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# GENDER-RESPONSIVE LAND ADMINISTRATION FOR LOCAL AUTHORITIES IN ZAMBIA

## SIMPLIFIED PRACTICE NOTES

## ACKNOWLEDGEMENTS

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## ACRONYMS

GIS	Geographic information systems
GRZ	Government of the Republic of Zambia
ILRG	Integrated Land Resource Governance Program
LGAZ	Local Government Association of Zambia
LPP	Layout Plan Preparation
NSDI	National Spatial Data Infrastructure
PSIR	Planning Survey and Issues Report
PWD	People Living with Disabilities
USAID	United States Agency for International Development

## KEY TERMS

TERM	DEFINITION
<b>Land Administration</b>	The process of allocating land and determining, recording, and disseminating information about the tenure, value and use of land when implementing land management policies.
<b>Land Management</b>	The management of land as a resource, both from an environmental and an economic perspective.
<b>Gender Equality</b>	Having equal social conditions for women and men in the household, community, or society so that they both can experience a balance of power, opportunities, rewards, equal prospects for realizing their human rights, and potential to contribute and benefit from resources.
<b>Gender Equity</b>	Fairness accorded to women and men to achieve gender equality – or bridge the gender gap in participation. The <i>gender gap</i> is the difference created over time in participation in natural resource management between women and men in terms of levels of representation, access to resources, rights, power, influence, remuneration, and benefits. Achieving <i>gender equity</i> calls for differential treatment between women and men. It is about recognizing the unfairness in the treatment of women to eventually achieve gender equality and to compensate for the historical and social disadvantages that have prevented women and men from sharing a level playing field. It calls for specific measures to address the imbalance.
<b>Marginalized Groups</b>	Category of individuals who have or are likely to be disadvantaged or excluded from benefiting or accessing a service, position, recognition due to their social, physical, or economic status. These include women, youths, the aged, and people with disabilities.
<b>Standing Orders</b>	Guidelines for regulating the proceedings and preserving order at meetings of the council, committee, or subcommittee and entering into contracts with a Local Authority.
<b>Social Inclusion</b>	The process of ensuring that all individuals have equal access to and opportunities for participating fully in society regardless of their background or circumstances.
<b>Own Source Revenue</b>	Resources generated by a Council through local strategies other than government or donor support.
<b>Customary Land</b>	Land under traditional authority administration i.e., a Chief/Chieftainess, as provided under the Lands Act.
<b>State Land</b>	Land under the administration of the President through the Commissioner of Lands as provided under the Lands Act.

## BACKGROUND

Historically, land in Zambia has been perceived as abundant and widely available. However, changing demographics, a growing middle class and increased allocation of land for investment opportunities are resulting pockets of land scarcity, land conflict, and increased pressure on other natural resources. These dynamics are compounded by a lack of documentation, transparency, and a robust administration in both state and customary land systems. Revenue from opening land for development, and subsequent collection of land premium fees and development charges, remains one of the largest contributors to most district own source revenue.

The United States Agency for International Development (USAID) Integrated Land and Resource Governance (ILRG) programme seeks to build the capacity of local organizations, district and national government, traditional leaders, and communities to sustainably administer land in an inclusive manner. The USAID Local Impact Governance Project (Local Impact) seeks to improve institutional capacities of Local Authorities in Central and Muchinga provinces to forge strategies to enhance service delivery and generate local revenue. Together, the two projects collaborated to support Local Authorities on gender responsive land administration.

Inclusive land administration entails equitable land access and ownership for all citizens, including women, youths, and other marginalized groups and fosters socio-economic development at the district level. Generally, land administration in Zambia is not equitably shared and often does not take into consideration the rights of women, youths, and other marginalized groups to land ownership (National Land Policy, 2021). Yet global evidence shows that when women have access to land, countries experience short term gains in agricultural productivity and long term social economic gains that can significantly contribute to poverty reduction and economic growth (FAO, 2020).

Despite supportive land and resource tenure laws and policies (Statutory Instruments, Acts, policies), Local Authorities do not have well documented standards for implementing inclusive land administration. Existing laws and policies are usually subjectively interpreted, allowing for inconsistencies in information management and decision making. The Land Administrative Circular No. 1 of 1985 that deals with land administration on state land covers only a small part of what is required in terms of regulations (Adams, 2003) and does not cover customary land. The absence of prescribed regulations hands a large amount of discretionary power to Councils and the Commissioner for Lands, while the public remains deprived of equitable services and access to local resources.

Some of the weaknesses in land administration at the local level might be solved by tackling administrative bottlenecks such as implementing a comprehensive up-to-date simplified land code embodying the principal land laws, standards of practice, prescribed forms, and details of relevant contact offices. This Practice Note addresses part of the need to provide a set of practical tools for inclusive standard land administration practices that are gender responsive. It can serve as a resource to help Local Authorities in the country implement inclusive and effective land allocation and enhance service delivery.

### WHO CAN USE THE PRACTICE NOTES

The Practice Note was developed in consultation with four (4) District Councils (Mumbwa, Chibombo, Chipata, Itezhi Tezhi, Mpika, Chama) with the aim to complement other capacity building efforts in land administration. The tool was developed to bridge the gap between the laws, policies, and practices to promote gender equity, transparency, and inclusiveness in land administration processes. The structure and content are developed to be useful for Local Authorities i.e., traditional leaders, civic leaders, Ward Development Committees members or staff of Civil Society Organizations working at local level or any other stakeholders interested in the promotion of gender responsiveness in land administration. The Summary Note has been extracted from the main comprehensive Practice Note.

## **HOW TO USE THE PRACTICE NOTES**

The Practice Note contain information on gender responsive practices in land administration and can be used as reference material for training, a guiding tool for day-to-day work or as and an information, education, and communication material. The Practice Note is not an authority, or does it supersede any existing law(s) hence, reference must always be made to prevailing statutes and regulations to ensure compliance. The full Practice Note manual should be used for detailed referencing on policies and statutes. The use of the Practice Note can be adapted according to the local context and draw lessons based on practical experiences, as issues vary from one Local Authority to the next.

## THE LAND ALIENATION SYSTEM IN ZAMBIA FACT SHEET

Land in Zambia is divided between state and customary, as defined in the 1995 Lands Act. Customary areas are defined as “the area described in the Schedules to Zambia Orders (State Lands and Reserves) 1928 to 1964, and the Zambia Orders (Trust Land) 1947 to 1964”. These customary areas cover approximately 94 percent of the country, with state land occupying the remaining areas. In customary areas, Zambia’s land administration system recognizes traditional authorities as institutions responsible for administering land under customary tenure. The Commissioner of Lands alienates land under leasehold tenure through delegated authority on behalf of the President.

Land alienation under customary tenure empowers traditional authorities with the responsibility to allocate land to anyone interested. Under this tenure system access to land is relatively easy, as processes are less cumbersome with fewer administrative costs. Rights under customary tenure are considered less secure though than on leasehold tenure, as they are often subject to the ultimate discretion of traditional leaders. However, on both systems, women and other marginalized groups face challenges accessing and owning land due to cultural and social barriers.

**TABLE I: CHARACTERISTICS OF CUSTOMARY AND STATE LAND IN ZAMBIA**

LAND TENURE SYSTEM	STATE LAND	CUSTOMARY LAND
Authorities	Commissioner of Lands	Chiefs, Headpersons
	Councils	
	Planning Authorities	
Land Rights	Very Strong (99-year lease)	Usually undocumented, or lacking spatial information
	Less Strong (Occupancy Licenses)	
	None (Informal Settlements)	Communal
Planning	Done (for formal settlements)	Rarely done
Access Barriers	Economic	Cultural, Economic
	Administrative	
	Political	Social
	Information asymmetries	
	Social	
Opportunities for Women	Low	Low

In both customary and leasehold land administration, land allocation procedures generally follow a system which the local or traditional authorities directly or indirectly manage. Therefore, the two institutions have a critical role in ensuring land administration processes are gender-responsive, transparent, and effective.



# THE LEGAL AND POLICY FRAMEWORK IN LAND ADMINISTRATION FACT SHEET

Constitutionally, all land is vested in the President who holds it in perpetuity for and on behalf of the people of Zambia. There are several statutes which govern land administration in Zambia which are complementary.

