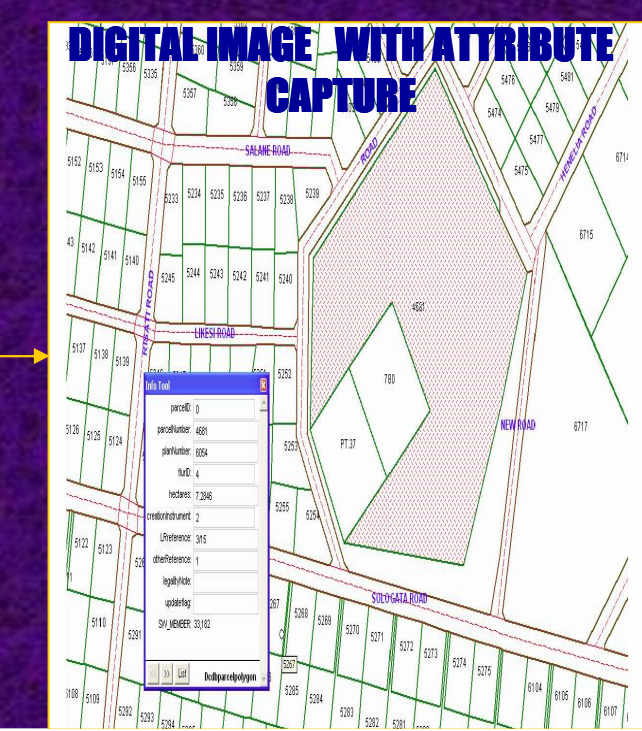
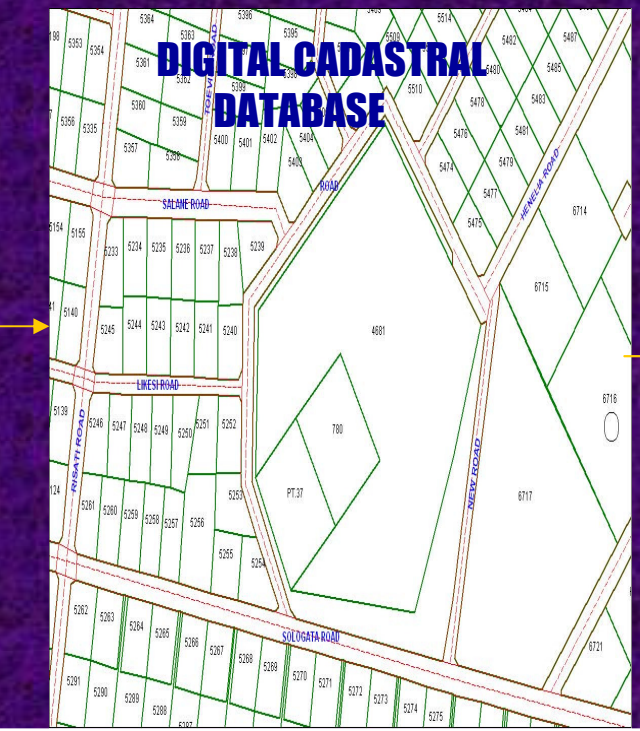
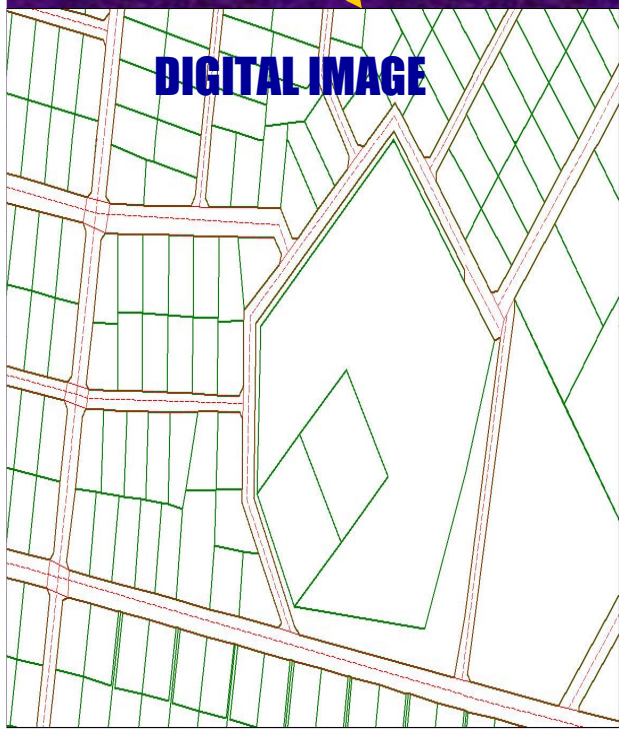
