

Ministry of Lands, Agriculture, Fisheries, Water and Rural Development (LAFWRD)



Government of Zimbabwe

Lands Management and Administration

Resettlement User Manual

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Dedication

To all Land Administrators for the team spirit and hard work despite challenges and obstacles encountered in the production of this manual.

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DRAFT

Abbreviations

GoZ	Government of Zimbabwe
RDC	Rural District Council
ZERA	Zimbabwe Energy Regulatory Authority
ZIDA	Zimbabwe Investment & Development Authority
ZLC	Zimbabwe Land Commission
FTLRP	Fast Track Land Reform Program
ZRP	Zimbabwe Republic Police
AFZ	Air-force of Zimbabwe
ZNA	Zimbabwe National Army
ZPS	Zimbabwe Prison Services
OPC	Office of the President and Cabinet
JOC	Joint Operation Command
EMA	Environmental Management Authority
DDF	District Development Fund
AARDS	Agricultural Advisory and Rural Development Services
ZETDC	Zimbabwe Electricity Transmission Company

1.0 Introduction

Zimbabwe has different farming models in use which differs in land size and tenure system. These are categorised as Model A2, Model A1, 3 Tie Model, Small Scale Commercial Farming Areas (SSCFA) nicknamed Matenganyika, and the Old Resettlement Scheme (Mindamirefu). Agricultural land is managed and administered by the Resettlement Section within the Lands Management and Administration Department under the Ministry of Lands, Agriculture, Fisheries, Water, and Rural Development using the Permit System.

This User Manual has been prepared to address the following gaps among other things:-

- The need to standardize and close the knowledge gap identified in data gathering, collection, presentation and execution of duties by members of staff.
- Most importantly is the need to develop an easy-to-follow User Manual for use in Resettlement Section as a guide in operating procedures.
- The need to harmonize process flows, reporting of issues and report writing at all levels that is – District, Province and Head Office.
- In addition, the User Manual will go a long way as a tool in guiding and inducting new members of staff on policy framework guidelines.
- Exchange of ideas and share experiences in issues of Land Management and Administration.
- Have a general understanding of the shared responsibility played by each stakeholders involved in Administration of Land.

Prof. O. Jiri

**Permanent Secretary for Lands, Agriculture, Fisheries, Water and Rural Development
(MLAFWRD)**

2.0 Background

Our Land resource was once in the hands of the minority (Whites) and was claimed back out of a protracted war, wedged against the Whites by our gallant sons and daughters of Zimbabwe. At independence, we inherited a skewed land ownership in favour of the White Community and the Government of Zimbabwe (GoZ) had to implement Land Reform to redress the land ownership anomaly. The Fast Track Land Reform Program (FTLRP) saw the acquisition of over 12 million hectares of land from the White farmers resettling over 170 000 households legally.

2.1 History of Resettlement Models

Before independence (1980) there were three broad resettlement models namely the Tribal trust lands (TTLs), Purchase Areas and Large Scale Commercial Farms. After independence a number of models were instituted which are Communal, Model A (consists of nucleated village, arable lands, common grazing, land allocated a grazing Permit), B (cooperatives), C (Out-grower system with ARDA as the main Estate), D (commercial ranches for grazing by people from communal areas, common grazing land, allocation of grazing Permit, varied types Model D e.g 3-tier), A1 Villagised, A1 Self Contained Units, Model A2 (Small, Medium & Large) and Peri-urban.

3.0 The Current Status of Land Management and Administration in Zimbabwe

Land Management and administration in Zimbabwe is faced with a lot of challenges and disputes ranging from boundary dispute, double allocation issues, shared infrastructure, servitudes issues (access to irrigation water, water pipes, passage, electricity poles), political issues, underutilization, overnight investors, and illegal occupation of state land.

However, Private Partnership or a registered Joint Venture (JV) Agreement is the best option for increased production and sustainable use of the land resource for the benefit of the country.

There remains high demand for land for agriculture purposes against competing uses such as mining, urban expansion, school establishment and solar farming which call for land re-organisation.

Despite the involvement of Multi-stakeholder in land identification and allocation corrupt activities remains the biggest challenge which needs a holistic approach in fighting it.

Resource shortage and staff motivation /victimization has failed us to achieve our set targets.

4.0 Mission Statement

- to acquire and manage rural Agricultural Land for Resettlement and other purposes.

4.1 Vision

- Improved livelihoods of all Zimbabweans through equitable, distribution, effective and sustainable utilization of land.

4.2 Strategic Goals

- Panning and pegging of acquired land for Resettlement purposes and land re-organisation.
- Production of Farm Layouts and Permit Documents (A2 & A1 Permits)

5.0 Resettlement Section

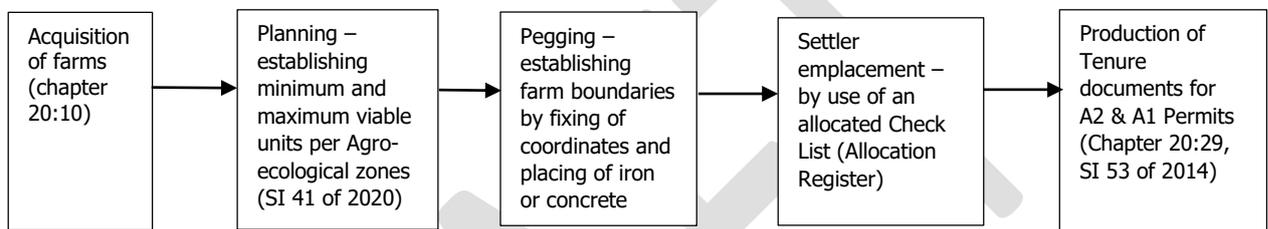
- is one of the major section of the Department including Valuation and Estate Management and Land Information Management System.