**TABLE 2: STATUTES AND PLAYERS IN LAND ADMINISTRATION IN ZAMBIA**

RELEVANT STATUTE	FOCUS AREAS	KEY PLAYER(S)
Lands Act No. 20 of 1995	<ul style="list-style-type: none"> <li>Land alienation</li> <li>Conversion of tenure</li> <li>Real estate and mortgages</li> </ul>	Commissioner of Lands Traditional Authorities
Land Survey Act 293 of 1960	<ul style="list-style-type: none"> <li>Land survey</li> <li>Registration of lands and deeds</li> </ul>	Surveyor General
Lands and Deeds Registry Act	<ul style="list-style-type: none"> <li>Land register</li> <li>Registration of lease (Title)</li> <li>Conveyance/transfer of land rights</li> <li>Real estate and mortgages</li> </ul>	Commissioner of Lands
Local Government Act No. 2 of 2019	<ul style="list-style-type: none"> <li>Local Authority boundaries</li> <li>Decentralization</li> </ul>	Local Authority
Wildlife Act No. 14 of 2015	<ul style="list-style-type: none"> <li>Land alienation – Tourism purposes</li> <li>Game Management Areas and National Parks</li> </ul>	Ministry of Tourism and Arts, Director Department of National Parks and Wildlife
Forests Act No. 4 of 2015	<ul style="list-style-type: none"> <li>Conservation of forests and trees</li> </ul>	Ministry of Green Economy
The Urban and Regional Planning Act No. 3 of 2015	<ul style="list-style-type: none"> <li>Integrated Development Planning</li> <li>Development control</li> <li>Unplanned settlements</li> <li>Planning agreements – customary</li> </ul>	Director Planning – Ministry of Local Government and Rural Development Local Authority Traditional Authorities
Land (Perpetual Succession) Act	<ul style="list-style-type: none"> <li>Inheritance</li> </ul>	Ministry of Lands and Natural Resources
Resettlement Policy (2015)	<ul style="list-style-type: none"> <li>Resettlement</li> </ul>	Office of the Vice President
Land Administrative Circular No. 1 of 1985	<ul style="list-style-type: none"> <li>Land allocation procedures</li> </ul>	Local Authority
National Lands Policy (2021)	<ul style="list-style-type: none"> <li>Effectiveness and efficiency in land administration</li> </ul>	Ministry of Lands Local Authority
Mines and Minerals Development Act No. 7 of 2008	<ul style="list-style-type: none"> <li>Protection of land during prospecting, mining, decommissioning, closure of mines</li> </ul>	Ministry of Mines
Environmental Management Act No.12 of 2011	<ul style="list-style-type: none"> <li>Provide for integrated environmental management and protection and conservation of the environment and sustainable management and use of natural resources</li> </ul>	Ministry of Green Economy Council/Lands
National Social Protection Policy (2014)	<ul style="list-style-type: none"> <li>Provide decent low-cost housing water and sanitation services to underserved communities.</li> <li>Equitable access to land by all Zambians including vulnerable people</li> </ul>	Ministry of Local Government and Rural Development Ministry of Lands and Natural Resources Ministry of Community Development and Social Services Local Authority

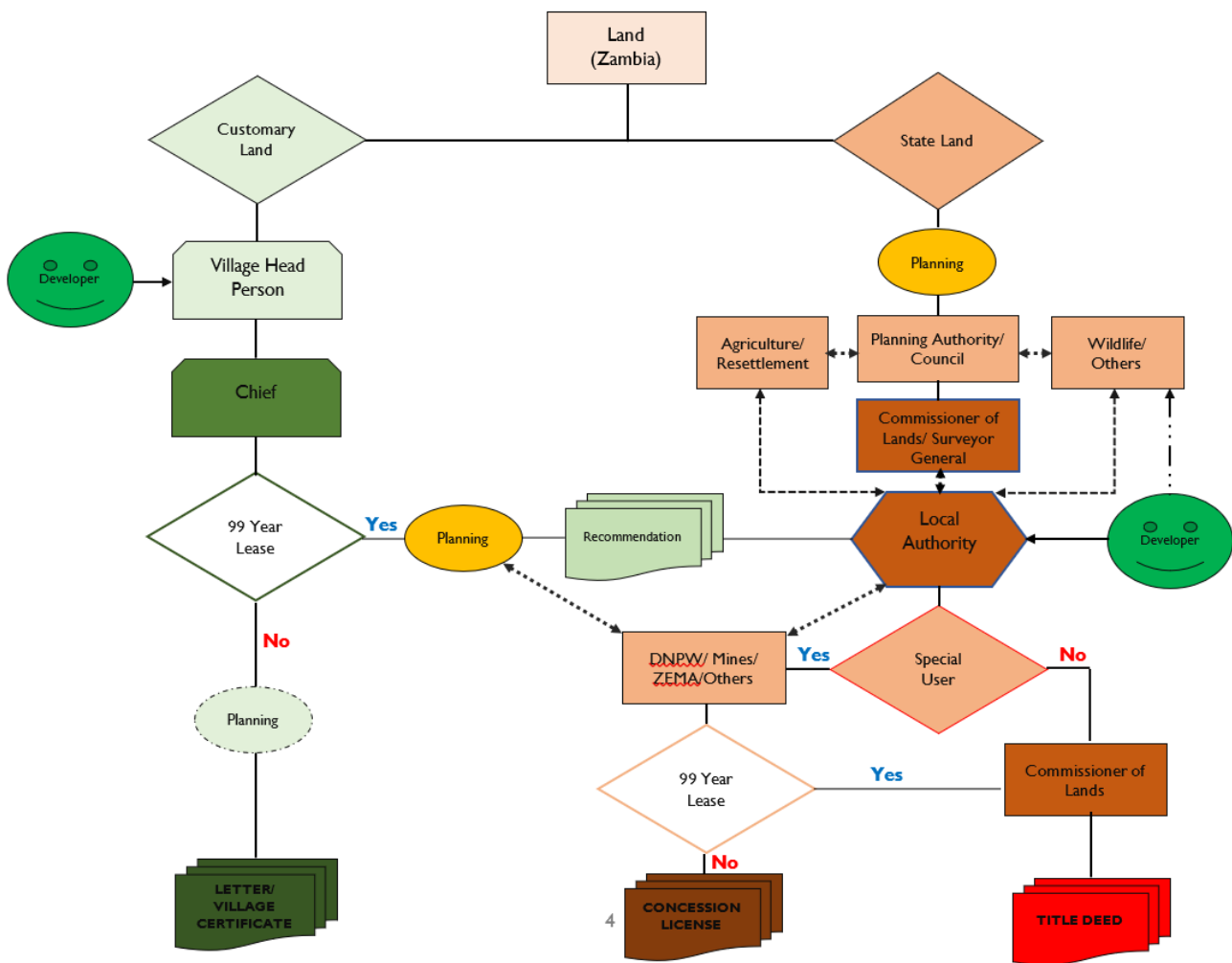
\*This list is not exhaustive as there are many more players and statutes with direct interest in land.

## STAKEHOLDERS IN LAND ADMINISTRATION

There are several players and institutions involved in land administration and governance in Zambia making it complex to reconcile the different interests among the various players. However, the Ministry of Lands and Natural Resources (MLNR) is the core institution responsible for registration and management of land in Zambia, with delegated authority to Local Authorities, while other players and institutions have complementary mandates.

Land administration roles for each player is defined in their respective statutes, though ultimately coordination remains with the Commissioner of Lands and with the Chief in the case of customary land. Further, for all institutions involved in land administration, there is one major stakeholder, the community served. Communities depend on land for their livelihoods and well-being and institutions operating under statutory or customary tenure exist to serve the best interests of the people in the communities (See Figure 1 below).