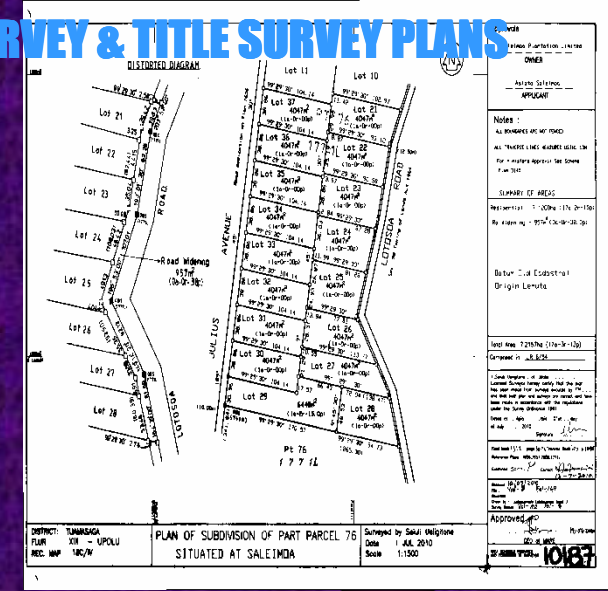
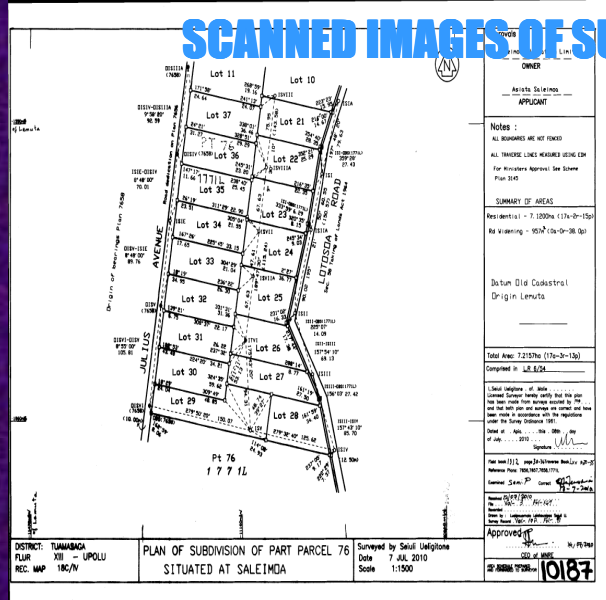
**CHECK SURVEY
PLANS FOR
MATHEMATICAL
CORRECTNESS**

