



PUBLIC ACCOUNTS COMMITTEE

NATIONAL PARLIAMENT OF SOLOMON ISLANDS

COMMITTEE TRANSCRIPT

Ministry of Lands, Housing and Survey, Friday 14 March 2008, 1:50pm

CHAIRMAN: We have here with us officials from the Ministry of Lands, Housing and Survey and members of the Committee. Well this is a continuation of the deliberation of the Committee and we now have before us Ministry of Lands, Housing and Survey. That is the fourth portfolio. You will be aware that your policy goal is clear that all land dealings are fair, transparent and partial and according to appropriate and relevant laws that the service provided by the Ministry is customer focused, effective and efficient. That is the general policy goals with specific key outputs.

Welcome to the Committee Under Secretary and the Officials of the Ministry. You may want to brief the Committee on the allocations and whatever in the two estimates and what else you want to brief the Committee on. So thank you very much and I will now allow you to brief the Committee. Thank you.

PERMANENT SECRETARY: Thank you Mr Chairman. First of all I would like to say that I am happy to have the privilege to be here representing the Ministry of Lands to appear before the PAC, and I have with me my Under Secretary as well as my Chief Accountant to assist out in explaining things.

CHAIRMAN: So you are the Permanent Secretary?

PERMANENT SECRETARY: I am the Permanent Secretary.

Thank you Chairman, I will go on to give the Committee a brief or a summary overview of my Ministries budget.

The Ministry of Lands, Housing and Survey is responsible for providing lands, housing and survey policies, directives including planning andservices and land matters throughout the whole country.

These services as we all know include management, planning, surveying, regulations, legislation, valuation and dissemination of information relating to land use and development.

Like other Ministries of Government, Ministry of Lands, Housing and Survey has a number of programmes to deliver on its core functions and expected outcomes.

And in so doing, achieve the policy role of ensuring all land dealing executions are done in a fair, transparent, impartial and according to appropriate and relevant laws, and that the services provided by the Ministry is customer focused, efficient and effective.

The Ministry's budget Mr Chairman, sets up to assist the Government achieve a number of key outputs in relation to administration of land matters for the people of this country.

Amongst the stated intentions of government and key outputs regarding land, what the Ministry sees as the core driving programme for 2008 onwards are our land reform programmes.

First of all there is a clear need to have in place proper operating procedures that will ensure better administration of all land dealings which is clearly alienated lands.

This programme is provided for under codes 2850342 and 2850344 under the Provincial and Town and Country Planning Board and Land Administration Operations grouped respectively as titled in the Draft Budget.

A second aspect of the Ministry's land reform programmes will focus on the critical need to develop a more appropriate and cost effective system of mobilizing customary land rural development under a practical legal framework that would allow land owners to use land as an asset for investment and economic growth.

In this regard Mr Chairman, Government is keen on seeing tribal and customary land bill which is intended to provide security, customary land tenure and open up customary land for economic development. And the Valuation Bill which will ensure that there is legislation that regulates the procedures and standards for all valuations of properties in the country.

Mr Chairman, in addition, in the second face shift of the reform programme, the Government through this budget is connected to equipping our provinces with increased capacity to implement the CNURA policy of customary land matters by setting up nine provincial lands officers to carry out customary land in ...in each of our provinces.

To kick start these programmes Mr Chairman, the government has provided in the recurrent budget under land reform unit code 285-0343 for increase staffing office and staff residential accommodation construction. We are looking at four officers per province for our seven provinces, three officers per province for two of the smaller provinces. Each province will be given corresponding number of the residential houses and one office building which will become the land centre for that province which will store, archive and disseminate customary land data and titles for users and developers.

Further provision for buildings is provided in the development budget under subhead code 48-2228-5799. As far as the Ministry is concerned we are happy to have something on the budget to kick start the project. We appreciate what has been provided knowing that later on in the year if we need further provisioning we can apply for more funding under supplementary budget or contingent warrant for those kinds of vehicles.

The programme is earmarked in both budgets to be given \$8.3 million in both budget estimates.

Enforcement of legislation and procedures is another important programme and it includes the recovery of revenue, arrears due to the Ministry and this year we propose and we plan to give a stiffer push by taking the option of the processing fixed term estates based on a legal requirement of forfeiture of undeveloped alienated stop crown

land. The reinforcement of land rental payments obligations will intend to recover outstanding revenues and this programme is provided funding under subhead code 285-0344 in subheads coded 285-0003-2018 and 2019 under the headquarters and administration.