**FIGURE 1: PLAYERS IN LAND ADMINISTRATION IN ZAMBIA**

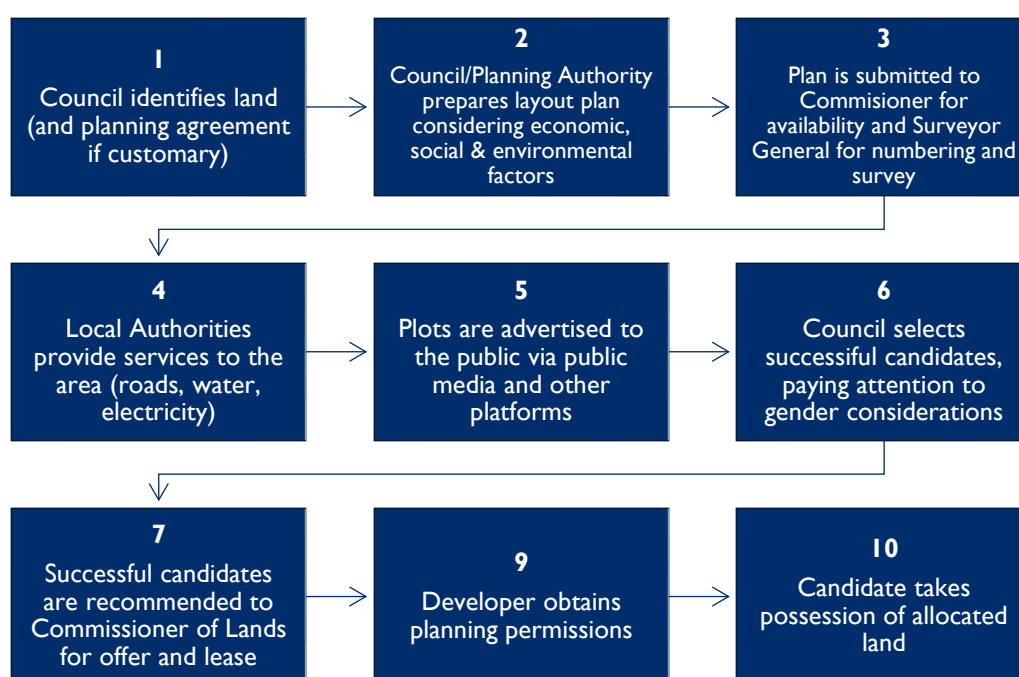


*Players in the Land Administration Process*

## THE LAND ADMINISTRATION PROCESS FACT SHEET

The President can alienate land to any Zambian aged 21 years and above. However, the President has delegated land alienation functions to the Commissioner Of Lands under Statutory Instrument No. 7 of 1964 and Gazette Notice No. 1345 of 1975 to grant or dispossess land to any person subject to the special or general directions of the Minister responsible for land matters (Government of the Republic of Zambia (GRZ), 1985). Some of the functions of the Commissioner of Lands have been decentralized to Local Authorities who have the responsibility for processing applications, selecting suitable candidates, and making recommendations to and on behalf of the Commissioner. According to the Administrative Circular No. 1 of 1985, the process of land alienation is well-defined and procedural.

**FIGURE 2: PROCEDURE FOR OBTAINING LAND UNDER LEASEHOLD TENURE**



Although land allocation is a delegated function from the Commissioner of Lands, most steps in the process fall within the mandate of Local Authorities. By statutory design, Councils are directly responsible for identification of urban development areas, Local Area Plans, allocation recommendations, planning permission and approval, development control, and many other planning and development decisions within their jurisdiction as planning authorities. Land administration also provides one of the biggest sources of locally generated revenue for most councils in the form of property rates, development charges and land fees, among others. In Mumbwa for instance, land related activities accounted for 42 percent of the total locally generated revenue for the 2022 council budget (Council, Estimates of Revenue and Expenditure, 2021).

# GENDER EQUALITY AND WOMEN LAND RIGHTS IN ZAMBIA FACT SHEET

Gender refers to the socially constructed roles and responsibilities that society has assigned to women and men. These roles shape how women and men relate to one another. These roles and responsibilities are dynamic, specific to culture of a particular society, and can change or evolve over time. Gender roles are deeply rooted in social values and norms. As a result, values, related rights, entitlements, and responsibilities tend to be gendered. This often results in women and men being valued differently and reinforces the idea that women are inferior and subordinate to men. The socialization process assigns roles, creates beliefs, and sets the norms and entitlements. It has also apportioned greater social, economic, and political power to men than women and restrictions of the same to women. The outcome is a patriarchal society, characterized by male-dominated power structures throughout society. Men traditionally hold positions of power and have more privileges: head of the family, leaders, bosses, and heads of institution.

The social differences manifest in the form of discrimination or *gender inequality* - the societal and power differences that dictate unequal access to resources, claims, responsibilities, and decision making, among other areas. Attaining gender equality requires creating equal and fair opportunities for men and women so fairly benefit from developmental outcomes. In land, gender equality is attained when the social conditions for men and women (or girls and boys) are such that:

- Women and men experience balanced power, opportunities, rewards, prospects for realizing their land rights, and the potential to contribute to and benefit from the resource (socially, culturally, economically, and politically).
- There is absence of discrimination that is based on gender in access to rights and opportunities.
- Women and men enjoy the same rights and opportunities in land, including access to and control over land, participation in decision making around land.
- Different behaviors, aspirations, needs, and roles of women and men with regards to land are equally valued and favored.

## TENURE SECURITY AND WOMEN'S LAND RIGHTS

Tenure insecurity disadvantages women in land access, control, and ownership. It also leaves them vulnerable to property grabs, displacements, disputes, and exclusion from economic development opportunities. Women's secure rights to land or property are linked to the enhanced status of women, higher productivity, greater family income, improved living conditions, better nutrition, improved health and education outcomes at the family level, better access to credit and income, and reduced risk of abuse including gender-based violence. Ownership of land or property promotes dignity and creates pathways for women empowerment and economic opportunities. In addition, secure land and property rights for women create incentives for investment in improving land and increasing its value. It provides an asset that can be leveraged for business activities and other enterprises. Access to secure land also improves the status of women in the household and in society more broadly, giving them greater decision-making power and security in case of life-changing events.

## HOW CAN COUNCILS PROMOTE INCLUSIVE LAND RIGHTS

Councils can promote inclusive and secure land and property rights for women and other marginalized groups by:

- Creating awareness of the rights of women, girls and other marginalized groups to own land and property.
- Creating awareness of the rights of women to inherit land under leasehold title following the death of their spouse.
- Facilitating land/property titling to individual women, youths and persons living with disabilities (PWD) to secure their legal rights to land/property owned or inherited.

- Encouraging joint titling of property to allow both marital partners to have their names on the certificate of title.
- Considering women and other vulnerable group's issues at every stage of the land administration process to ensure that both men and women, youths and people with disabilities are aware of their land rights and have equal opportunities to own land.

To realize all these calls for deliberate effort and equity considerations for women to participate in the land administration processes and increase access and ownership of land. Putting in place mechanism for ensuring gender and social inclusion can result in increased secure rights for women and other vulnerable groups.

## BEST PRACTICE IN LAND IDENTIFICATION

Land identification is the preliminary step in the land allocation process. It involves identifying available land (whether under state or customary tenure) and the key steps Local Authorities should undertake to ensure effective stakeholder engagement, reduce, or avoid possible conflicts, and ensure social issues are effectively addressed in the process. Steps in identification of land for planning can vary and depending on the place or whether the land falls under customary or leasehold tenure; is privately owned or public (Council land), and other prevailing conditions. The following are some of the issues that should be identified ahead of planning, although the Council may adapt the checklist to suit specific circumstances and conditions in the area under consideration.

**TABLE 3: KEY CONSIDERATIONS IN THE LAND IDENTIFICATION PROCESS**

ISSUE	KEY CONSIDERATIONS
<b>Source of Information</b>	<ul style="list-style-type: none"> <li>• Capture details on the informant(s) or contact person(s) in case of follow up. Ensure their confidentiality is upheld unless they are comfortable disclosing their identity.</li> <li>• Cross check the credibility of the informant to avoid possible conflicts due to misinformation.</li> <li>• If information is retrieved from an existing layout or database, conduct a rigorous land availability check to confirm the area of interest has not previously been planned.</li> </ul>
<b>Reconnaissance Survey</b>	<ul style="list-style-type: none"> <li>• With approval from the Principal Officer, conduct a site visit to confirm the location of the area and identify the prevailing activities on and around the area, taking into consideration social and gender dynamics.</li> <li>• Identify prevailing current land uses – whether the land is vacant or being used for agriculture. Establish whether there are any settlements or other activities in the area, as well as population size.</li> <li>• Consider if the land is suitable for the proposed development. Assess whether it is located in an environmentally sensitive or restricted area, and what socio-economic activities are commonly conducted by men and women.</li> <li>• If the area is settled, identify local contact people (male and female), e.g., Area Councilor or village headperson who can organize future discussions.</li> <li>• Describe the predominant activities in surrounding areas.</li> <li>• Consider access to the administrative center.</li> <li>• Capture the coordinates for spatial referencing.</li> </ul>
<b>Land Availability</b>	<ul style="list-style-type: none"> <li>• Upload coordinates and check for land availability from the database or existing site plans.</li> <li>• Examine geospatial data – use the latest satellite imagery or Google engines. Also overlay old topographic images, district, and chiefdom boundary maps (if available).</li> <li>• Engage the Ministry of Lands Survey Department for verification of lands availability (The Ministry of Lands has a National Spatial Data Infrastructure (NSDI) system which can also be used to crosscheck preliminary land availability though this may not be up to date – <a href="http://www.maps.gov.zm">www.maps.gov.zm</a>).               <ul style="list-style-type: none"> <li>○ Confirm whether the area sits within customary or state land, and whether it is under leasehold tenure.                   <ul style="list-style-type: none"> <li>▪ Is it privately owned or public?</li> <li>▪ Is it on title or not?</li> <li>▪ Is it on a 14- or 99-year lease?</li> </ul> </li> <li>○ Describe the zoning category – land use: agriculture, commercial, forest.</li> </ul> </li> </ul>
<b>Validation</b>	<ul style="list-style-type: none"> <li>• Depending on the outcome of the preliminary verification process, the Planning Officer should establish whether to:               <ul style="list-style-type: none"> <li>○ Proceed with the Planning Survey process – based on the findings in the preceding stage.</li> <li>○ Abort the planning process</li> </ul> </li> </ul>
<b>Feedback</b>	<ul style="list-style-type: none"> <li>• Report to management with recommendations on next steps.</li> <li>• Formally provide feedback to the stakeholders involved in the process on the findings from the verification process and the next steps to be undertaken. This creates transparency, trust, and confidence.</li> </ul>

Gathering relevant background information at the land identification stage should inform the planning team on the:

- Rightfulness of land – whether to proceed with the process or not and the implications of proceeding.
- Possible planning processes and assessments that will be involved and environment and social impacts – change of land use, conversion of tenure or planning agreement if the area falls under customary land, cancellation of title, etc.
- The type of data required to carry out the land suitability analysis.
- Type of stakeholders to engage in the process, depending on the land characteristics and the socio-economic issues – e.g., settlers that have developed structures on the land, farmers using the land for livelihoods, interest groups, traditional authorities, etc.
- Relevance of carrying out environmental and social impact assessments, as necessary/required.
- Methods of stakeholder/public consultation during the Planning Survey.
- Possible costs of the planning process for budgeting.
- Risks and assumptions.