5.1 Functions

- Planning and pegging of acquired farms for and fixing of iron pegs in concrete.
- Production of farm layouts for Model A2 & A1.
- Instructing the Surveyor General's Office to carry out farm surveys for 99-Year Lease Processing and others for example Servitudes.
- Receiving and vetting of land applications based on a Waiting List Number.
- Compiling of allocation schedules, processing and production of Model A2 & A1 Permits.

- Issuing Permits to successful applicants (beneficiaries) and conducting a beacon receipt handover on surveyed farms.
- Ensure compliance and adherence to Conditions of Land Offer by beneficiaries.
- Timely inspections or assessments to check on land utilisation.
- Eviction of illegal settlers from occupying state land.
- Upgrading of Old Offer Letters to A2 Securitised Permits.
- Stakeholder (DLCs and PLCs) engagement in land identification and allocation.
- Make submissions for approval for change of land use applications.

5.2 Summary of Process Flow in Resettlement Section



6.0 Legal framework

The land offer is made in terms of Land Commission Act (Chapter 20:29)

Constitution of Zimbabwe (*Amendment No. 20*)

Companies Act (*Chapter 24:03*)

Gazetted Land (consequential Provisions Act (*Chapter 20:28*))

Constitution of Zimbabwe Chapter 4 Section 72 Chapter 16 Section 288-297

Land Acquisition (*Chapter 20:10*)

Public Finance and Management Act

Deeds Registry Act**(*Chapter 20:05*)

Rural Land Act (*Chapter 20:18*)

Communal Land Act (*Chapter 20:04*) amended 2004

Survey Act

SI 53 of 2014 Agricultural Land Settlement (*Permit Terms and Conditions*) Regulations, 2014

SI 62 of 2020 (on indigenously owned farms or delisted farms)

SI 41 of 2020 (on Maximum farm sizes)

6.1 Legal Framework and Land Reform (History of the Legality of Land Acquisition in Zimbabwe dating back to Pre-Colonial Period)

6.1.1 Pre-Colonial Period: Land was not owned by individuals but communities under Chieftainship.

6.1.2 Onset of Colonialism September 1890:

- Racial division to land
- Native reserves created by the Southern Rhodesia Order in Council of 1898.

6.1.3 1930 Land Apportionment Act:

- Provided for restricted rights of the African to land ownership.
- Natives could only own land in Native Purchase Areas and Reserved areas or Communal areas

6.1.4 1951 Native Land Husbandry Act:

- Enforced destocking for blacks.
- Enforced conservation practices on black held land.

6.1.5 1969 Land Tenure Act

- Divided land in half between the two (2) races. 44.9 million acres allowed to each race.

6.2 1980 Independence

6.2.1 1980 – 1990:

- No change to land ownership except on willing buyer willing seller basis.

6.2.2 1992 Land Acquisition Act

- Provided for compulsory acquisition of land.
- Challenges to land acquisition meant that the process was slow.

6.2.3 2000 Constitutional Amendment No. 16:

- Land to be paid for by the colonial power.
- Zimbabwe to pay for improvements only.
- Acquisition continued to be obstructed by legal challenges.

6.2.4 2001 Rural Land Occupiers (Protection from Eviction) Act:

- Enacted to prevent land hungry Zimbabweans who had occupied farms unprocedural from being evicted by the farm owners.
- This was a stop gap measure to manage the land reform programme

6.2.5 2005 Constitutional Amendment (No. 17) Act:

- Made acquisition of land much easier, more efficient and speedy.
- Stopped legal challenges to land acquisition.

CHAPTER I

1.0 Land Use Planning (LUP)

This is systematic assessment of land and water potential, alternatives for land use and economic and social conditions in order to select and adopt the best land use options *guided under Statutory Instrument 41 of 2020 (Maximum Farm Sizes)*.

It is an iterative process where the following considerations should be made:

- First is the determination of the land's potential, limitation, and sustainable ways of using a given piece of land for either cropping/grazing/wildlife purposes.
- Land is categorized into Agro-ecological or Farming regions on the basis of climatic factors (rainfall pattern and temperature) for that region defining the minimum and maximum farm sizes as well as economic considerations.
- At farm level, soil capability classification (quality of land) and soil characteristics analysis helps in determining the productive ways of utilizing arable portions and non-arable portions of the farm.
- knowledge in land use planning help in technical decision making when conducting farm utilization assessments, project analysis and establishing viable units.
- farm sizes ranges from Small-Scale Commercial, Medium-Scale Commercial and Large-Scale Commercial farming units depending on Agro-ecological region and the availability of potential irrigation water.

1.2 Agro-ecological Zones of Zimbabwe

1.2.3 Definition

An Agro-ecological Zone classification system is a land resource mapping unit, defined in terms of climate, landform and soils and land cover and demonstrating specific range of potentials and constraints for land use. The agro-ecological zones method has benefits such as improved land use planning and management, increase in agricultural productivity, development of appropriate agro-technologies and sustainable development.

1.2.4 The Agro-Ecological Zones of Zimbabwe are outlined below:

- region 1, - intensive cropping field crops, horticulture, plantations and livestock
- region 11a -slightly intensive of field crops, citrus and livestock
- region 11b, - slightly intensive of field crops, citrus and livestock
- region 3, - semi intensive of field and livestock
- region 4 and - intensive livestock rearing and small grain cropping
- region 5 – intensive cropping under irrigation and livestock rearing

1.3 Categories of Land Capability Classification

Land capability classification is a system of grouping soils primarily on the basis of their capability to produce common cultivated crops and pasture plants without deteriorating over a long period of time. This classification is used to classify areas according to their potential to produce crops or livestock.

