

**ASSESSMENT OF STATE AGENCIES WITH
RESPONSIBILITIES FOR LANDS AND OTHER REAL
PROPERTIES**

LAND ADMINISTRATION DIVISION

***MINISTRY OF AGRICULTURE, LAND AND MARINE
RESOURCES***

Prepared for

**LAND USE POLICY AND ADMINISTRATION PROJECT
[LUPAP]**

**Agriculture Sector Reform Programme (ASRP)
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Introduction

The management of State owned lands has relied on long-term leases granted by the State since the Land Grant Regulations of 1941. While the statutory responsibility for the management of all State lands is resident in the Commissioner of Lands, estate management functions for those lands designated as “agricultural” has rested with the Ministry of Agriculture, Land & Marine Resources which develops agricultural parcels for distribution, selects tenants and facilitates the leasing of these parcels to those selected. The Ministry then monitors the performance of these leases and reports to the Director of Surveys as well as advises on transfers and renewals of these leases.

The Land Administration Division of the Ministry of Agriculture, Land & Marine Resources is a Division created within the Ministry in 1994 by Cabinet Minute No. 2192-94/08/25 to coordinate the activities of the Ministry with respect to land management by carrying out the following functions:

- i. Coordination of the identification of blocks of land to be distributed/regularized by grant of Standard Agricultural Lease
- ii. Administration of the processes of granting titles to State agricultural lands, in accordance with Government’s stated policy;
- iii. Management of the tenures granted over State agricultural lands;
- iv. Maintenance and upgrading of the State Agricultural Land Information System (SALIS)

(The Department of Agriculture in the Tobago House of Assembly performs similar functions in Tobago).

The Land Administration Division was established with the following posts:

- Director (a post still to be classified and filled);
- Agricultural Officer II;
- Administrative Officer II;
- Clerk I;
- Clerk Stenographer/Secretary.

In 1997, the contract posts of Land Information Officer and two (2) Land Information Assistants were created to carry out the functions of maintenance of the State Agricultural Land Information System (SALIS) which began in 1994.

In 1999, additional contract posts of one (1) Distribution Coordinator and nine (9) Land Officers were created in the Division to carry out the functions associated with the Accelerated Land Distribution Programme created in response to a Agriculture Sector Loan conditionality contracted with the Inter-American Development Bank.

Supporting Laws, Regulations and Policies

The Division is not directly governed by any laws. However, the Division's activities are guided by the State Lands Act, Chapter 57:01 which governs the management of the State estate and under which the Director of Surveys acts as the State's Landlord. The Division takes its policy guidelines from the New Administration and Distribution Policy for Land, November 1992 which was accepted by Cabinet Minute 2901-92/11/19 and re-affirmed by the present Government.

Staff, Functions and Management

The Land Administration Division is staffed by:

- a) Acting Director
- b) Agricultural Officer II
- c) Administrative Officer II
- d) Land Information Officer and two (2) Land Information Assistants
- e) Distribution Coordinator
- f) Lands Officers (9)
- g) Clerk I
- h) Clerk Stenographer/Secretary

The annual work of the Division is guided by an Annual Work Programme which is submitted to the Ministry of Agriculture, Land & Marine Resources for incorporation into its Programme of Work and Budget for each financial year.

The staff are guided in their functions by Job Descriptions and an Operations Manual which detail the activities and outputs and Standards of Performance expected of each member. However, since the Public Service does not utilize such Performance Standards for staff appraisal, only an informal system of staff performance is utilized.

The staff has been afforded the following training over the past four (4) years:

- Land Administration;
- Certificate in GIS;
- Introduction to GIS;
- Remote Sensing;
- Negotiation and Mediation Skills
- Financial Management in the Public Service

Relationships with Other Agencies

<i>Name of the Other State Agency</i>	<i>Type of Relationship</i>	<i>Method of Communication</i>
Regional Divisions of the MALMR; The Forestry, Fisheries and Land and Water Development Divisions of the MALMR	Advice/comments source data; provide data; notify; provide quality control	Memorandum; telephone calls; facsimile; meetings; visitation
Lands and Surveys Division	Advice/comments; source data; get approvals; provide data; notify.	Memorandum; telephone calls; facsimile; meetings; visitation
Town and Country Planning Division	Get approvals, provide data	Memorandum; telephone calls
Valuations Division	Source data	Telephone calls, facsimile
Chief State Solicitor's Office	Advice/comments; Get approvals; provide data	Memorandum; telephone calls; facsimile
Land Settlement Agency	Provide data; notify	Memorandum
Agricultural Development Bank	Provide data; notify	Memorandum; telephone; facsimile; meetings; visitation

The Division does not have a formal data dissemination policy, although it has put forward policy proposals to the Ministry of Agriculture, Land & Marine Resources. The implementation of this policy was deferred pending an opinion of the implications for data dissemination imposed by the Freedom of Information Act of 1999. However, the Division operates an informal policy in which any Agency requesting land information must do so in writing and provide the necessary media for the transfer of the information (diskettes, ink, paper, etc.).

Policy Integration and Policy Issues

The Division coordinates a Land Administration Committee, which meets bi-monthly. The membership of the Committee comprises the Regional Divisions of the Ministry and the Forestry Division together with the Lands and Surveys Division. The meetings provide a forum for the discussion of policy and operational issues from which recommendations can be taken back to the decision-makers.