This process, if well implemented, can drastically minimize the risk of conflicts, costs, and litigations on the part of the Council and enhance transparency and build relationships by engaging stakeholders from the very initial stage.

#### **ACTIONS FOR GENDER RESPONSIVE LAND IDENTIFICATION PROCESS**

**TABLE 4: GENDER RESPONSIVENESS IN THE LAND IDENTIFICATION PROCESS**

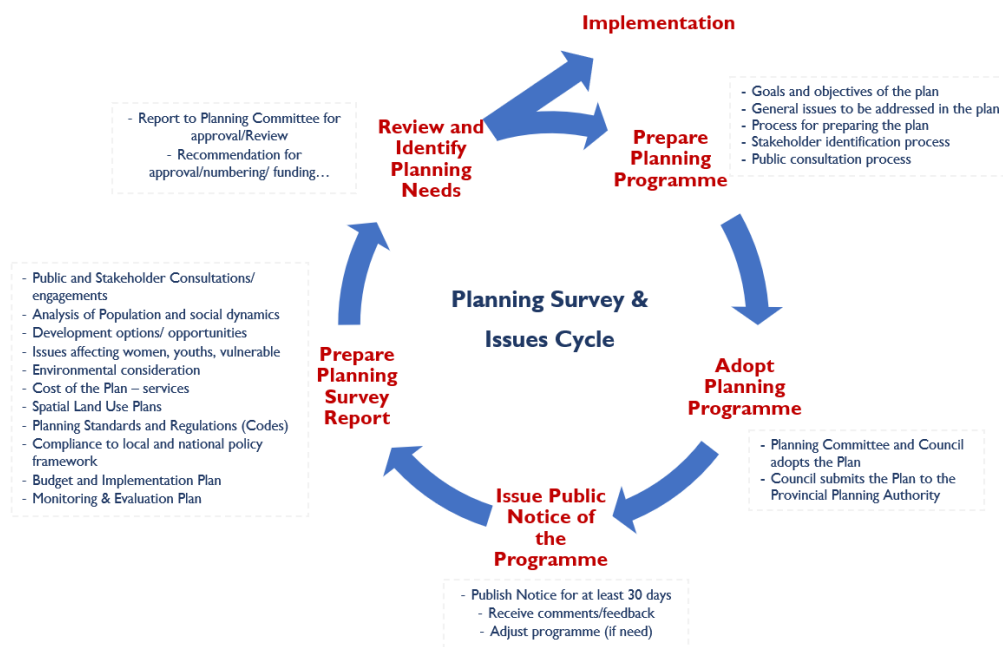
<b>LAND ADMINISTRATION PROCESS</b>	<b>BEST PRACTICE</b>	<b>KEY RESOURCES (INTERNAL/EXTERNAL)</b>	<b>RESPONSIBILITY</b>
Identification of land for development	<ul style="list-style-type: none"> <li>• Profile social economic issues by analyzing socio-economic activities by gender, taking into consideration prevailing social norms.</li> <li>• Ensure local contact people include men and women.</li> </ul>	<ul style="list-style-type: none"> <li>• Transport</li> <li>• Stationary</li> <li>• Mapping tools</li> <li>• Human resources, including a gender expert</li> <li>• Financial resources</li> </ul>	Technical Working Group – Spearheaded by Planning

## BEST PRACTICE IN PLANNING SURVEY PROCESS

The Planning Survey and Issues Report (PSIR) is one of the integral components of the land allocation process as it helps the Council systematically identify and compile all issues in and around a planned development area. This step is part of all land planning processes, such as Local Area Planning or Integrated Development Planning, as it provides standards and legal justifications for intervention to be undertaken, as well as follow up actions. A Planning Survey and Issues Report is required for both state and customary land, as it should capture social issues and ensure that identified social issues are effectively addressed by providing practical solutions through consultative and effective stakeholder engagements.

To coordinate district development and enhance service delivery capacity, Local Authorities should pay more attention to the Planning Survey stage of the land administration process. This means effectively involve stakeholders in the process. The Local Authority must develop a planning program for guiding stakeholder engagement. The Planning Survey process should cover the following key aspects:

**FIGURE 3: PLANNING SURVEY AND ISSUES CYCLE**



### Developing Planning Program

- **Set the process objective:** Setting an objective for the process will help ensure effective inclusion, transparency, and stakeholder involvement in the planning process. A planning program is merely a work plan which defines the objectives of the process, proposed activities, resources required, and priorities to be addressed throughout the process.
- **Broader institutional involvement:** Involving all key departments and personnel from the start (planning, public relations, administration, socio-economic planner, community development, gender expert, personnel, finance, engineering/works). Developing a planning program should involve inputs from other resource personnel within the Council and other stakeholders. Each of the departments within the Council have a role to play in addressing stakeholder issues, hence must be part of the process from the initial stage. It is advisable to form a Technical Working Group of Officers drawn from each of the departments who are responsible for providing technical inputs to the planning process.



- **Ensure availability of all the required tools:** This includes updating land database/layout plans and the latest district imagery.
- **Checklist:** Answer the questions on the seven *Ws and one H* checklist:
  - *Why* are we developing the plan? Identify the objectives and goals of the plan.
  - *What* will be done? Define key activities to address identified issues.
  - *What* will be needed? Identify the resources required to undertake each of the identified activities.
  - *When* will it be done? Attach dates and timeframes to each of the identified activities.
  - *Who* will do it? Identify roles and responsibilities for each of the stakeholders involved in the process.
  - *Who* is the target group? Define the audience, target, and interests.
  - *Where* will it be done? Define where each of the identified activities will be undertaken.
  - *How* will it be done? Define strategies/methods for executing identified activities, e.g., if stakeholder engagement is identified as one of the activities, the plan will define methods of engagement.

### **Adoption of the Planning Program**

- The planning program should be adopted by the Planning Committee and the Council in accordance with the provisions of the Local Government Act. This ensures that the Local Authority remains committed to the proposals and outlined activities.
- An approved planning program serves as one of the monitoring tools for tracking compliance levels of Local Authorities to social issues.
- During the adoption meeting, the committee should ensure that the process has complied with all statutory provisions under the Urban and Regional Planning (URP) Act, Administrative Circular No. 1 of 1985, the 2021 National Lands Policy, and the Gender Equity and Equality Act. The committee should scrutinize the plan to ensure that sufficient attention is given to crosscutting issues of socio-economic impacts, gender equity and equality, environmental sustainability, transparency, and community participation.
- Giving adequate attention to the obstacles faced by women, youths, and persons with disabilities at the initial planning stage is important to ensure a gender responsive and inclusive process.

### **Public Notice**

Public notice is a key step in the land allocation process and should intentionally promote public participation in land governance. In addition to being a statutory obligation, the public notice process can help ensure citizens are a part of the local solutions being spearheaded by the Council. If the goal is to reach the widest population possible, the communication methods selected should be those that have the widest usership, paying special attention to accessibility for women, youth, and other vulnerable groups.

### **Stakeholder Consultation**

The Planning Survey and Issues Report is a compilation of a range of issues and development aspirations of different stakeholders. For the report to be representative and capture issues that affect everyone, the process demands effective planning and well thought out public participation methods and strategies. The objective of effective public consultation is to successfully target key stakeholders to be part of the process and to build appreciation for the value and outcomes of the land development planning process.