Increases of expenditure under head 285-0344 Mr Chairman, is due mainly to the transferring of land rent and land acquisition from subheads 285-0003-3101 and 285-0003-3101. Bearing this is similarly and respectively for the single reason that it is more appropriate to have them there as the Commissioner of Lands as head of the Division decides and claims made against the surveyors.

Another important programme that the Ministry wishes to and is tasked to do is the converting of temporary occupation license or TOL as is commonly referred to into fixed term estates. A programme that suits the policy aim that is encouraging in fostering proper development of crown land, whereby all TOLs are to be given legal status by converting them into FTEs. This programme is given for provision to kick start the work under the budget but under the development budget project, land reform thus registration of occupied crown land in Honiara under the subhead code 485-2219. And under the recurrent head code 285-0342, titled Provincial and Town Country Planning Board.

Regarding the key outcomes of development of strategic plans and guidelines for the return of alienated lands to original landowners; provision is provided for this programme under the head coded 285-000-1010, 1011, 1014 and 1015. That a workable strategy from the respective Ministry must be one that involves consultation with all stakeholders or in undeveloped alienated lands they could be FTE holders within the unused alienated land and the work will have to take the strategies they have to take into account the results of a more thorough investigation to be made of the original deeds of conveyances.

Lastly Mr Chairman, the Ministry is tasked to develop proper policy guidelines on survey and valuation to standardize property surveying and valuations in the country recognizing that these functions can be best delivered by private sector. The Ministry as the regulating agency will require and will need to have proper standards and operative procedures for monitoring of quality assurance and efficient and effective and timely service delivery by the industry. Appropriate provisions for this programme, is provided under subhead coded 2850344 subheads 1010, subheads 0003-1011, 0003-1014 and 1015. It caters for staff and related costs to attend to these tasks. Also subheads under head coded 285034 caters for personnel to carry out these tasks and outsourcing of survey works to private players in the market.

Mr Chairman, that is my overview of the budget and I would like to say that we are pleased with the budget. At least we have something that will help us kick start the programmes that we have in the Ministry to achieve the policy directions of this government. I have attempted to relate in summary the budget to the problems that we have.

I think I will stop there Mr Chairman.

CHAIRMAN: Thank you very much Permanent Secretary. That is the briefing to the PAC here now from the Ministry.

I take it that you are pleased with the allocations made to your Ministry. I guess that is a good point to start off with as we have heard a number of ministries that have

come before the Committee to express under provisions in the number of important items and we have taken note of that and we will take it up with the Ministry of Finance later today. but it is good to hear that you are quite comfortable with your allocations. What about manpower, human resource?

PERMANENT SECRETARY: For manpower, this budget Mr Chairman, caters for an increase in manpower for the filling of lands vacancies. It has been approved for us in the Draft Budget and 36 new posts are to man the provincial offices of lands. There is a need though for us to go back to Finance because the figures do not add up. We note in this document the figures are okay. That is the establishment in manpower budget. The figures are okay. We are happy with that. There is one adjustment in far as that is concerned they have provided to provinces but the amount is still the same as our submission. There is no change to the submission that we made in this. It is just that the amount might be for two provinces. But with the approach that we are taking in land reform as far as customary land is concerned we are going to deal with each province separately in the sense that people from that province will be manning those offices. Recruitment for those offices will be from those provinces. We will train them to do the work amongst their people because we believe that they know their cultures and traditions better than anybody else from another province. That is the approach to this land reform as far as customary land and tribal and customary titles act that we are also making at developing for provinces. We need to have those figures in here, not so much changes here with these figures here.

CHAIRMAN: It is just a matter that you can talk with others.

PERMANENT SECRETARY: I was given assurance yesterday by the Permanent Secretary for Finance that we can see them and make the corrections before the final draft is made.

CHAIRMAN: Now on these forfeitures of undeveloped sites that will mostly be in urban centers or is it every where or undeveloped crown land. So what criteria's are you using to do that? What would be the conditions?

UNDER SECRETARY: Mr Chairman, one area which we have been using is the Site development fund. The site development fund helps us to actually go into land tendering, which is a process where it allows us to actually prepare good land before we do allocations. Now after the site development fund was taken away from us we instead are doing land allocation through direct allocation. Direct land allocation is now causing a lot of problems with undeveloped land and also causing land speculation and speculators in certain areas of crown land. What we want is to ensure that as much as possible development must happen. If no development takes place then we should apply the appropriate provisions on the act to actually take back those lands and then put it out for tender. That is what we are planning to do. I think for your information you know there is quite a considerable amount of land vacant and undeveloped. We have a team that actually identify those undeveloped sites and then we will be in the process of forfeiture first and then reentry of those land before we allocate them but through tender process.