1.3.1 Land Capability Classes are as shown below:-

- Class I – excellent no limiting factor for both cropping and grazing.
- Class II – very good and have negligible limiting factor in field cropping.
- Class III – good and have slight limiting factor for both cropping and for grazing.
- Class IV – moderate limitation but good for grazing.
- Class V - wetness factor.
- Class VI – rugged terrain.
- Class VII – hilly.
- Class VIII – mountains maybe good for grazing cattle.

1.4 Category of Maximum Farm Sizes per Agro-Ecological Region0

Guided by Statutory Instrument 41 of 2020 (Maximum Farm Sizes)

Natural Region	Farm sizes (ha)
I	250
IIa	500
IIb	560
III	750
IV	1500
V	2500

Table below shows Minimum/Maximum Farm Sizes per Agro-Ecological Zones of Zimbabwe for Planning purpose

Agro-Ecological Zones	Small Scale Commercial Farms (ha)	Medium Scale Commercial Farms (ha)	Large Scale Commercial Farms (ha)	Peri-Urban Commercial Farms (ha)
I	15-25	100	250	15 - 50
IIa	25-40	200	350	
IIb	40-50	250	400	
III	60-80	300	500	
IV	150-200	700	1500	
V	250-350	1500	2000	

Source: (Sub-section 6 of Statutory Instruments Rural Land (farm sizes) Regulations of 2001).

1.4.1 Appropriateness of Land Subdivisions Created Under the Fast Track Land Reform Program, Regulations and Policies

Major observations/challenges

- Some sub-divisions created during the Fast Track Land Reform Programs are not viable.
- Some of the allocations are way beyond maximum farm sizes.
- Some of the sub-divisions have interfered with productivity in certain specialized farming enterprises e.g rotations in tobacco and dairy e.t.c
- Some of the planning rendered irrigation system infrastructure non-viable and sometimes dysfunctional.
- Some of the sub-divisions have created confusion in conservancies and plantations.
- Most A1 schemes are overstocked i.e number of resettled people exceeding carrying capacity.
- Some sub-divisions have created land conflicts on farm infrastructure like homesteads, sheds, tobacco barns, water points (boreholes, dams and pumps) and irrigation systems e.t.c.
- Illegal settlers in conservancies, plantations and acquired farms.

CHAPTER II

2.0 Stakeholder Engagement

The re-current political arguments are premised around the fact that for any government program to succeed, then the community must be involved, in a participatory approach. This, according to political analysts promotes transparency and thus limits acts of corruption and results in communities fully benefitting.

The adoption of the participatory approach by the government on the advent of the FTLRP saw various stakeholders from the political wing, security forces and government being brought on board to participate in issues of acquisition, planning and allocations of land.

2.1 Roles and Responsibilities of Stakeholders

2.1.1 Responsibilities of the District Lands Committee (DLCs)

- i) Identification of land for resettlement
- ii) Receive applications and compile Model A1 waiting list,
- iii) Receive applications and compile district waiting list for Model A2
- iv) Recommend allocations for Model A1 to the PLC
- v) Recommend allocations for Model A2 to the PLC
- vi) Submit reports to the District Development Committee
- vii) DLC minutes should be submitted to the PLC.

2.1.2 Responsibilities of the Provincial Lands Committee (PLCs)

- i) Receive applications and compile waiting list for both Model A1 and A2
- ii) Recommend allocations of land to the Minister,
- iii) All allocation schedules should be endorsed by all agreed signatories and supported by PLC with a reference meeting minutes.

iv) Policy guidelines on land administration are communicated through the Provincial Land Officer from time to time.

v) Submit PLC Minutes to the Minister together with the recommended allocation schedules.

2.2 Table 1. Shows the Roles of Some of the Stakeholders

Stakeholder	Role
Zimbabwe Land Commission (ZLC)	Dispute Resolution
Zimbabwe Water Authority (ZINWA)	Water Rights
National Lands Inspectorate (NLI)	Investigate Issues of Land Crime & law enforcement
Security Attache	Political Issues
Zimbabwe Anti-Corruption Commission (ZACC)	Issues of Corruption
Parks	Control wildlife Movement/Attacks & Technical Service
Forestry Commission	Control Veld fires & Technical Services
Surveyor General	Farm Survey
Environmental Management Urgency (EMA)	Control Land Degradation
Ministry of Mines & Mining Development	Competitor/overriding rights on farming
Irrigation Dept	Technical Services
Mechanization Depat	Technical Services
AADRS (Agritex) Dept	Technical Services

CHAPTER III

3.0 Application for Land

Government policy calls for an individual, institutions or co-operatives to be allocated land on the basis of an application for land.

The Process involved in the application for land is outlined below:-

3.1 Qualification

- A Zimbabwean citizen who is 21 years and above.

3.2 Making the Application

- A1 Model apply by writing a letter at District Office
- A2 Model apply by completing an application form provided in duplicate at Provincial Office.