**REFER THE PLANS
TO THE CEO FOR
APPROVAL IF THE
PLAN IS CORRECT,
IF NOT REQUISITION
TO SURVEYORS**

**DESPATCH COPY
OF APPROVED
PLAN
TO SURVEYORS**

**REFER APPROVED
PLANS TO THE
REGISTRATION
TO REGISTER
&
UPDATE SAMOA
VIEW OR DCDB**

"DIGITAL CADASTRAL DATABASE"



2) EXPERIENCES & NEW REGISTRATION FORMS

- **IMPORTANT CHANGES**

- Capability for members of the Public to act for themselves in land transaction.
- Ready to access to title information through the Computer Certificate.
- “While you wait” registration available in urgent cases.
- Replacement of Complex Deed forms with simple, easy to read single page dealing.
- Standards & Memorandum of Mortgages from various Banks, lodged once in the Ministry.

DEALING FORMS

Termination of Lease

TERMINATION OF LEASE
FAAMATAAGA O LE LEI
Land Titles Registration Act 2008

Stamp Duty: Leave this space free

(1) **LOGGED BY** Name, Address

(2) **FOLIO OF THE REGISTER** Property registered

(3) **FIELD OF THE INSTRUMENT** Instruments affected by the termination of lease

(4) **REASON FOR INSTRUMENT** GOVERNMENT OF SAMOA ACTED BY AND THROUGH THE LAND BOARD

(5) **LESSOR** Name, Address, Occupation

(6) **LESSEE** Name, Address, Occupation

(7) **DATE** (dd/mm/yyyy)

(8) **TERMINATION** I certify that this Termination of Lease is correct for the purposes of section 25 of the Land Titles Registration Act 2008.

Signature of Lessor's solicitor / witness: _____
Name: _____
Qualification: _____
Address: _____

Signature of Lessee: _____
Name: _____
Qualification: _____
Address: _____

Page 1 of 1

Transfer

TRANSFER
FAALUMATAU
Land Titles Registration Act 2008

Stamp Duty: Leave this space free

(1) **LOGGED BY** Name, Address

(2) **FOLIO OF THE REGISTER** Property transferred

(3) **TRANSFEROR** Name, Address, Occupation

(4) **CONSIDERATION** The transferee acknowledges receipt of \$15,000.00 in consideration for the purchase of the land identified above and binding to the transferee the estate in fee simple.

(5) **BUYER** Name, Address, Occupation

(6) **SELLER** Name, Address, Occupation

(7) **DATE** (dd/mm/yyyy)

(8) **TRANSFER** I certify that this transfer is correct for the purposes of section 25 of the Land Titles Registration Act 2008.

Signature of transferor's solicitor / witness: _____
Name: _____
Qualification: _____
Address: _____

Signature of transferee: _____
Name: _____
Qualification: _____
Address: _____

Page 1 of 1

Mortgage

MORTGAGE
MOKESI
Land Titles Registration Act 2008

Stamp Duty: Leave this space free

(1) **LOGGED BY** Name, Address

(2) **FOLIO OF THE REGISTER** Property mortgaged

(3) **MORTGAGOR** Name, Address, Occupation

(4) **CONDITIONS OF MORTGAGE** The mortgagor mortgages the estate and interest in the above folio of the Register to the mortgagee for the purposes of the mortgagee's loan in accordance with the provisions set out in INSTRUMENTS.

(5) **MORTGAGEE** Name, Address, Occupation

(6) **TERMINATION** Name, Address, Occupation

(7) **DATE** (dd/mm/yyyy)

(8) **MORTGAGE** I certify that this mortgage is correct for the purposes of section 25 of the Land Titles Registration Act 2008.

Signature of mortgagor's solicitor / witness: _____
Name: _____
Qualification: _____
Address: _____

Signature of mortgagee: _____
Name: _____
Qualification: _____
Address: _____

Page 1 of 1

Form 25

CERTIFICATE OF CORRECTNESS BY APPLICANT
FAAMATALAGA O LE O
LOO TALOAGA
Land Titles Registration Act 2008

Stamp Duty: Leave this space free

(1) **APPLICANT** Name, Address

(2) **DATE OF BIRTH / CITIZENSHIP** (dd/mm/yyyy)

(3) **OCCUPATION**

(4) **CURRENT ADDRESS**

(5) **TELEPHONE CONTACT**

(6) **ATTACHMENTS** Please attach a statutory declaration certifying the person who prepared the attached instrument is the applicant.

(7) **DATE** (dd/mm/yyyy)

(8) **CERTIFICATION** I certify that the applicant, whose identity I have verified, has signed my name to the attached instrument and that this instrument is correct for the purposes of section 25 of the Land Titles Registration Act 2008.