CHAIRMAN: Who were those lands allocated to?

PERMANENT SECRETARY: Mostly Solomon Islanders. This issue of speculation is a concern. It is a concern right around the world now, and especially Pacific Islands because people tend to have that kind of idea of just storing their land undeveloped until they find out to sell out the land and offer them with quite a big amount of money.

CHAIRMAN: I think it is a good policy.

UNDER SECRETARY: We are trying to because it has the legal policies. You cannot just go and take them back. We have to follow that process. It takes time but hopefully we can put a stop to that. I think that is what we want. We have to put a stop to that kind of mentality. It is something that is happening in Honiara and as well as in provinces as well like Gizo, Honiara, Noro and other provinces. It is a disease kind of thing that we must try to stop.

CHAIRMAN: That is straight as long as we follow the processes so that it is seen to be fair when we implement the policy people will see that it applies to every one and not discriminate against some group.

SOALAOI: Mr Chairman, what we see and we all know that most of the major developments that are happening in the country really held up because of that problem of land issue. The way I look at your budget you seem to be satisfying. The bigger developments like Gold Ridge and even Auluta Basin and others, in order for you to quickly sort out the registration of land you will definitely need some good amount of resources to do that. How do you see this and how do you expect it. You have a number of outcomes that you want to see at the end of the day whether those become the outputs in the end. We need to differentiate between an outcome and an outcome because in the end what we want is maximum output that we can achieve. We can only do that with a level of resources. That most of our people are really waiting for the registration of lands especially in the areas where we have these major developments that are really held up with this issue of land. How does the Ministry see that in terms of achieving some of the outcomes and how soon are you talking about?

PERMANENT SECRETARY: Chairman, we have been allocated around \$2 million for land acquisition in the recurrent. It is in code 285 0032 018 2019. Like I said earlier on, should we find the provision we will come back again for the supplementary budget. However, if it is within the abilities of this committee to assist us we will be very happy to do a little bit more.

CHAIRMAN: We can only take note on that.

PERMANENT SECRETARY: Because the concern raised by the member is quite true. We have some outstanding cases that are still going on. The Auluta land is just about to be completed. We have further acquisition work to be done on the Gold Ridge, and we have to outsource other kind of work. Work cannot proceed on these developments until the registration processes are completed. What the Hon Member mention can hold up developments but if we have adequate level for funding we could outsource this work and land acquisition could be done more faster.

Bina Harbor is another case that we have to deal with that acquisition of land first as well and the others that have been probably mentioned under the Ministry of Commerce on Malaita. Even for Infrastructure Development such as water, in other parts of the country they need acquisition work to acquire rights for access to the resources and issues of roads from the land owners. Yes there will always be issues with funding.

CHAIRMAN: You will continue to work as you said if you need additional resources from the government there are proper mechanisms in the budget to attend to that if the need arises. How important is still the site development thing? Is it still a strong feeling that the Ministry has?

UNDER SECRETARY: Yes. I think we requested it last year but the priorities is with the government they were unable to give us I think we strongly felt that that site development plan must come now because that will help us to put a stop to that issue of direct allocation.

CHAIRMAN: We have recommended that amendment to the law to remove house to direct allocation. Will that help?

UNDER SECRETARY: To a certain degree, I feel for example that a lot of emphasis is here in Honiara. What about other provinces for that matter. So we are not talking about dealing here, we are talking about dealing with all the respective provinces as well so lets us take that as the whole in a holistic approach. These issues are common in every province not only in Honiara. Unfortunately successive governments probably had other priority areas so they continue to complain about. But then of course there is another thing that probably stands out is that the ministry may not be fight aggressively for a bigger portion of the cake that we all want.

That is why we strongly felt that in any case for this rural advancement thing. There should be a lot of support to run this programme because it will sort of help us get right down to the rural people. And if I may also add to the Rural Development Ministry there should be a link with us and that is our request, and there should be a link. Now to achieve rural development we have to come across land. Land will be the issue. So may be we should make more consultation with Rural Development.

CHAIRMAN: I think we have reasons to push for this site development thing because right now we are addressing the effects of it and because of the absence of that all these years, land have been directly allocated and people are not developing them, you are now addressing that you must take back all those lands so I think there is a reason maybe.

PERMANENT SECRETARY: It is a management issue for us in the Ministry itself. It is not only just that issue of speculation but Ministry too must take that responsibility to ensure people actually develop those lands which are allocated to them. The tenure process can take that sort of land and actually address it properly and not the direct allocation.