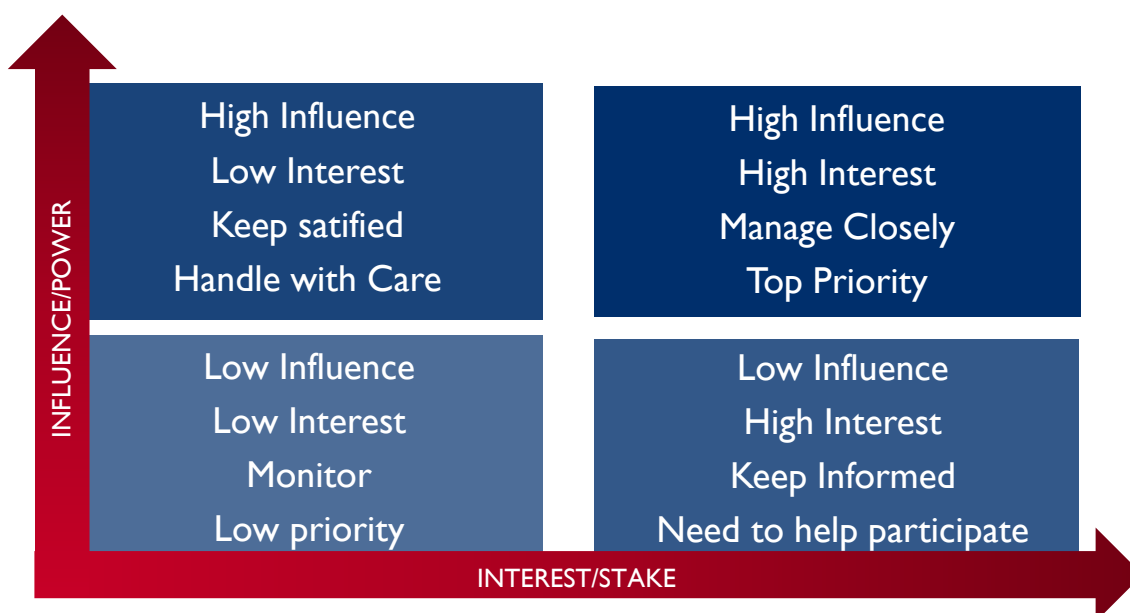
## Key considerations

- **Dates and times** should be selected to allow for women's participation, taking into account childcare and household duties and time and mobility constraints.
- **Venues** should be conducive and not intimidating for women as they may be reluctant to share their honest views – e.g., at the Chief's Palace. Venues located far from people's homes should be avoided, even if there are options for transportation refunds or allowances. People with disabilities and women may not be able to attend meetings far from their residence due mobility and time constraints, so meetings should be held as close to people as possible.
- Include a **social and gender expert** (e.g., Gender Focal Point Person) within the team in the planning process. The Planning team leader, as well as all other members of the committee, should be equally interested and have sufficient knowledge to ensure gender and social inclusion considerations are considered throughout the process.

## Stakeholder Mapping

Stakeholder mapping helps to identify individuals or groups with direct or indirect interests, and the level of influence they may have on the proposed development. Once the stakeholders are mapped, the Council should plan how they will reach out to all groups to ensure their participation and interests are captured. For instance, women doing farming activities in an area earmarked for development may have a lot of interest in the land but may not have the influence or power to address their interests. If stakeholders are identified early on, they have a better chance of being included in the consultation process and have an influence on the final plan.

**FIGURE 4: STAKEHOLDER ANALYSIS MATRIX**



Developing an engagement strategy is important as it helps to define stakeholder's views and to capture their submissions.

## Planning Survey and Issues Report

A good Planning Survey and Issues Report should clearly demonstrate/address the following:

- Availability of land and types of land use zones in the area.
- Planning standards and regulations which will guide plan implementation.
- Issues to be addressed for the different land use categories.

- Transparency and clarity for all stakeholders on their roles and responsibilities.
- How the area will be serviced, including costs and responsible parties.
- Implications of the different proposals and recommendations on the cost and accessibility of land, service provision, the environment, and future development of the area.
- Immediate, medium, and long-term costs and benefits which the proposal is likely to generate for the Local Authority and community stakeholders.
- Interests of residents, including impacts on their culture and way of life.
- Social and gender impacts, paying attention to issues of gender inequality and social exclusion and the required equity considerations to promote access to land and other services.
- Inherent risks and assumptions.
- All other critical issues that may have been omitted and could require further consultation.

### **Practical Experiences in the Planning Survey Process**

#### **Experiences from Mumbwa**

- Public Notice: Since 2019, all Council adverts for plots encouraged women to apply for land.
- Adverts were usually placed in conspicuous places for wider coverage.
- Some adverts were aired on radio stations – for those that couldn't read but able to hear.
- Council did map and kept a database of key stakeholders for consultation.
- Under privileged groups were mobilized and kept report of issues affecting them.
- Council works and invited representatives from PWD in decision making activities.

#### **Experiences from Chibombo**

- Public Notice: Conducted announcements using megaphones in addition to public notices.
- Carried out consultation through local groups such as Ward Development Committees.
- Paid attention to women accessing land.

#### **Additional Recommendations from Councils:**

- Provision of standardised mode of public consultations.
- Application of affirmative action on gender and social inclusion.
- Ensure full policy compliance (50 percent land allocation to women)
- Translate adverts into local languages for ownership and inclusion.
- Use drama and publicity campaigns (to cater for differently abled)

*(Recommendations were drawn from district perspectives during validation workshop, 2023)*

## **Layout Plan Preparation**

Layout Plan Preparation (LPP) is the process of developing maps and sketches using drafting and analysis tools (such as geographic information systems (GIS), AutoCAD, Global Mapper, or Model Maker). These maps should identify how the issues identified under the Planning Survey and Issues Report can be addressed spatially. This is also part of the consultation process, as it demands inputs and feedback from different stakeholders to ensure outputs (maps) are representative of the goals and aspirations of the district development strategy. Layout Plan Preparation helps to resolve possible land use conflicts by clearly depicting the different types of land use zones available and how they relate to other uses.

Layout plans should be developed through participatory approaches as provided in the URP Act. This promotes inclusiveness, transparency, and coordination in district development and most importantly, ensures enhanced local economic development. These approaches have proved to be effective if well managed from the onset.

Participatory approaches in Layout Plan Preparation include:

- Mapping and engaging all stakeholders at an early stage of the planning process.

- Providing adequate platforms for engagement ensuring gender, youth and other marginalized group representation, information sharing, and feedback loops for stakeholders to be informed and air their views and concerns.
- Working with stakeholders throughout the planning process to ensure recommendations or solutions are developed for identified issues.
- Being considerate of the needs of stakeholders, balancing issues of viability, reasonableness, and sustainability.

At best, Councils should develop a whole spectrum of plans that can be used by different stakeholders to help them understand and interpret their situation or circumstances and allow them to make informed decisions. These plans may include boundary maps, infrastructure maps, topographic maps, and layout plans, among others.

The process of LPP for customary land also follows a similar pattern of stakeholder engagement and consultations to ensure the interests of the local people are effectively addressed. These issues are even more paramount if the plan is being carried out under a Planning Agreement (*further information on LPP on customary land can be found in the Practice Note on the Process of Local Area Planning and Planning Agreements in Customary Land*).

Women, youths, and other marginalized groups have limited access to information and channels through which to air their grievances; thus, social inclusion and gender responsiveness are a crucial part of the stakeholder mapping process. Practical steps include developing workflows for officers and service providers and providing stakeholders with clear steps to follow when demanding a service on land related issues.

### **ACTION FOR GENDER RESPONSIBLE PLANNING SURVEY AND ISSUES REPORT**

An inclusive Planning Survey and Issues Report includes all issues to be addressed by the proposed development and this includes the socio-economic issues.

**TABLE 5: SOCIAL AND GENDER RESPONSIVENESS IN PLANNING SURVEY AND ISSUES REPORT**

LAND ADMINISTRATION PROCESS	BEST PRACTICE	KEY RESOURCES (INTERNAL/EXTERNAL)	RESPONSIBILITY
Planning Survey and Issues Report	<ul style="list-style-type: none"> <li>• Ensure effective inclusion, public notices should reach men, women, youths, and people with disabilities (PWD).</li> <li>• Stakeholder analysis targeting everyone, particularly women, youths, and PWD.</li> <li>• Employ gender and social inclusive and non-discriminatory communication strategies.</li> <li>• Profile needs and concerns of stakeholders, especially women, youths, PWD.</li> <li>• Develop plans and maps involving key stakeholders.</li> <li>• Scrutinize the plan to ensure sufficient attention is given to socio-economic impacts, gender equity and equality, social inclusion, environmental sustainability, transparency, and community participation.</li> </ul>	<ul style="list-style-type: none"> <li>• Transport</li> <li>• Stationary</li> <li>• Mapping tools</li> <li>• Human resources, including the gender expert</li> <li>• Financial Resources</li> </ul>	Technical Working Group – Spearheaded by Planning
Planning and Layout	<ul style="list-style-type: none"> <li>• Develop layout plans using participatory approaches</li> <li>• Develop plans and maps that can be interpreted by all stakeholders</li> <li>• Consult stakeholders, ensuring women, youth, and people living with disabilities (PWD) are part of the consultation process</li> </ul>	<ul style="list-style-type: none"> <li>• Stationary</li> <li>• Mapping tools (e.g., GIS)</li> <li>• Financial resources</li> </ul>	Technical Working Group – Spearheaded by Engineering and Survey

## BEST PRACTICE IN BUDGETING AND IMPLEMENTATION PLANNING

Budgeting and Implementation Plan is the last component of the Planning and Survey Issues Report. It provides an outline of activities to be undertaken and estimates costs for implementing the plan. The budget shows the cost to have the plots surveyed, open up roads and drainage to affected parcels, water and sanitation service provision, and electricity connection. Cost estimates are provided by service providers, hence need to fully engage them in the planning process and to share gender and social inclusion information with them.