3.2.1 Identification of Applicants

- A waiting List number is given

3.3 Where do we Submit our Completed Application Forms?

- A1 Model at District Office
- A2 Model at Provincial Office

3.3.1 Attachments to the Application

- Copy ID of the applicant
- 5 Year development plan

3.4 SELECTION OF BENEFICIARIES

3.4.1 Who Select Land Beneficiaries

- Selection Committees i.e District Lands Committee (DLCs) and Provincial Lands Committee (PLCs)

3.5 Who Constitute the Committee

3.5.1 District Lands Committee (DLCs)

- a) District Development Coordinator (Chairperson)
- b) Party Representative (Vice Chairperson)
- c) Rural District Council Chair person
- d) Veterans of the liberation struggle District head
- e) District Land Officer (Secretary and Advisor)
- f) District Agricultural Extension Officer
- g) DDF - District Coordinator
- h) Emma - District Head) OR
- i) Women Affairs District Head
- j) All Traditional Chiefs in the District

3.5.2 JOC Members:

- a) ZRP
- b) ZDF
- c) ZPSCS
- d) President's Department
- e) AFZ (where available)

3.5.3 Provincial Lands Committee

- a) Minister of state for Provincial Affairs and Devolution (Chairperson)
- b) Party chairperson (Vice Chairperson)
- c) Provincial Development Coordinator (Chairperson Technical Committees)
- d) Provincial Chairperson Council of Chiefs
- e) Provincial Head veterans of the liberation Struggle

- f) Provincial Land Officer (PLO)
- g) Provincial Agricultural Extension Officer
- h) DDF Provincial Coordinator
- i) EMA Provincial Head
- J) Women Affairs Provincial Head
- J) JOC Members
 - a) ZRP
 - b) ZNA
 - c) ZPCS
 - d) President's department
 - e) AFZ where applicable

3.6 Role of District Land Officer in the Selection Committee

- Secretariat and Advisory

3.7 Beneficiary Selection for Land Allocation Check List

- Signed Minutes and signed Schedule List by the following signatories:
 1. Minister for state affairs and devolution
 2. Party Chairperson
 3. The Provincial Land Officer

3.8 Compiling Recommendations Schedule

- A schedule is then generated and the necessary documents are attached for onward submission at Provincial Office and lastly Lands Department Head Office.

3.8.1 Schedule Check List

Applicant Details

Full Name:

ID number:

Date of birth:

Occupation:

Address:

Contact numbers:

Farm Details

Farm Name:

District:

Gazette Status:

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CHAPTER IV

4.0 Planning, Pegging and Settler Emplacement

4.1 Definition of terms

Planning

- in Land Management is simple the creation of subdivisions of land parcels basing on a certain Model for example A1, A2 e.t.c.

Pegging

- is the placing of monuments on the ground in the form of iron pegs usually in concrete on every corner of a land parcel as per planned layout.

Settler Emplacement

- is a process whereby a beneficiary is allocated a created subdivision as per layout by issuing a tenure document and is shown the plot boundaries.
- Tools like AUTO CAD, Arc Map and Quantum GIS (QGIS) computer software are used in planning.

4.2 Planning - Process flow

No	Activity	Stage Process	Action
1	Data search at the Survey General's Office (General Plan and Top graphical Maps or Diagram or Cadastral Compilation) by scanning	To establish the location and official description of the project area Hence changing them from analog to digital	Cartographer
2	Geo-referencing	assigning/placing land parcel on its appropriate real-world position The scanned GP/DGM, and topographical map are	Cartographer

		georeferenced using Arcgis software	
3	Area Identification	Draw the boundary of the identified area of interest on the topographical sheet superimposed on the dgm/gp	Cartographer
4	Imagery acquisition	Process done in QGIS using the coordinates for the project area	Cartographer
5	Image acquisition	The next step is to download the imagery. Specify image resolution, spatial reference and navigate to a folder and save it as a tiff. file	Cartographer
6	Digitizing	The process of converting geographic data into digital form. Spatial data on the imagery are traced as points, polylines or polygons. Create a shape file for roads and streams and digitize them as polylines.	Cartographer
7	Digitizing.	Create new line features at an offset from selected polylines (roads or streams). Roads at an offset of 7.5m each side, Streams 15m each side of the line. This gives a guide of where - Plot planning should start - Result of offset	Cartographer
8	Digitizing Plots	Create a shape file for plots as polygons and start digitizing.	Cartographer

		<p>Making sure that they are of the desired hectrage, this can be confirmed in the attribute table of the plots.</p> <p>In the attribute table, number the plots</p>	
9	Coordinate extraction	<p>Create a shape file for coordinates as points</p> <p>Digitize the points at every corner of the plots</p>	Cartographer
10	Coordinate extraction	<p>To get the coordinates of every point, in the search window use the tool " add XY co-ordinates"</p> <p>In the attribute table of the coordinates, the generated point X and point Y will show after the command runs successfully.</p> <p>Add a field to name the coordinates</p> <p>- which makes it easy to find them when loaded in the GNSS</p>	Cartographer

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4.3 Pegging - Process Flow

No	Activity	Stage Process	Action
1	Coordinates Loading	are loaded into the GNSS garget as waypoints	Cartographer
2	Staking Out	Using the GNSS garget loaded coordinates of the produced layout, and pegs are placed for each plot position established	Cartographer Field Assistant Resettlement Officer
3	Layout Production	Any adjustments done in the field are considered during layout production	Cartographer

4.4 Settler Emplacement – Process Flow

No	Activity	Stage of Process	Action
1	Allocation of created subdivisions	Selection is based on Waiting List. Names and particulars of beneficiaries are added on the attribute table of the arc map against the allocated plot number	Resettlement Officer Cartographer
2	Showing Beneficiaries plot pegs and boundaries	automatically becomes the allocation schedule. Using the above allocation schedule tenure documents are issued to beneficiaries	Cartographer Resettlement Officer
3	Settler Emplacement	The beneficiaries are shown their plots and are expected to take occupation with a month	Cartographer Resettlement Officer

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CHAPTER V

5.0 Land Allocation

- Is done to Zimbabwean citizens who have shown an interest by applying for Land as individuals, organisations, co-operatives, church, schools e.t.c

5.1 Land Allocation Procedure

5.1.1 Model A1

- The Applicant writes a letter applying for land and submit at district of choice,
- The Applicant's name is put on A1 waiting list,
- The Applicant is given a waiting list number upon application,
- When District Lands Committee (DLC) identifies land for allocation,
- Selection of beneficiaries is based on the existing waiting list upon siting of the Committee (DLC),
- Applicant's name is put on District schedule and forwarded to Province
- Province in turn forward to Director of Lands the Schedules and farm layouts production for adoption by the Minister of Lands

5.1.2 Model A1 Description

- Communal or Village type of a set-up,
- Allocation Distribution per household is **0.05ha** for homestead, **6ha** for cropping and approximately **12-15ha** as Common grazing land,
- Grazing land and farm Infrastructure like tobacco barns, Sheds e.t.c is collectively owned,
- Grazing land and farm Infrastructure is located on portions of State land.