CHAIRMAN: Does the standard of houses come under your Ministry too? How the houses should look like in Honiara or in urban centers because it makes a lot of difference to how the town looks like. How you present Honiara to people who come from outside to see and if you drive past Kukum Highway you see boxes on the side of the road which is really not a pleasant site to see. So do we have standards or is there a thing called building standards?

UNDER SECRETARY: We have standards from the Ministry of Works but some of these issues on housing, I mean for different types of housing comes under the Honiara City Council team. But we have this local planning scheme. We need to revise that local planning scheme and it is thirty years old. So for bringing up the facelift in town we need to actually have that local planning scheme revised every five years for example so that you take into account the development that is taking place. Once there are areas already developed you will also put inside too in the local planning scheme when you change those usages thus development takes place.

There is a team working for the Honiara City Council that is currently revising that local planning scheme. But we need to that in the other provinces as well throughout our centres because their age is also thirty years old too.

CHAIRMAN: That is how old this country is.

UNDER SECRETARY: The facelift of town must be changed too on its local planning scheme. That is where the zoning and all these things come in and land use.

CHAIRMAN: Have we started work on it now?

UNDER SECRETARY: We are working on it.

PERMANENT SECRETARY: Yesterday we had a presentation by physical planning advisor from the Honiara Town Council Ms Esther Hapasusu and she presented a draft document to the Minister. That document has to go to the Honiara Town Council Planning Board before it comes back to the Minister for approval. And it seems likely that we might have a revise on that; very likely that we are going to revise the planning scheme.

CHAIRMAN: I think this is also mandatory.

PERMANENT SECRETARY: Yes, and that depends on what the Honiara Town and Country Planning Board says about it on the 20th with the presentation to the Board and if any board member of that board is listening to this programme, I think I would recommend to them to support and approve that which will take us forward to twenty years. There are opportunities within that planning scheme to put a new face to the scene and developers want to progress from where we are now and this gives us an opportunity and a vehicle for us to move forward.

CHAIRMAN: Tribal Lands and Titles Act. I understand that there is a lot work need to be put into that for us to realize its' full intention. Which head does it come under in the budget? You have two items and two projects in the development budget.

PERMANENT SECRETARY: The second project in the development budget should be reworded. The title should be reworded. It should be 'Province and Lands Offices'. I have spoken to the Ministry of Planning for that. It should be Provincial Land Offices.

CHAIRMAN: That is the second one.

PERMANENT SECRETARY: In the recurrent budget the provisions for that is under 0343-324.

CHAIRMAN: On what item does it appear?

PERMANENT SECRETARY: 2850343523.

CHAIRMAN: This \$6 million?

PERMANENT SECRETARY: The whole of these subheads here is for the Land Reform. That \$6 million is for buildings. In our estimation it will cater for that but at least will start with two provinces.

The total package is \$34 million. That will cover building, equipments and other expenses for the whole nine provinces.

CHAIRMAN: It is quite a very important expenditure item because it does address the underlying regions to be developed and moved. So for that to be prioritized no one should complain about it because we are now thirty years down the line, and nothing really is moving because some of the problems is on the land. So it is okay that you will start with two provinces first and you will be looking at two more provinces next year.

PERMANENT SECRETARY: We would like to have a full go but it depends on how strong we bid in the next round.

CHAIRMAN: We got more reasons to avoid that.

PERMANENT SECRETARY: But Chairman, I appreciate the support you echoed here.

CHAIRMAN: Very good. Anything else?

SOALAOI: This land reform thing in fact is very crucial in the country. It's important for our economic development and if land is still holds up like this. It will not assist with our development. But I just want to know for the information of the Committee how far are we going to progress on working on the necessary legislation to allow us to work this thing through. As I said earlier on funds will be enough to do that. Why I said that in the beginning Mr Chairman, is because in terms of your planning you will realize that you have outstanding issues and payments to be made and some of the funds appearing in your budget for this year will automatically be offset to those outstanding issues. I guess your programme of action for this year will still have enough funds for you to implement it. That is one issue Mr Chairman. If the Committee can be informed of what bill is ready for Parliament the only safe way to work thorough is by legislation. Let me go to my last question then you can response to it. This alleged illegal sale of land by certain officers we are not giving any names here, it has been a controversial issue for sometimes. What has the Ministry done in order to address this?

PERMANENT SECRETARY: I will take your first question on the bill. The tribal land registration bill (customary Titles Bill) was given to the Attorney General during your time Mr. Chairman we are going to follow up on that. They may require us to do some work on that so we are keen to retain our present staff who are working on this because of the institutional memory that we will loss if we lose them because We need that to continue the work on the bill to completion.