Budgeting and Implementation Plan process should be clear and systematic for ease of interpretation by both funding partners and stakeholders. Other service providers should equally be able to identify the roles and responsibilities in the plan and what stage their inputs would be needed. An adequate planning and implementation plan helps councils lobby for subsidized funding modalities, which is expected to reduce the cost of accessing serviced plots for citizens and enhance council revenue, since most of the resources realized from plot allocation can be retained and channeled to other service provision demands.

### ACTION FOR SOCIAL INCLUSION AND GENDER RESPONSIVE BUDGETING AND IMPLEMENTATION PLAN

**TABLE 6: GENDER RESPONSIVENESS IN BUDGETING AND IMPLEMENTATION PLAN**

LAND ADMINISTRATION PROCESS	BEST PRACTICE	KEY RESOURCES (INTERNAL/EXTERNAL)	RESPONSIBILITY
Budgeting and Implementation Plan	<ul style="list-style-type: none"> <li>Develop clear implementation plans that are gender responsive and socially inclusive. These can be used to mobilize resources, but also address issues that affect stakeholders, including women, youths, and other marginalized groups.</li> <li>Develop a gender responsive budget for the plan.</li> </ul>	<ul style="list-style-type: none"> <li>Stationary Resource</li> <li>Human Resource</li> <li>Financial Resource</li> </ul>	Technical Working Group – Spearheaded by Planning and Engineering

The report on land identification, stakeholder engagement, LPP, and Budgeting and Implementation Plan constitute a complete set of sections that form the Planning Survey and Issues Report. This report can be inspected by stakeholders for comments and feedback before it is submitted to the Planning Committee of a Council for approval. Strategies for providing feedback to stakeholders should be outlined based on the stakeholder analysis to ensure they are informed, and the Council is addressing issues that either affect them or are interested in.

Land allocation involves activities undertaken by the Council after approval of the Planning Survey and Issues Report and numbering of serviced plots. Under this process, there is a lot of direct interaction between the Council and stakeholders. The land allocation process involves advertising, interviews, allocation, processing of land documents for title deeds (if land falls under state land) or conversion of tenure from customary to leasehold and planning permission. The process of land allocation highlights the efforts by Councils to address gender and social issues in practice, as well as all other issues contained in the Planning Survey and Issues Report.

Challenges in the land allocation process can be minimized by enhancing transparency. This means ensuring that the public is adequately informed about the process, and everyone has fair opportunity to apply and be allocated land. It is important to ensure that the public is informed about the policy requirement for 50 percent of available plots to be allocated to women, along with considerations for youths and PWD, and that these pronouncements are backed up by further practical action in the follow-on processes.

Equally important is messaging in local languages and use of community radios, fliers, and posters, especially in places frequented by women or youths such as churches, markets, and health facilities. These methods of advertising are cheaper than conventional methods and more effective in reaching marginalized sections of society. The most efficient outreach strategies may vary from one district to another, hence the need to ensure stakeholder analysis is thoroughly conducted at the initial stage of the planning process.

At the application, interview, and allocation stages, Councils have an opportunity to take several practical steps to increase transparency, minimize collusion, and promote inclusion:

### Transparency

- Ensure that interviews and subsequent scoring are conducted in a transparent and objective manner to reduce the risk of corruption and favoritism. Objectivity in this case should mean that
  - i. panels ask applicants the same list of structured questions
  - ii. scoring is based on standard key variables, including social status, residency, individual attributes, and economic status
  - iii. Scores should be weighted so that scores for social status are higher for vulnerable populations and lower for those who already own several properties (e.g., using the STAR technique) (Vawizard, 2022).
- The selection is then based on obtaining a certain percentage from each category. Percentages can be set by the Council, based on cost and fee structure. This approach will help Councils strike a balance between raising revenue and promoting good governance and social justice, ensuring that all categories of people have a fair chance to access land.
- Sensitize developers and the public about the requirements and processes for accessing land. This should include information on the benefits of following specific processes, such as obtaining planning permission before constructing or settling on the land. For example, women, children, and vulnerable populations make up the majority of those who are evicted from illegal settlements. They often lack information about the dangers of settling illegally.
- Sensitize the Ad hoc Evaluation Committee to help them understand their roles and responsibilities prior, during, and after the evaluation process to ensure they adhere to principles of integrity and transparency.

- Develop service charters on various Council processes and procedures and ensure this information is effectively publicized to the public. Corruption becomes rife when the public has limited information and is not aware of their rights or the mandate of the Council.

## **Inclusion**

- Aim to implement the National Land Policy requirement of 50 percent land allocation to women and 20 percent to youths with consideration for PWD. This can be done by setting quotas, simplifying forms, and setting a flexible payment criterion for applicants. Practices such as “*first come, first serve*” in land allocation should not be abused to disadvantage the vulnerable groups but can be varied or consider other flexible payment arrangements that would allow those with limited resources to mobilize funds to pay the required fees over a given period. However, such arrangements should be employed on a case-by-case basis to ensure Councils are not constrained in their revenue mobilization strategies and fail to provide services to the public.
- Councils should also consider identifying and zoning areas specifically for low-income earners with specific consideration to ensure the vulnerable are effectively catered for. For instance, Ndola District collaborated Habitat for Humanity to specifically zone and area to be developed for the vulnerable to access plots and develop houses using local but standard materials.
- Councils can work out economically viable amortization packages for women, youths, and PWD. Most applicants in the marginalized groups fail to access land because payments are usually demanded in lumpsums when most of those excluded earn their income in periodic, small amounts – daily, weekly, or monthly.
- Adverts for new parcels should clearly have statements encouraging women, youth, and PWD to apply. This practice is used in some Councils across the country but not all.
- The standard application form should indicate sex, age, and disability status.
- In the selection process, fair criteria should be set to achieve 50 percent allocation for women, as well as equitable consideration for the youths and PWD.
- A database should be created to track all land applicants, including information on sex, age, and disability needs.
- Gender and social inclusion indicators should be included in work plans and annual targets and should be part of the land audit process to ensure adherence to social and gender-responsive land allocation processes.
- Capacity building should be provided to the planning committee on gender-responsive and inclusive land administration, with particular focus on the land allocation process.
- Compliance with policy provisions and gender inclusion tenets should be considered in applications for government support, such as Land Development Funds. This will encourage Councils to become proactive and gender responsive.

## **ACTION FOR GENDER RESPONSIVE AND INCLUSIVE LAND ALLOCATION**

A transparent, gender and inclusive land allocation process offers flexible and affordable methods to secure land rights.



**TABLE 7: GENDER RESPONSIVE AND INCLUSIVENESS IN LAND ALLOCATION**

LAND ADMINISTRATION PROCESS	BEST PRACTICE	KEY RESOURCES (INTERNAL/EXTERNAL)	RESPONSIBILITY
Advertising	<ul style="list-style-type: none"> <li>• Display Maps/Layout plans for proposed areas being advertised.</li> <li>• Include translated adverts in local language.</li> <li>• Develop fliers and posters for targeted advertising.</li> <li>• Decentralize the advertising process by use of localized communication channels such as local churches, clinics, schools.</li> <li>• Use oral and visual communication tools (drama).</li> <li>• Work with local leaders as champions to create awareness and share knowledge e.g., Councilors.</li> <li>• Adverts should have all relevant information (elaborate) such as number of plots available and how many reserved for women; costs involved including survey fees.</li> <li>• Adverts should run for at least 14 days to give everyone chance to apply – unless number of applications surpass the available plots.</li> <li>• Include 50 percent land allocation for women and encourage women and other marginalized groups to apply.</li> </ul>	<ul style="list-style-type: none"> <li>• A3/A1 Physical Maps (Land Use Plan and Approved Numbered Layout)</li> <li>• Planning Survey and Issues Report</li> <li>• Transport</li> <li>• Finances for adverts</li> </ul>	<ul style="list-style-type: none"> <li>• Technical Working Group - spearheaded by Public Relations</li> <li>• Local Stakeholders – for awareness creation</li> </ul>
Land Application Process	<ul style="list-style-type: none"> <li>• Create a disaggregated database with age, sex, PWD as key columns for capturing applicants. Include such information, where it could be missing at application stage.</li> <li>• Separate application forms dedicated to 50 percent women applicants, 20 percent youths and other marginalized groups.</li> <li>• Identify a dedicated office for receiving applications and capturing information in the database (support desk).</li> <li>• Provide support to women or any other that would need support.</li> <li>• Allow for staggered payment methods and use different payment platforms like mobile money.</li> <li>• Consider alternative supporting documents to bank statements, such as letters of recommendations from local leaders like school headteachers, chiefs/headpersons, clergy, and village banking groups, or mobile money or other assets.</li> </ul>	<ul style="list-style-type: none"> <li>• A3/A1 Physical Maps (Land Use Plan and Approved Numbered Layout)</li> <li>• Planning Survey and Issues Report</li> <li>• Stationary</li> <li>• Database</li> <li>• Finances</li> </ul>	<ul style="list-style-type: none"> <li>• Technical Working Group – Spearheaded by Legal/Planning</li> <li>• Finance and Administration, Social/Gender Expert</li> </ul>