5.2 Land Allocation Procedure

5.2.1 Model A2

- The Applicant fill in an application form found either at Provincial level or at Head Office for submitting to Province of choice,
- The Applicant's name is put on A2 waiting list,

- The Applicant is given a waiting list number,
- When District Lands Committee (DLC) identifies land for allocation,
- Selection of beneficiaries is based on the existing waiting list,
- Applicant's name is put on District schedule and forwarded to Province
- Province in turn forward to Director of Lands the Schedules and farm layouts produced for adoption submitted by the Minister of Lands for Approval/Not Approved.

5.2.2 Model A2 Description

- Typical of a commercial set up,
- These are self-contained with all your arable, grazing and homestead in one unit,
- They are classified into small, medium and large scale commercial farms, and
- Sizes vary depending on Agro-ecological regions.

5.3 Three-Tier Model

- Only found in Matabeleland South Province,
- The Model consists of homestead area, cropping land and grazing land in totally different farm boundaries hence the name 3 tier Model.

5.4 Allocation on Repossessed Land/Re-plans

No new allocations should be done on any repossessed or re-plan after withdrawal process has been completed first.

In addition to this the proposed layout plan must also be forwarded to head office for ministerial approval before any new allocations can be done.

5.5 Model A2 - Process Flow for Land Allocation

No	Activity	Stage Process	Action
1	Fill in the Application Form (Provided at either Provincial Office or Lands Management & Administration Department HQ)	Application	Applicant (21 years and above)
2	Submit it to Province of Choice	Submission	Applicant
3	Applicant's Name is put on Waiting List	Generation of Waiting List number	Land Officer
4	Land Committee Identifies land for Allocation	Siting of the DLC Committee	District Lands Committee (DLC)
4	Selection of Beneficiary is based on the Waiting List	Beneficiary Selection	District Lands Committee (DLC)
5	Preparation of Allocation Schedules at District Level	Compiling Schedule Details	District Land Officer
6	Verification and Recommendation of Allocations	Signatures of the three Portfolios of the Committee must appear on the Allocation Schedules	DLC – Chairperson District Party (ZANU-PF) –Chair District Land Officer
7	Submission of Allocation Schedules at Province	Consolidation of Allocation Schedules from Districts	Provincial Land Officer
8	Verification of Allocation Schedules	Siting of the PLC Committee	Provincial Lands Committee (PLC)

9	Adoption of District Allocations & Recommending	Signatures of the three Portfolios of the Committee must appear on the Allocation Schedules	Minister of State and Devolution Provincial Party (ZANU-PF) –Chair Provincial Land Officer
10	Submission of Allocation Schedules at Lands Management & Administration Department	Verification & Processing of Allocations	Resettlement Officer
11	Submission of A2 Permits for Minister Signature	Allocation Approved	Minister
12	Attachments of Conditions of Offer for A2 Permits	Disbursement of A2 Permits	Provincial Land Officer
13	Billing Farmers for land Rental	Accepted Offer	Provincial Accountant

5.6 Percentage Distribution of Land Allocation by Category

Category	Model	%Share/Quota	Remarks
War Veterans	All A2 & A1	20	War Vets Number must be indicated
Youth	Land Allocation	>20	Call by His Excellency the President
Women & the Disabled	Land Allocation	Prioritized	Schedule should indicate Gender & Age
Minister's Quota (Senior Gvt Officials)	All A2 & A1	10	As directed by the Minister of Lands

CHAPTER VI

6.0 A2 Model Conditions of Offer

- It is a contractual obligation entered between two parties that should be met, observed and fulfilled without compromising any conditions of Offer.
- Confirmation of acceptance of Offer/Land (A2 Model) is done by signing acceptance forms provided in triplicates or not within 30 days of receipt of the Offer from the Minister of Lands.
- Beneficiaries are expected to declare any other interest hold in Land under any Government Scheme or that may be leased.
- Offer can be withdrawn or changed if the Minister of Lands deems it necessary or may found you in breach of conditions of offer.

Point to Note:

6.2 A2 Model Conditions of Offer Forms are provided and signed by beneficiary in triplicates and are distributed as follows:

- Copy: 1. Beneficiary
2. Province
3. District

6.3 Conditions Applying to the Permit of Land Under the Land Reform Program (Phase II, Model A2 Scheme)

6.3.1 Conditions for the Permit Holder (Beneficiary)

- to take up personal or permanent residence on the holding upon the acceptance of the Offer or appoint of a farm manager who shall personally and permanently take up the residence (3) months of the acceptance of this Permit.
- to initiate development on the holding in accordance with Five (5) Year Development Plan submitted at the time of application.
- no unauthorised ceding, assigning or make over any right or obligation or sublet with possession or grant any right of occupation of the farm without prior written consent of the Minister of Lands.

