



iTaukei
Land Trust Board

iTaukei Land, Our Heritage, Our Future

LEASE & BENEFIT SHARING

MONDAY, 01ST May, 2023
www.tltb.com.fj

Legal Framework

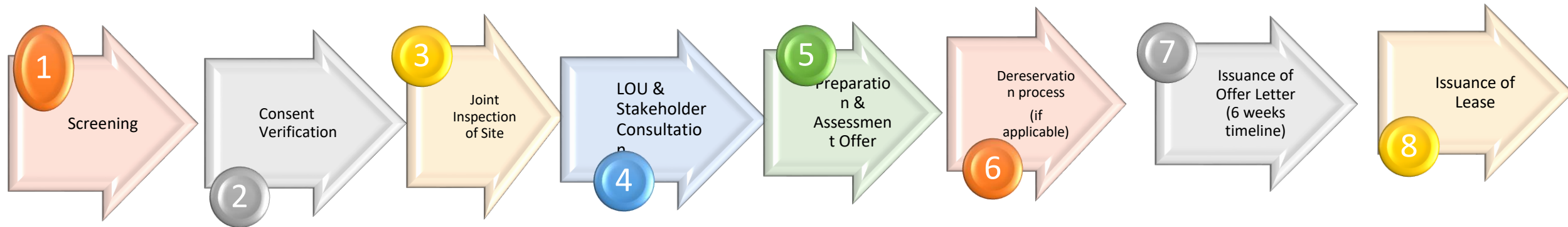
- iTaukei Land Trust Board (TLTB), previously known as the NLTB was established in 1940 to administer and control all itaukei (native) lands in Fiji.
- It draws its mandate from Section 4 (1) of the iTaukei Land Trust Act (Cap 134) to be the largest landlord with 91% of Fiji's total landmass.
- The TLTB Board of Trustees under the statute has the **fiduciary role** to act in the best interest of all the iTaukei landowners.

"native owners" means the mataqali or other division or subdivision of the natives having the customary right to occupy and use any native lands;
TLA 1905

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No.	TLFC Register Name	Description
1	Evidence Book	comprises of collection of sworn statements from the various provinces, Yavusa, BMataqali and iTokatoka, recording statement about their tribal land, chiefly title, traditional social status and genealogy or Vola ni Kawa;
2	Tribal Statement (Tukutuku Raraba)	contains the history of migration of the iTaukei people per provinces and tribes;
3	1st VKB Register	comprises names of the iTaukei people who lived during the Veitarogivanua sitting in the various provinces
4	Register of Native Land	also known as the Vola ni Kawa Bula: comprises Titles of iTaukei land per provinces;
5	1st Demarcation Register	(Yalayala Vakaviti) – this Register contains sworn statements of iTaukei land boundaries per province;
6	Register of iTaukei land	This is a record of surveyed iTaukei Land boundaries and their owners per provinces;
7	Customary Fishing Rights	This is the record of iQoliqoli boundaries and their owners.

TLTB LEASE APPLICATION PROCESS Key Stages



Key Screening Considerations

1. Ownership – Legal Entity
2. Financial capacity
3. Management capacity

Key Development Requirements

1. EIA Screening & EIA
2. Operations & Management Plan
3. Engineering Building plan approvals
4. Survey process and approval
5. Sites works and construction
6. Approval & License to operate
7. 360deg Monitoring of Lease for compliance

Types of Lease & Conservation Conditions

➤ New Leasing Applicants

- Leased by LOU
- Private Public Partnership
- NGOs – Live & Learn, Redd+
- Private Companies -
- Government

➤ Existing Leases (Non conservation leases)

- All TLTB leases require Board consent for dealings under Section 12 TLTA eg. Mortgage, charge, transfer, sublease etc.
- TLTB will consider carbon print as an encumbrance to the land

➤ TLTB Current Leases

- Special Redd+ Activity – Forest Conservation
- Special Conservation Lease
- Special Protected Area
- Special Afforestation
- Agricultural Leases with conservation activities in special conditions
- Tourism Lease – Conservation, Day Activity based

➤ Lease Special Conditions

- Consideration of Intangible Values as additional compensation
- Dispute on compensation referred to Mediation or Arbitration
- Agree to engage in discussion and resolving issues relating to the participation of Landowners in Carbon Trading Project including sharing or apportionment of income generated from the Trading market.

General Lease Terms & Special Conditions

1.	Term:	50 – 99 years
2.	Area:	In line with section 4 & 9 of TLTA (Cap 134) and depending on the availability of land and landowners' needs for future use, maintenance and support
3.	New Lease Offer Consideration	Premium calculated on current market rates. Payment arrangement considered on case by case basis
4.	Annual Rent:	Market ground rent (Gross Receipts Rent)
5.	Rent Reassessment:	5 yearly

Landowning Unit Special Benefits

Landowning Unit Special Benefits

1.	Education Fund	Paid annually, reviewed every 5 years
2.	Village Infrastructure Fund	One off payment
3.	Charge on sale/transfer of Lease	Charge on sale consideration for sale within 10 years- 20%, 20 yrs & thereafter 10%& if land is unimproved 25%.
4.	Tree & Crop compensation	
5.	First preference of employment, skilled or unskilled, standards & subj. to normal rules of employment	
6.	Training – paid by the Lessee	
7.	First pref.Business opportunities - entertainment, transport, tours, picnics etc..	
8.	First preference to supply local food if meet min.standards	

Benefit sharing

LOU

1. New Lease Consideration (90% non taxable)
2. Annual Rent (90% non taxable)
3. Gross Receipt Rent (90%)
4. Charge on Sale Consideration
5. All monetary payments
6. Breach penalty
7. Education Fund
8. First pref. Employment preference
9. First pref. Training

Village

- Village Infrastructure Fund
- MOA Benefits – any additional benefit agreed to by LOU for the Village (Headmen)

TLTB

- Poundage (10%)
- Administration fees

LANDOWNERS SUPPORT & LEASE BENEFIT DISTRIBUTIONS

1. Lease Monies Distribution System
2. Equal Rent Distribution
3. Registration of Deed of Trusts (Trust Set Up)
4. Financial Literacy (MOU with Financial Institutions)
5. Landowners Division (works closely with iTaukei institutions empowering and supporting landowners & initiatives)
6. SEED Fund Grant (Also support Women, Young Entrepreneurs)

Vinaka vakalevu

Any questions?

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