LAND ADMINISTRATION PROCESS	BEST PRACTICE	KEY RESOURCES (INTERNAL/EXTERNAL)	RESPONSIBILITY
Interviews/ Allocation	<ul style="list-style-type: none"> <li>• Include at least 40 percent or more of female/youth/PWD representatives on the evaluation committee (interview committee).</li> <li>• Set fair structured and objective criteria for applicant assessment,</li> <li>• Consider other evaluation criteria other than the bank statement.</li> <li>• Conduct interviews in the applicant’s preferred language.</li> <li>• Always have an interpreter at hand in case of applicants who are speech impaired – use local expertise from other line ministries such as Social Welfare.</li> </ul>	<ul style="list-style-type: none"> <li>• Planning Survey and Issues Report</li> <li>• A3/A1 Physical Maps (Land Use Plan and Approved Numbered Layout)</li> <li>• Stationary</li> <li>• Financial resources</li> <li>• Human</li> </ul>	<ul style="list-style-type: none"> <li>• Evaluation Committee – Spearheaded by Planning/Legal</li> <li>• Other internal staff including Social/Gender Expert</li> </ul>
Offer of Lease and title Processing	<ul style="list-style-type: none"> <li>• Assign a dedicated contact person(s) for approved clients to provide support (support desk).</li> <li>• Offer flexible payment plans for different categories of applicants – vulnerable women and youth can have longer payment plans.</li> <li>• Allow for other payment options – mobile money.</li> <li>• Provide support for bulk lodging and follow up on the recommendations with the Commissioner of Lands.</li> <li>• Consider bulk survey of plots/stands and recover costs in the long run to cushion burden on clients paying fees all at once.</li> <li>• Update land database periodically.</li> </ul>	<ul style="list-style-type: none"> <li>• Database</li> <li>• Payment platforms</li> <li>• Maps and Layout Plans</li> <li>• Financial</li> <li>• Human</li> </ul>	<ul style="list-style-type: none"> <li>• Technical Working Group – Headed by Planning/Legal</li> <li>• Finance</li> <li>• Administration</li> </ul>
Planning Permission and Development Control	<ul style="list-style-type: none"> <li>• Develop service charters for public awareness of services.</li> <li>• Develop fliers, posters, and social media posts guiding the public on different procedures in land administration – target women with tailored messaging.</li> <li>• Assign a dedicated office for support (support desk).</li> <li>• Constantly update the database to reflect status developments and payments.</li> <li>• Hold random accessible public engagement meetings to discuss land administration.</li> <li>• Work with chiefs to demystify myths and misconceptions about ownership of customary land especially for women.</li> <li>• Create and update land allocations under customary areas</li> <li>• Sensitize the public on how to access customary land.</li> </ul>	<ul style="list-style-type: none"> <li>• Database</li> <li>• Maps and Layout Plans</li> <li>• Transport</li> <li>• Financial</li> <li>• Human</li> </ul>	<ul style="list-style-type: none"> <li>• Technical Working Group – Spearheaded by Planning</li> <li>• Legal</li> <li>• Engineering/Works</li> </ul>

LAND ADMINISTRATION PROCESS	BEST PRACTICE	KEY RESOURCES (INTERNAL/EXTERNAL)	RESPONSIBILITY
Monitoring and Evaluation	<ul style="list-style-type: none"> <li>• Review targets, milestones, and strategies periodically – utmost for 2 years.</li> <li>• Take remedial action.</li> <li>• Prepare routine reports for sharing with stakeholders – District Development Committee, Council, etc.</li> </ul>	<ul style="list-style-type: none"> <li>• Monitoring and Evaluation Plan</li> <li>• Transport</li> <li>• Financial</li> <li>• Human</li> </ul>	<ul style="list-style-type: none"> <li>• Technical Working Group – Planning</li> </ul>

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**STATE LAND APPLICATION FORM**



Attach 2  
Passport Size  
Photos

**ANNEXURE 'A'**  
**Government of the Republic of Zambia**  
**LANDS DEPARTMENT**

Application for Residential/Commercial/Industrial/Special User Stand in the..... Council Area (To be completed in duplicate and both copies submitted to the Council Secretary,.....District Council)

1. First choice: Stand No.....Town.....
2. Other choices: Stand No.....
3. If more than one stand is required because of the scale of the proposed development give details here  
.....
4. If the area applied for is not numbered, provided four copies of the approved layout plan.

**A. APPLICATIONS BY INDIVIDUALS**

1. Name (in block letters).....Sex:.....  
Joint Owner(s).....Sex...../.....
2. Phone/Cell No.....
3. Email Address:.....
4. Postal Address:.....
5. Age.....
6. Nationality.....
7. National Registration Card Number.....
8. Date and Place of Issue.....
9. Residence in Zambia (non-Zambians) from.....
10. Passport No.(Non-Zambians).....
11. Date and Place of Issue.....
12. The name of the mortgagees.....
13. If you do not intend to borrow, state your sources of income with which to finance development (Provide evidence).....
14. Occupation.....
15. Full description of type of development proposed on the stand applied for.....  
.....
16. Will the proposed building be owner occupied.....
17. Estimated cost of proposed developed: .....
18. Particulars of Land owned by or leased to applicant or husband/wife of applicant.

Insert:  
i. Disability Status

Property	Stand No.	User Clause	District	Term of Lease



**ANNEXURE 'A'**  
**Government of the Republic of Zambia**  
**LANDS DEPARTMENT**

**B. APPLICATIONS BY COMPANIES AND ORGANISATIONS**

1. Name.....
2. Address.....
3. Is the company incorporated or organization registered under Zambian Laws?  
.....
4. Is the company or organization legally competent to hold land in Zambia? .....
5. Issued and paid up capital: K.....
6. Name, usual country of residence and shareholders, trustees etc.  
  
(i) .....  
(ii) .....  
(iii) .....  
(iv) .....  
(v) .....
7. Full description of type of development proposed on stands applied for.....  
.....  
.....
8. Particulars of land owned by or leased to company or organization.  

Property	Stand No.	User Clause	District	Term of Lease
9. Estimated cost of proposed development: K.....
10. Do you intend to sell or let the completed development? .....
11. If yes, have you a purchase/tenant in mind? .....

**D. STATUTORY DECLARATION**

I ..... do solemnly and sincerely declare that the particulars given in this application form are true and correct and that I have not withheld any information which might affect my application AND I make solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Statutory Declaration Act, 1835.

Signature of applicant .....

**E. FOR USE BY THE COUNCIL**

1. The application under A/B is recommended for the following reasons:

.....  
.....  
.....

2. The application under A/B is not recommended for the following reasons:

.....  
.....  
.....

**CERTIFICATE**

I hereby certify that this application was approved by the full Council under Minute ..... on the .....



.....  
**TOWN CLERK/COUNCIL SECRETARY**

**CUSTOMARY LAND APPLICATION FORM**

**FORM I**

(Regulation 1)

**APPLICATION FORM FOR CONVERSION OF CUSTOMARY TENURE INTO  
LEASEHOLD TENURE**

*Particulars of Applicant*

Name: .....

Insert:

ii. Sex of Applicant

iii. Age

iv. Disability Status

1. Postal and physical address: .....

2. Location of Land: .....

3. Size of the Land and plan No.: .....

Insert:

v. Contact Number

**4. Declaration of Rights:**

(a) For my family have had the right to use and occupation of the land shown on the plan for a period of ..... Years.

(b) I am entitled to or my family is entitled to (delete as appropriate), the benefits to the land and I am not aware of any other person's right to use or, occupation of the land or part of the land except: .....

And granting leasehold to me will not affect these rights.

**Signed:** ..... **Date:** .....

**Note:**

- (i) If in occupation for less than five years, describe how the use and occupation of the land begun, by stating the name of the Chief or Headman who gave you permission to occupy and use the land.
- (ii) Prove that the use and occupation of the land is exclusive, by describing the use that the land has been put to;
- (iii) Please attach six layout plans of the land in issue to this Form.