- no unauthorized Joint Ventures are accepted without prior Approval of the Minister of Lands.
- to comply with any laws requiring the rights of servitudes.

6.3.2 Obligations of the Permit Holder

- The Permit Holder in all respect shall comply with all laws pertaining to the proper and sustainable use and management of land, water and other natural resources.
- The Permit Holder shall at his/her own risk expense:
 - Ensure that no unlawful and indiscriminate tree-felling or wood-cutting is practised.
 - Report to the relevant authority the existence of noxious weeds;
 - Cut and maintain fire breaks
 - Keep under control all grass so as to preclude any fire hazard to the leased land or any adjoining leasehold or property.
 - Ensure that there is no poaching and indiscriminating killing of wildlife.
 - Undertake measures for the prevention of any soil erosion

6.3.3 Obligations of the Acquiring Authority

- The Minister may cancel or withdraw this Permit for breach of any condition set herein.
- The Minister reserves the right to cancel or withdraw this Permit if it is established that the Permit Holder failed to disclose essential information when he completed the application or when he was interviewed on the ownership or lease.
- In the event of the Minister changing the land use from agricultural purposes, this Permit shall be immediately lapse upon such pronouncement.

Point to Note:

The Permit Holder shall only be entitled to compensation for improvements and will be eligible for allocation of alternative land subject to available.

6.4 Notices

- The onus of notifying the Minister of any change of address shall lie with the Permit Holder and his/her failure to do so shall absolve the Minister from responsibility for misdirected correspondence.

6.5 Duration

- The duration of the Permit shall be indefinite and the Permit shall not be transferable. The permit may be converted, at the sole discretion of the Minister, into a ninety-nine year lease.

6.6 Commencement Date

- Irrespective of the date of signature of the Permit, the commencement date shall be set back to cover the actual period of occupation and the Permit rentals and council rates from his/her acceptance of this Permit.

6.7 Assumption of Responsibility

- The permit holder shall be required to assume responsibility for any existing developments on the land from the date of acceptance of this Permit, in particular all the infrastructure shall be maintained by the Permit Holder, preventing loss, deterioration, theft and misuse.

6.8 Payment by Permit Holder

- The Permit Holder shall pay the following permit rentals and council rates:
 - a. Annual Land Rentals
 - b. Payment for improvement found on the holding
 - c. Development levy.

6.9 Termination of Permit Arises as a result of:-

- Failure to perform for two agricultural seasons.
- Abandonment of farm
- Transferring or ceding rights without authority to do so
- Mutual consent

Abuse of Permit through but not limited to fraudulent activities, sale of state land and international failure to honour contractual obligations

CHAPTER VII

7.0 Withdrawal of Land Offer

- this is an act of withdrawing rights to land given to the beneficiary usually in breach of conditions of offer or for other reasons like change of land use and is administered under Statutory Instrument 53 of 2014 Agricultural Land Settlement (*Permit Terms and Conditions*) Regulations, 2014
- notice of intention to withdraw land offer is prepared first and served.

7.1 Circumstances/Reasons for Withdrawal of Land Offer can be due to:-

- Re-planning or downsizing,
- Dispute resolution,
- Underutilisation, abandonment, non-take up,
- Succession or cession processing,
- Farm migration (SWOP),
- Permit details correction (farm name, hecterage, IDs e.t.c),
- Land Use Changes (handover of farms for urban expansion, solar projects, Mining e.t.c) and
- Breach of Conditions of Offer.

7.2 Withdrawal Check List

- Search or check for correct information from the Database Office.
- Ensure that the details below match with that from the D/b search.

Farmer's Name:

ID:

Address:

S/D NO:

Farm extent:

District:

Province:

7.3 Withdrawal Process Flow

NO	Activity	Stage Process	Action
1	Verification of Beneficiary Details	Search/Checking	Database Office
2	Notice of Intention to Withdraw	Processed	Land Officer
3	Notice of Intention to Withdraw	Signed	Minister
4	Notice of Intention to Withdraw	Served	Land Officer
5	Notice of Intention to Withdraw	No objection	Beneficiary
6	Withdrawal	Processed	Database Office
7	Withdrawal	Signed	Minister
8	Withdrawal	Served	Land Officer
9	Notice of Intention to Withdraw	With objection(s)	Beneficiary
10	Objection(s) by beneficiary	Received	Minister's Secretary
11	Objection(s)	Received	Legal Department
12	Farm Visit	Technical assessment	Technical team/legal
13	Technical Assessment report	Report received	Legal Department
14	Response to objection(s)	Prepared	Legal Department
15	Response to objection(s)	Signed	Minister
16	Response to objection(s)	Served	Land Officer
17	Withdrawal	processed	Database Office
18	Withdrawal	Signed	Minister
19	Withdrawal	Served	Land Officer

Note: *If Beneficiary is not located for service of documents, we publish in the Newspaper and wait for 14 days for respond.*

CHAPTER VIII

8.0 Succession and Cession Processing

- Is administered under SI 53 of 2014 Agricultural Land Settlement (*Permit Terms and Conditions*) Regulations, 2014

8.1 Succession

- Is whereby rights of property ownership are passed on to individual(s) at law in the event of death of the beneficiary.
- Surviving spouse become the Air/Heir of the allocated land.
- Change of ownership should not take more than 6 months to be processed from the death of the beneficiary.
- Extension of the above must be upon the Approval of the Provincial Land Officer.

8.2 Cession

- is whereby rights of property ownership are passed on to individual(s) by writing an Affidavit before the Commissioner of Oaths by the beneficiary.