As to the second question, I may ask my Under Secretary to assist here.

UNDER SECRETARY: It is a concern as we know that there are certain officers taking initiative to go ahead to do their own things and are not complying. It was brought in the recent audit report as well. We are taking steps to put an end to it. The Ministry is going to address this issue of officers who not complying with regulations of allocation of lands because it is only the Commissioner who is supposed to issue and allocate lands. So the ministry will take action on officers who are found doing it.

CHAIRMAN: Have we found some?

UNDER SECRETARY: Not as yet.

CHAIRMAN: Maybe you need to supply names now?

SOALAOI: I guess Mr Chairman; if there has been an audited report we may want to see the ministry of lands following recommendations from that report in putting that into action. I think that is one other reason why lands that have been allocated sit there and never been developed because the land was give just for the benefit of the officers only.

I'm pleased to hear that you will be working on returning those lands. I guess if I am correct Mr Chairman, the PS can correct me if I'm wrong. If land is not developing for

18 months it should be returned. I tend to believe that those land that sitting there without being develop because are given to people who have not got the money to develop. These are areas that we can get extra revenue from.

UNDER SECRETARY: Mr Chairman, I think that is why I mentioned this issue of tender because it is in that tender that you will see people who have the capacity. Without the tender we cannot actually say whether tender will achieve that because they have to produce those documents from the banks and supporting documents.

CHAIRMAN: In what point in time did the government start to collect something from the people that lands were allocated to them? When they developed them or when their money is allocated to them they should start to pay rent.

UNDER SECRETARY: They should pay rent because it is a yearly thing

CHAIRMAN: So what has been the problem? Are these people not paying rent?

UNDER SECRETARY: Well you have certain ations to take too if you are not paying rents for certain amount of years.

CHAIRMAN: So some of these lands are undeveloped but have been allocated to people and these people have not paid rent.

UNDER SECRETARY: Yes, some of them have not paid rents. We came across those who are not paying rent and we have to clam down on them to ensure they are paying the rent. There are other issues relating to these issues of compliance as well.

CHAIRMAN: And we also would like development on that land too, not just holding them.

UNDER SECRETARY: The Ministry wants to take it back and give them to people who can develop them, Solomon Islanders who can develop them.

SOALAOI: Mr Chairman, of course the other issue would be the allocation of land. Because there are a lot of us. I was looking at an issue in the Solomon Star and almost all the lands in Honiara were taken up by two names. That is quite an issue that the Ministry will need to consider even if it comes to tender. There are people who really want to involve into some form of development but do not have the land Maybe they are deprived of being allocated piece of land because land is given almost to just the same people only. I think let us be fair to everybody who wants land and not just giving them to just two or three people only

CHAIRMAN: Did these two or three people went for tender or were made on direct allocations?

UNDER SECRETARY: Direct allocations. Unfortunately they brought them from Solomon Islanders.

CHAIRMAN: Yes, they took those lands and sold them to somebody because they were unable to develop them so they sold them to somebody.

PERMANENT SECRETARY: Just a comment on the collection of rents and arrears. Mr Chairman, like I said, earlier on we are giving a push to this area this year. What we are planning on like we did last year we put the parcel number and the amount that you owe in rents in the newspaper, and this year we proposed to be a bit firm and come to their doors.

CHAIRMAN: That is good. Maybe there are some weight lifters to be knocking on the doors.

PERMANENT SECRETARY: Knock at their doors, deliver and they are expected to show up, and if they do not show up at a certain time we will do the next thing. That kind of process has been discussed. So we would like to do a bit more than that because last year we did the newspaper publication for our customers. Our revenue at that time tripled from \$4 million and to \$15 million so we are estimating \$14 million this year, and if we do the same we think we can do it like last year.

CHAIRMAN: With that additional push?

PERMANENT SECRETARY: Yes, with that additional push.

UNDER SECRETARY: Mr Chairman, it requires also support from the enforcement unit, like the police, so may be it's a collective so of approach.

CHAIRMAN: Well PS, and one member of the Committee, I think we have covered most of the areas that we need to cover in this Ministry. As we told the other Ministries that came in here that if they are under provision then that is something that has been featured throughout by those Ministries and priorities to change during the year. The government is a dynamic machine so you can continue to talk with the Ministry of course, because when it comes to establishment the Ministry of Public Service will continue to talk to just in the interest government to give those resources so that you can work. So with that I thank you very much for appearing before the PAC and wish you all the best in implementing this budget. Thank you very much.