Signature of applicant: _____
Name: _____
Qualification: _____
Address: _____

Page 1 of 1

CAVEAT
FAALAE TAI'IA
Land Titles Registration Act 2008

Stamp Duty: Leave this space free

(1) **LOGGED BY** Name, Address

(2) **FOLIO OF THE REGISTER** Property covered

(3) **REGISTERED PROPRIETOR** Name, Address

(4) **CAVEATOR** Name, Address for service, Occupation

(5) **SCHEDULE 1** Details of interest claimed

(6) **SCHEDULE 2** Action intended by this caveat

(7) **DATE** (dd/mm/yyyy)

(8) **CAVEAT** I certify that this caveat is correct for the purposes of section 25 of the Land Titles Registration Act 2008.

Signature of caveator's solicitor / witness: _____
Name: _____
Qualification: _____
Address: _____

Page 1 of 1

Lease

VARIATION OF MORTGAGE
MOKESI O MOKESI
Land Titles Registration Act 2008

Stamp Duty: Leave this space free

(1) **LOGGED BY** Name, Address

(2) **FOLIO OF THE REGISTER** Property mortgaged

(3) **FIELD OF THE INSTRUMENT** Instruments affected by variation of mortgage

(4) **MORTGAGOR** Name, Address, Occupation

(5) **MORTGAGEE** Name, Address, Occupation

(6) **REASON FOR VARIATION** 1. The PRINCIPAL SUM is increased / reduced to \$15,000.00
2. The RATE OF INTEREST is increased / reduced to % per annum
3. The TERM is altered / extended to
4. The PROVISIONS of the mortgage are varied / omitted / added to as set out in INSTRUMENTS

(7) **DATE** (dd/mm/yyyy)

(8) **MORTGAGE** I certify that this variation of mortgage is correct for the purposes of section 25 of the Land Titles Registration Act 2008.

Signature of mortgagor's solicitor / witness: _____
Name: _____
Qualification: _____
Address: _____

Signature of mortgagee: _____
Name: _____
Qualification: _____
Address: _____

Page 1 of 1

REMOVAL OF CAVEAT
FAALOLOA FAAMATAAGA
Land Titles Registration Act 2008

Stamp Duty: Leave this space free

(1) **LOGGED BY** Name, Address

(2) **FOLIO OF THE REGISTER** Property covered

(3) **REGISTERED PROPRIETOR** Name, Address, Occupation

(4) **CAVEATOR** Name, Address, Occupation

(5) **CAVEAT WITHDRAWN**

(6) **DATE** (dd/mm/yyyy)

(7) **REMOVAL** I certify that this removal of caveat is correct for the purposes of section 25 of the Land Titles Registration Act 2008.

Signature of caveator's solicitor / witness: _____
Name: _____
Qualification: _____
Address: _____

Signature of caveator: _____
Name: _____
Qualification: _____
Address: _____

Page 1 of 1

Caveat

REGISTRY DEALING
MOKESI
Land Titles Registration Act 2008

Stamp Duty: Leave this space free

(1) **LOGGED BY** Name, Address

(2) **FOLIO OF THE REGISTER** Property transferred

(3) **REGISTERED PROPRIETOR** Name, Address, Occupation

(4) **APPLICANT** Name, Address, Occupation

(5) **DATE** (dd/mm/yyyy)

(6) **REGISTRY DEALING** I certify that this registry dealing is correct for the purposes of section 25 of the Land Titles Registration Act 2008.