1.2.1 Who Qualifies for Succession/Cession

8.2.1 Model A1

- A child who has attained 18 years of age

8.2.2 Model A2

- 21 years old and above apply

8.3 Requirements needed for Succession Processing

- Application letter
- Support letter from Province
- Copy of letter of administration from the courts

- Copy Death Certificate
- Copy Marriage Certificate
- Copy ID of the Applicant
- Copy Tenure Document
- Inspection Report from District Office to check for occupancy
- Proof of Land Rental Payment

8.3.1 Succession Check List

No	Activity	Stage of process	Action
1	Informing and advising Beneficiaries on the need for a succession	Data Gathering	District Land Officer
2	Applying for State land succession and attaching all relevant requirements	Application	Appointed Administrator or Executor
3	Compiling Succession Schedules and recommending	Generation of Schedule	District Land Officer

4	Submission of Succession Schedules at Provincial Office	Submission	District Land Officer
5	Consolidation of Succession Schedules	Consolidation	Provincial Lands Officer
6	Submission of succession schedules at Lands Department	Processing	Resettlement Officer
7	Withdrawal of the deceased Beneficiary in the System	Permit Production	Resettlement Officer

8.4 Requirements needed for Cession Processing

- Original Written Affidavit by the Beneficiary
- Stamped Affidavit by the Commissioner of Oaths
- Copy ID of the Beneficiary
- Copy ID of the Applicant
- Copy Tenure Document
- Inspection Report from District Office
- Proof of Land Rental Payment

8.4.1 Cession Check List

	Activity	Stage of process	Action
1	Informing Land Management Office for the need of a cession	Data Gathering	District Land Officer
2	Complete Application form for State land cession	Application	Applicant

3	Writing of an Affidavit by the Beneficiary	application	Former Beneficiary
4	Submission of cession papers at Province/HQ	Submission	District Land Officer/PLO
5	Withdrawal of the Previous Beneficiary	Permit processing for allocation	Resettlement Officer

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CHAPTER IX

9.0 Technical Reports (TR)

- Assessments conducted for feasibility study on viable units to check suitability of the proposed project before implementing for example re-planning or downsizing of farms.

9.1 When are Technical Reports Required

- Before a farm is acquired,
- When assessing farms for downsizing and re-planning,
- When carrying out a feasibility study of a project
- For Statutory Instruments (SI) 62 purposes,
- Before issuing a Certificate of No Present Interest,
- After an application for Change of Land Use and
- Any other purposes as instructed by Management

9.2 Land Utilisation

- is the sustainable use of Land effectively and efficiently?

9.2.1 Parameters used in Assessing Land Utilisation

9.2.1.1 Assessing Farm Utilisation (Crop Production)

- type of enterprise (maize, tobacco, wheat e.t.c).
- area under crop production versus net arable area.
- Production levels (yield per ha and production trends)
- Profitability (Internal Rate of Return, Net Present Value and Cost benefit Analysis.
- Conducive environment (economic and land Conflicts)
- Irrigation potential versus productivity.
- Access to water and electricity.
- Conservation works
- Level of mechanisation

9.2.1.2 Assessing Farm Utilisation (Livestock Production)

- Type of enterprise (Dairy, Poultry, Piggery, Beef e.t.c)
- Carrying capacity (quality of veld including the browse factor)
- Stocking rates.
- Production Levels (off-take, milk yield and production trends).
- Profitability (Internal Rate of Return, Net Present Value and Cost benefit Analysis.
- Conducive environment (economic and land Conflicts)
- Irrigation potential versus productivity.
- Access to water and electricity.
- Conservation works
- Level of mechanisation

9.3 Minimum Expected Developments Required Upon Assessment

- Permanent Homestead
- Water supply adequate for primary human and animal needs.
- Provision of access roads suitably sited, constructed and protected against erosion as approved by the Designated Officer.
- Erection of adequate decent employee's accommodation with access to water and sanitation facilities for workers employed.
- Fencing is also considered as a factor

9.4 Lack of Occupation/Non Take-up

The farmer should take occupation of vacant land within 30 days of accepting his Offer of Land. Failure to take up leads to withdrawal of Offer of Land after two consecutive seasons of field assessments has been undertaken.

9.5 Composition of Technical Teams

1. AARDS Agricultural Advisory and Rural Development Services (Formerly Agritex)
2. Irrigation Department
3. Mechanisation Department
4. Lands Management & Administration Department

9.5.1 Table 2. Shows Skills Required for Technical Assessment

Department	Skill/Role
Lands Management & Administration	Secretariat & Advisory
Mechanization	Equipment analytical skills
Irrigation	Under ground and surface Irrigation facilities/Potential for irrigation analytical skills
AARDS (Agritex)	Land Use Planning Analytical skills
Department of Parks	Game & Wildlife

9.6 Areas to be Re-viewed

- Need for standardizing technical reports when reporting
- Standardizing data to be collected
- Need for a guiding score sheet to follow when gathering information.

CHAPTER X

10.0 Change of Land Use

- Is the converting of Agricultural land to non-Agricultural uses such as urban expansion, schools, hospitals, trading sites and solar farming.

10.2 What Extent is Permissible

- Only 10% of the total land size is allowable for converting into other uses.

10.3 Who can Apply

- Individuals, Companies, Institutions or Co-operatives

10.4 Procedure in Change of Land Use

No	Activity	Stage Process	Action
1	Application for State land lease is done at District Office	Application	Applicant
2	Attachments of Supporting documents from Regulatory authority responsible for project	Application	Applicant
3	Technical Assessment exercise	Assessment report	Resettlement Technical team
4	Production of layout Plan/Site Plan	Layout Plan Processed	Cartographer
5	Submission of the Application at Provincial Office	Submission	District Lands Office

6	Recommendation Supported	Submission at HQ LM&A Dept	Provincial Lands Officer
7	Payment of Stateland lease Application fee	Submission of Completed Application	Applicant & Accountant
8	Generation of Up Line Memo	Approved/Not Approved	Minister
9	Payment Land Rental	Processing Tenure Document	Accountant
10	Issuance of either Institutional Permit or State land Lease	processed	Minister

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CHAPTER XI

11.0 Conversion of Self-Contained Units to Model A2 Permits

- Self-Contained Units attributes resembles that of Model A2 farm.