The Layout Plan MUST have coordinates in compatible format for ease of integrating the Plan into the Council District (Customary) Land Database



**FORM II**

(Regulation 2)

**APPROVAL OF THE CHIEF OF AN APPLICATION FOR CONVERSION OF  
CUSTOMARY TENURE INTO LEASEHOLD TENURE**

I, ..... (Chief) of.....  
(village) confirm and certify that-

1. I have caused the right to use and occupation of .....  
(property number) by..... (the applicant to  
be investigated and the investigation has revealed that the applicant or his/her family has  
for the last ..... Years been in occupation of the land  
described in the plan to which plan I have appended my signature.
2. I am not aware of any other right(s), personal or communal, to the use and occupation of  
the land or any other part of the land, except that these rights have always been enjoyed  
by the community and shall not affect the right of applicant to the use and occupation of  
the land.
3. I have caused the consultation to be made with members of the community
4. As a result of the consultation and the information made available to me I hereby  
give/refuse my approval for the said land to be converted into leasehold tenure.

**Signed:** ..... **Date:** .....

**FORM III**

(Regulation 3)

**APPROVAL OF THE LOCAL AUTHORITY FOR THE CONVERSION OF  
CUSTOMARY TENURE INTO LEASEHOLD TENURE**

1. I, ....., in my capacity as Council Secretary of ..... District Council confirm and state that (property Number) ..... the land to be converted from customary tenure into leasehold by the applicant ..... (Name of applicant) falls within the boundaries of .....District Council.

**AND THAT** the said .....(property numbers) falls within the Jurisdiction of Chief ..... The approval/refusal of the Chief for the land to be converted from customary tenure to leasehold is herewith attached.

2. The applicant ..... (Name) has occupied and has had the rights to the use and occupation of the land for a continuous period of ..... Years.

3. I am not aware of any other rights personal or communal to the use and occupation of the land or any part of the land.

4. As a result of the information available to me, I hereby give/refuse my approval for the said land to be converted into leasehold tenure.

**Signed:** ..... **Date:** .....

## SAMPLE OF A STANDARD PLOT ADVERT

### COUNCIL LOGO

### PUBLIC NOTICE

### INVITATION FOR APPLICATION FOR PLOTS

.....ABCD..... City/Municipal/Town Council wishes to invite suitably eligible applicants to apply for the following categories of plots in .....XYZ..... area which is .....km from ..... CBD.

S/N	DESCRIPTION	NUMBER AVAILABLE	APPROX SIZE	APPLICATION FEE	PREMIUM FEES	SURVEY FEES
1	Residential Low Cost					
2	Residential Medium Cost					
3	Residential High Cost					
4	Mixed Use Plots					
5	Commercial Large Scale					
6	Commercial (Shops)					
7	Agricultural (Small Holdings)					
8	Light Industrial					
9	Heavy Industrial					

### REQUIREMENTS

1. Copy of NRC of Applicant or Company Registration Certificate in case of a Company
2. Non – Refundable Application Fee

### APPLICATION METHOD

1. Deposit the Non – Refundable Application in the Bank Account or any of the Mobile Money Platform provided. Indicate Applicants' Name and ID Number on the Reference  
Bank Name: .....  
Branch: .....  
Account Number: .....
2. Present the Proof of Deposit to the Civic Centre Accounts Office to be issued with an Official Receipt
3. Obtain Application Form with Official Unique Serial Number/ID or download from [www.sampleadvert.com](http://www.sampleadvert.com)
4. Submit the application Form within 14 days before the Closing Date of the Application – No Forms shall be accepted after close of the application period even if the application Fee has been paid
5. Note that **50 percent** of all the Plots have exclusively been reserved for Women and 20 percent for youths and People with Disabilities. Women and Youths are therefore encouraged to apply

### OTHER INFORMATION

1. The Plan for the Plots being advertised can be viewed from the Office of the ..... at the Civic Centre between XX:XX and XX:XX
2. For further information or Clarification, you can contact the ..... on ..... or visit our website [www.sampleadvert.com](http://www.sampleadvert.com) or our Facebook Page sampleadvert
3. Application Forms can also be obtained from other designated points away

Name of the Principal Officer

**TOWN CLERK/COUNCIL SECRETARY**

**ABCD CITY/MUNICIPAL/TOWN COUNCIL**

### **SAMPLE OF A DATABASE FOR APPLICANTS**

SNO.	APPLICATION FORM NO.	NAME OF APPLICANT	ID NUMBER (NRC/PASSPORT)	SEX	AGE	DISABILITY STATUS (Y/N)	LAND APPLIED FOR	

## RECOMMENDED LAND EVALUATION COMMITTEE - INTERVIEWING PANEL \*

Name	Representation/ Interest	Role	Inclusion Potential
Planning Committee	Councilors/Political	Policy/Decision Making	Fixed based on elected Councilors
Director of Planning/ District Planning Officer	Planning	Technical/Advisory	Fixed based on substantive officer
Director of Engineering/ Director of Works	Engineering	Technical/Advisory	Fixed based on substantive officer
District Administrative Officer	District Administration	Advisory	Fixed based on substantive officer
District Agriculture Coordinating Officer	Agriculture	Technical/Advisory	Fixed based on substantive officer
Anti – Corruption Commission	Integrity	Observatory/ Compliance	Flexible – discretion of the appointing authority
Police	Integrity	Observatory/ Compliance	Flexible – discretion of the appointing authority
Drug Enforcement Committee	Integrity	Observatory/ Compliance	Flexible – discretion of the appointing authority
2 Members of Civil Society Organizations	Inclusion	Advocacy/Advisory	Highly Flexible
Community Development/ Social Welfare	Inclusion	Interpreter	Highly Flexible
Gender and Inclusion Expert	Inclusion	Advocacy/Advisory/ Compliance	Highly Flexible

\*Abstracted from the Land Administrative Circular No. 1 of 1985 - MLGH/12/8/11 dated 12<sup>th</sup> October, 2015

## LAND INTERVIEW EVALUATION CRITERIA

EXAMPLE CITY/MUNICIPAL/TOWN COUNCIL

PLOT INTERVIEW SCORESHEET 20.02.2023

INTERVIEWER NO.....

PANEL A.....

SNo.	APPLI CATION FORM NO**	NRC NO	SEX	PLOT NO	AREA	ZONING	TIME OF INTERVIEW	(a) APPLICA TION (2)	(b) FEM (2)	(c) DISAB ILITY (2)	(d) FHH/ CHH (1)	(e) CAPAC ITY (3)	(f) PLOT <10YRS (-10)	TOTAL SCORE (10)
1	067	793011/11/1	F	40	Golf View	Residential	09:30 - 10:00							
2	114	500916/11/1	F	40	Golf View	Residential	09:30 - 10:00							
3	020	297977/11/1	M	72	Golf View	Commercial	09:30 - 10:00							
4	083	112703/10/1	F	74	Golf View	Commercial	09:30 - 10:00							
5	032	173976/73/1	M	76	Golf View	Complex	09:30 - 10:00							
6	063	220048/11/1	M	76	Golf View	Complex	09:30 - 10:00							
7	082	258605/74/1	M	76	Golf View	Complex	09:30 - 10:00							
8	005	104202/77/1	M	77	Golf View	Residential	10:01 - 10:30							
9	030	228555/75/1	M	77	Golf View	Residential	10:01 - 10:30							
10	056	223413/76/1	F	77	Golf View	Residential	10:01 - 10:30							

### KEY:

- (a) If Applicant meets all the required application documents, then scores 2 Points and proceeds to next stage – if not then is disqualified
- (b) If Applicant is female, then scores 2 points\* (Objectivity must also be exercised – a woman with capacity should not disadvantage a man with less capacity)
- (c) If Applicant identifies themselves with a disability, scores 2 points
- (d) If Applicant is a youth or Female Headed Household/Child Headed Household, scores 1 point
- (e) If Applicant demonstrates their capacity to develop, scores 3 Points
- (f) If Applicant has obtained a Plot in the past 5 years and has not developed it or sold it, scores -10 points

\*Being Female, Youth and with a Disability automatically earns an applicant 50 percent of the total scores

\*\* Applicants are identified by their Application Form Serial Number and NRC Number and NOT by name – for transparency

## CUSTOMARY LAND DATABASE

SNO.	CHIEFDOM NAME	NAME OF VILLAGE	NAME OF APPLICANT	ID NUMBER (NRC/PASSPORT)	SEX	AGE	DISABILITY STATUS (Y/N)	LAND SIZE (HA)	APPROVAL DATE
1	Mulendema	Chinika	Oscar Banda	125424/19/1	M	29	Y	8	11/04/2021
2	Mnukwa	Fuukwe	Wamunyima Sililo	161947/21/1	M	38	N	3	21/09/2019
4	Mulendema	Kalukula	Phyliss Mwaba	2256487/18/1	F	32	N	4	30/11/2020
5	Kabamba	Shambala	Muleba Kangwa	567845/22/1	M	40	N	15	17/10/2021