Signature of person acting on behalf of the Registrar of Land: _____
Name: _____
Qualification: _____
Address: _____

Page 1 of 1

REMOVAL OF CAVEAT

COMPUTER FOLIO CERTIFICATE

TUSI FAAMONA O LE LAUTUSI FAANUMERAINA I KOMEPUIA
Land Titles Registration Act 2008
TULAFONO O LE FAAMAINA O PULE O FANUA 2008

References to the Folio of the Register (Pule) to be included: 960/5761

DATE ISSUED - 24/08/2009
(Date to be filled in)

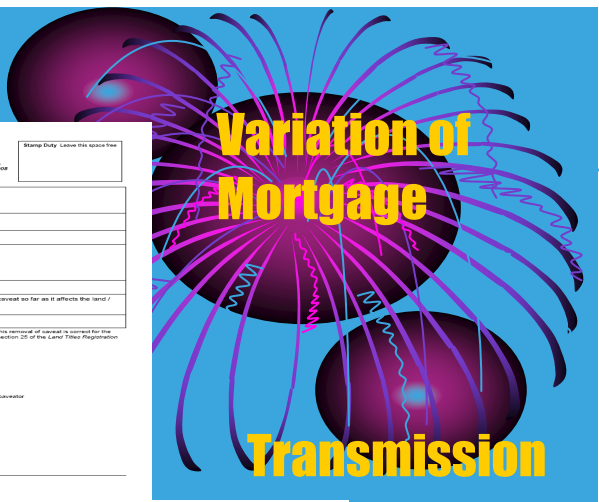
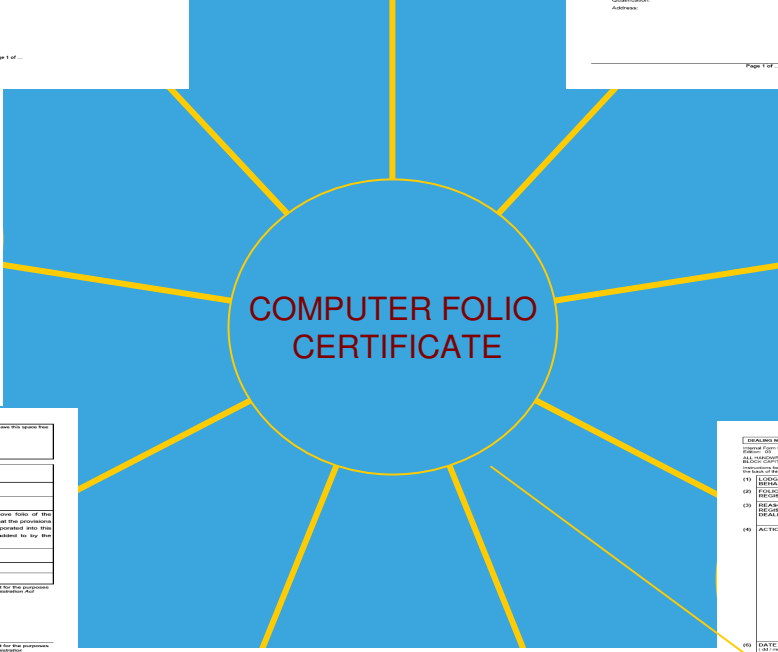
I certify that the person described in the First Schedule is the registered proprietor of land in fee simple for such other estate or interest as is set forth in that Schedule in the land with described subject to such encumbrances, interests and estates as appear in the Second Schedule and to any additional entries in the Folio of the Register.

LAND DESCRIPTION FAAMATALAGA O LE FANUA
FANUA
Lot 100 in Plan 5761
8,095 square metres
AT SAMOA
District of Tuamasaga

FIRST SCHEDULE FAAMATALAGA MUAAMUA
FANUA
FANUA
FANUA

SECOND SCHEDULE FAAMATALAGA IONA LUA
CAUTION
The land herein may be subject to any existing interests, whether recorded therein or not in accordance with sections 14 and 15 of the Land Titles Registration Act 2008.