11.1 Process Flow for the Conversion of Self-Contained Units to Model A2

No	Activity	Stage Process	Action
1	Identification of Self Contained Schemes	Data Gathering	Land Officers
2	Compiling of Allocation Schedules for submission at Province	Compile	District Land Officer
3	Submission of Consolidated Allocation Schedule	Consolidate	Provincial Lands Officer
4	Technical farm Assessment	Co-ordinate Fixing	Technical Team
5	Co-ordinate Extraction for Layouts Production	Layouts Production	Cartographers
6	Produced farm Layouts	Signed	Provincial Lands Officer
7	Submission of Consolidated Schedules at Head Office	Consolidated Schedule submission	Provincial Lands Officer
8	Verification and Processing of Allocations	Processing	Resettlement Officer
9	A2 Permit Processed	Signed	Minister

11.2 Up-Grading of Offer Letters to A2 Securitized Permits

This is the issuance of security of tenure documents to all land beneficiaries still holding on to offer letters. In upgrading the beneficiary is issued with a Securitized Permit

11.2.1 A2 Permits

- has security features for easy screening of fake documents from original.

11.2.1.1 Security Features are:

- Has a securitised permit number at the left corner,
- It has a system generated permit number written at the right corner,
- It has a colourful imbedded court of arms,
- Authentic seal

11.3 Take Note of the Expected Requirements

- Consolidations are no longer allowed hence the need for clean farms.
- Start with surveyed farms.
- Old Offer Letters are surrender at collection of the A2 Permit
- Allocation schedule of deceased beneficiaries should be separately compiled clearly indicating succession plan.

11.3.1 Process Flow for Up-Grading of Offer Letters to A2 Permits

No	Activity	Stage Process	Action
1	Identification of Beneficiaries	Data Gathering	Land Officers
2	Compiling of Allocation Schedules for submission at Province	Compile Allocation Schedules	District Land Officer
3	Submission of Allocation Schedule at Province	Allocation Schedule	District Land Officer
4	Compiling a Consolidated Allocation Schedule	Consolidated Allocation Schedule	Provincial Land Officer
5	Produced farm Layouts	Signed	Provincial Lands Officer

6	Submission of Consolidated Schedules at Head Office	Consolidated Schedule submission	Provincial Lands Officer
7	Verification & update of Allocation	Database Search	Data Capture
8	Verification and Processing of Allocations	Processing	Resettlement Officer
9	A2 Permit Processed	Signed	Minister
10	A2 Permits Collection	Land Rental Payment	Provincial Accountant
11	A2 Permits Disbursed	Assigned	Provincial Lands Officer

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CHAPTER XII

12.0 Farm Survey

- Survey is either for Title or Lease

12.1 Who Qualifies for Farm Survey

- A beneficiary who has completed at least 3 seasons or years on the farm.

12.2 Where do Carry Out a Survey

- Survey of farms are conducted on a subdivided farm.
- Survey diagram of Whole farms can be retrieved from the Surveyor General's Office upon request.

12.3 When do we need a Farm Survey?

- As directed by the Survey Act or
- 99-Year Lease processing.

CHAPTER XIII

13.1 Tradability of Grazing Rights (included as an area of further Research)

- refers to the ability to exchange rights of grazing or trade them off by selling the grazing rights to willing buyers.

13.2 Grazing Rights

- rights of use for the purposes of livestock feeding (grazing) on natural grass in a given area.

13.3 Types of Grazing Rights

13.3.1 Open Grazing

- Known as (common-pool resource) this is where the community has got access to the grazing land whether they have cattle or not.

13.3.2 Individual Pastoral Land

- individual land that is applied for the purpose of grazing.
- Land conflicts arises when farmers and investors fight for the same piece of land (grazing area) that the farmer may not have rights of ownership ending up losing it to would be investors.
- The Ministry is then caught in between of either protecting the farmer or putting National interest first that might probably benefit the country at large.

NB: How should the affected farmers be protected and compensated in the event of such acts

Examples of Grazing Leases that have been Issued (*in accordance with section 6 of the Rural Land Act, (Chapter 155)*), allows land to be leased for the purposes of grazing and de-pasturing)

13.4 How to Implement

- Grazing rights should be issued to the respective settlers to protect them from unscrupulous investors who do not want the community to benefit from the use of their resources.
- There is need for a win-win situation where the beneficiaries are allowed to be compensated when their grazing rights are affected.
- There is need for community consultations before and during the inception phase of projects especially when their rights to grazing land are interfered with.

13.5 Advantages of Possessing Tradable Grazing Rights

Land Protection - grazing rights reduce chances of land exploitation by other parties. This is better explained by the problem of tragedy of the commons whereby anyone who wants to use the same land can use it and exploit it without being accountable for their actions e.g sand extraction.

13.6 Farmer Empowerment

- with the right security of tenure farmers can stand firm and fight for their land from being taken advantage of by investors.

13.7 Fair Compensation

- when grazing land has been taken farmers are guaranteed of a fair compensation due to them by investors and or the government.

13.8 Accountability –

- grazing rights allows both parties to be accountable for their actions in the way the land resource may be exploited for example in cases of mining, a lot of environmental pollution happen and needs reclamations.