

**Abstract:**

An Act to provide for the administration of land and land tenure in Tanzania. The 187 sections of this Act are divided into 14 Parts: Preliminary provisions (I); Fundamental principles of land policy (II); Classification and tenure of land (III); Administration (IV); Rights and incidents of land occupation (V); Granted rights of occupancy VI); Conversion of interests in land (VII); Disposition affecting land (VIII); Leases (IX); Mortgages (X); Easements and analogous rights (XII); Co-occupancy and partition(XIII); Dispute settlement(XIV).

Section 23 sets out the fundamental principles of National Land Policy. All land in Tanzania is public land vested in the President as trustee on behalf of all citizens. Section 6 defines "reserved land", being land covered by forestry and wildlife legislation, water areas, and other specified land. Section 7 provides for the declaration of hazardous land, which includes wetlands, mangroves, etc. There shall be a Commissioner of Lands who shall be appointed by the President (sec. 9).

The Commissioner shall be the principal administrative and professional officer of, and adviser to the Government on all matters connected with the administration of land and shall be responsible to the Minister for the administration of this Act and the matters contained in it. The Minister shall establish a committee of officers for rights of occupancy under section 12. There is hereby established a National Land Advisory Council under section 17. The Council shall advise the Minister on the National Land Policy. Sections 19 and following provide for the occupancy of land and related matters.

The Land Act has been criticized, most vehemently by the past Chairman of the Land Commission, for failing to turn over the land to the people, instead as now, of vesting it in the President. It has been contended that the technique of vesting land in the President albeit in trust for the people, was a left over from colonial times, used merely as a device by the Government to disenfranchise customary land owners, left without security of tenure, in favour of privileged groups, previously foreign settler farmers and now mostly political supporters.