NOTATIONS FAALAGA
Unregistered Dealings - NI



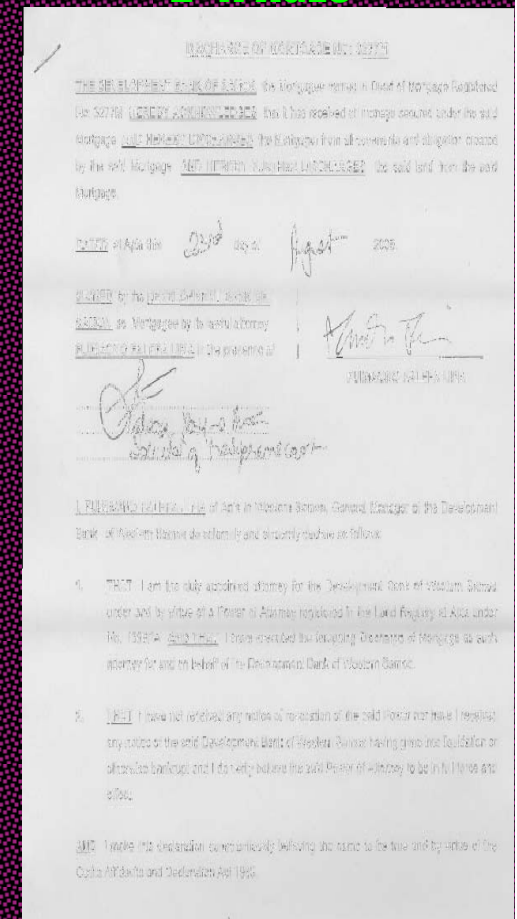
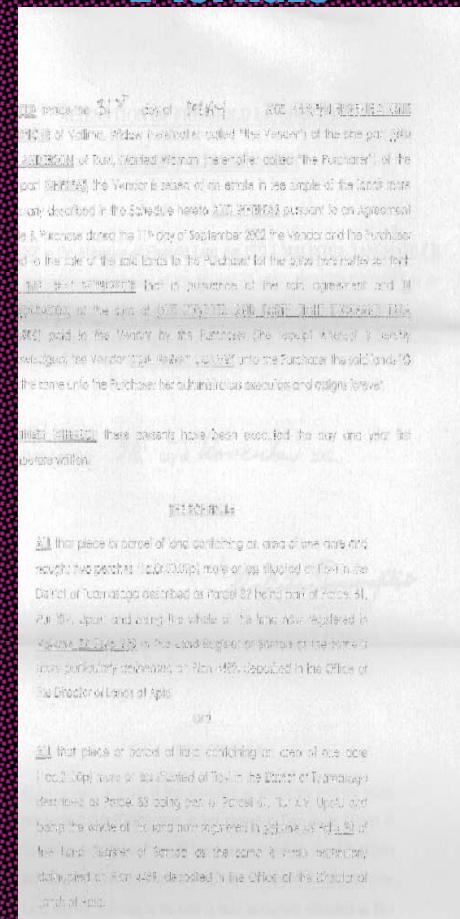
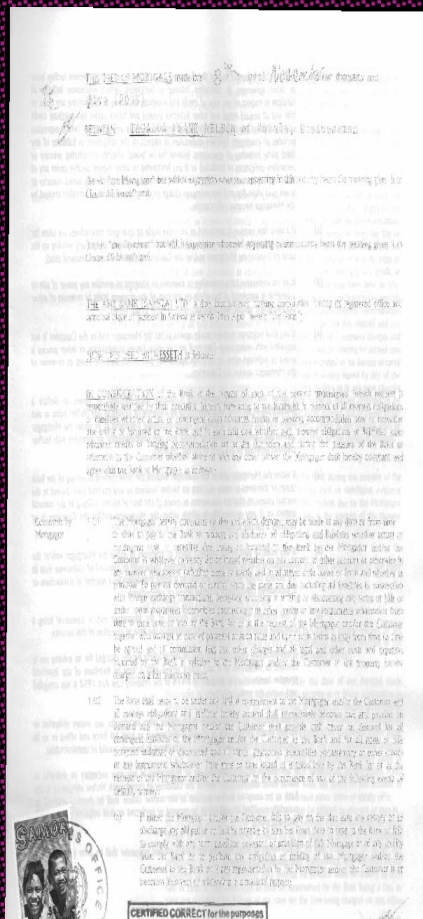
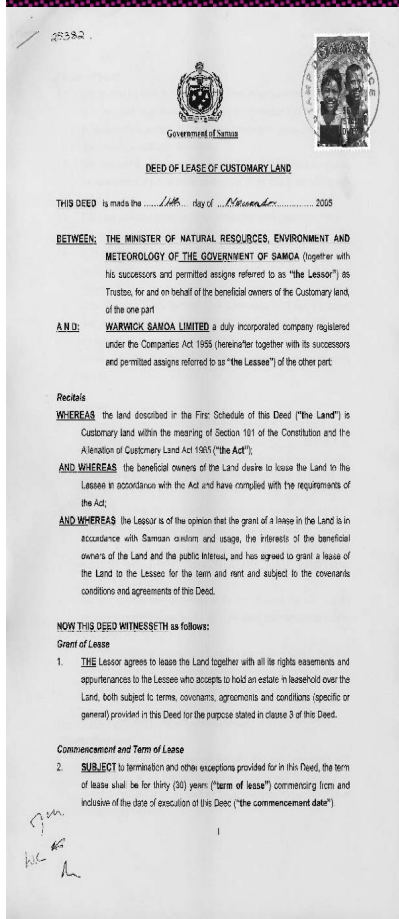
EXAMPLES OF COMPLEX DEEDS DOCUMENTS

**LEASE-
10 pages**

**MORTGAGE
20 PAGES**

**CONVEYANCE/TRNSAFER
2-10PAGES**

**DISCHARGE/MORTGAGE
2-4PAGES**



3) Future Plans

- **APPROVED FORMS AVAILABLE ELECTRONICALLY**
- **ELECTRONIC LODGMENT OF DOCUMENTS**
- **APPROVED The Stamp Duty to relocate from the Ministry of Finance to the MNRE.**
- **OSCAR- OPEN SOURCE CADASTRE AND REGISTRATION**
 - **MNRE GOAL- reduce the cost of software licenses**
 - **Build up MNRE expertise software develop & soft ware support, mainly reduce dependency on overseas experts.**



OTHER FUTURE LAND ADMINISTRATION

- ***MNRE wide limited, read only access to Samoa Viewer (GIS viewer)***
- ***Digital Lodgment for Registration Dealings and Cadastral Survey.***
- ***Cadastral & Registration Digital Archive.***
- ***MNRE wide limited, read only access to Land Registration System.***
- ***Land Registration System (software) support including enhancements for the Unit (Strata) Title Legislation, valuation and requisition notices (etc).***

"THANK YOU"

"FAAFETAI LAVA"



"FROM SAMOA"

DESIGN
YOUR *Perfect Holiday*



This interactive map allows you to easily locate hotels, nearby attractions and surf locations so that you can easily plan a perfect Samoan Holiday.

>> [CLICK TO LAUNCH](#)

click here to

WIN

a pacific
adventure



Pacific Islands
Trade & Invest

South Pacific Tourism



RAINFOREST



LALOMANU BEACH



SAMOAN SPA



ROBERT LOUIS STEVENSON AT VAILIMA



SAVAII



SAVAII



SURF









ENGLISH POET RUPERT BROOKE WROTE ON A TRIP TO SAMOA IN THE 1800'S –
"YOU LIE ON A MAT IN A COOL SAMOAN HUT, AND LOOK OUT ON THE WHITE SAND UNDER
THE HIGH PALMS AND GENTLE SEA, AND THE BLACK LINE OF THE REEF A MILE OUT AND
MOONLIGHT OVER EVERYTHING. AND THEN AMONG IT ALL ARE THE LOVELIEST PEOPLE IN
THE WORLD, MOVING AND DANCING LIKE GODS AND GODDESSES. IT IS SHEER BEAUTY, SO
PURE IT IS DIFFICULT TO BREATHE IT IN"



POLICE BAND



THE TASTE AND FLAVOURS OF THE ISLANDS OF SAMOA WILL TEMPT YOUR TASTE BUDS AND ENERGISE YOUR BODY WITH FOODS THAT ARE NATURAL IN ALL THEIR CREATION.