The Division is also often requested to serve on ad hoc multi-agency committees in the Public Service on land-related matters (including legislation). Within the Ministry however, the Division's advice is not consistently sought, particularly when the Ministry wishes to carry out actions not supported by official policy guidelines.

Strengths of the Land Administration Division

The strength of the Division lies in the following:

- Committed, competent staff;
- An innovative Land Information System;
- Modern office equipment
- Good working relations amongst staff and with the other land management agencies

Problems facing the Land Administration Division

The Division operates without an independent budget. Funds for general operations are “stolen” out of funding for the maintenance of the SALIS. As a result, financial resources are inadequate;

Dependence on other Divisions and agencies for critical aspects of the tenure administration processes resulting in long delays severely handicaps the Division in completing its activities. In order to alleviate this problem, the Division has proposed and is implementing an Accelerated Land Distribution Programme (ALDP) as an experimental mechanism for accelerating the rate of execution of leases in order to meet conditionality targets for the Agriculture Sector Loan contracted with the IDB.

Inadequate and non-transparent mechanisms for accessing training opportunities in the Ministry of Agriculture, Land & Marine Resources.

Recommendations for Improvements to the Land Administration Division

The Division should be provided with an independent budget as are all other Divisions of the Ministry.

The Ministry should ensure that its training policies are transparent and implemented consistently to enable Land Administration Division staff equal opportunities for training;

The internal processes of the other land management agencies should be streamlined for efficiency and effectiveness, including storage and retrieval of data.

Appendix I

Function-Staff Responsibility Assessment

Agency: _____ Land Administration Division _____

Function No. 1. *Identification of blocks of land for distribution/regularization by grant of Standard Agricultural Lease*

1. **Staff Category:** Distribution Coordinator

2. **Duties and responsibilities/ tasks/ job descriptions**

Liases with the Regional Administrations for the identification of block of land for the preparation of land use and occupancy reports; ensures that blocks identified are included in the relevant work programmes of the Ministry; ensures that the blocks are surveyed and approved by the Director of Surveys

3. **Expected Performance Standards**

(Copy attached) All work is given the required priority and performed in accordance with the standards and criteria and time frames agreed

4. **Expected Outputs**

See Land distribution/regularization work programme attached.

5. **If conflicts arose in the performance of these duties and responsibilities, how are these conflicts resolved?**

Discussions between incumbent and the Director.

6. **Please provide examples of typical conflicts that may arise:**

To date, none have arisen.

Function No. 2. *Administration of Standard Agricultural Leases*

1. **Staff Category:** Director, Land Administration Division

2. **Duties and responsibilities/ tasks/ job descriptions**

Coordinates the lease administration activities of the Ministry, including tenant selection and evaluation of agricultural land use; administers the lease approval process; monitors the estate management processes of the Ministry; formulates and evaluates policies with respect to the administration of Standard Agricultural Leases.

3. **Expected Performance Standards**

(Copy attached) All work is given the required priority and performed in accordance with the standards and criteria and time frames agreed.

4. **Expected Outputs .**

See Land distribution/regularization work programme and performance standards attached

5. **If conflicts arose in the performance of these duties and responsibilities, how are these conflicts resolved?**

Discussions and written communications, if necessary.

6. **Please provide examples of typical conflicts that may arise:**

Non-adherence to Government's stated policies by the political directorate

Function No. 3. *Management of tenures granted by Standard Agricultural Lease*

1. **Staff Category:** Agricultural Officer II

2. **Duties and responsibilities/ tasks/ job descriptions .**

Liases with the Regional Administrations for the monitoring of the estate management processes of the Ministry to ensure conformance with Government’s stated policies for land use and agricultural development.

3. **Expected Performance Standards .**

(Copy attached) All work is given the required priority and performed in accordance with the standards and criteria and time frames agreed.

4. **Expected Outputs**

All tenants are monitored to ensure conformance with tenure terms and conditions.

5. **If conflicts arose in the performance of these duties and responsibilities, how are these conflicts resolved?**

Discussions between incumbent and the Director.

6. **Please provide examples of typical conflicts that may arise:**

To date, none have arisen.

Function No. 4. ***Maintenance and upgrading of a State Agricultural Land Information System***

1. **Staff Category:** Land Information Officer and Assistants (2)

2. **Duties and responsibilities/ tasks/ job descriptions**

Responsible for the overall control and operation of the SALIS databases, provision of information products and training of users.

3. **Expected Performance Standards**

(Copy attached) At all times the SALIS information must be usable, accurate and secure.

4. **Expected Outputs**

Copy provided.

5. **If conflicts arose in the performance of these duties and responsibilities, how are these conflicts resolved?**

Discussions between incumbents and the Director.

6. **Please provide examples of typical conflicts that may arise:**

Technical approaches to the upgrading of the system.

Appendix II

Function-Resource Assessment

Agency: _____ *Land Administration Division* _____

Function No. 1. *Identification of blocks of land for distribution/regularization by grant of Standard Agricultural Lease*

1. Provide the following in relation to the staff category employed to perform this function:

Staff Category	Salary Range	Minimum Qualification Required	Skill Type Required	Minimum Years of Experience	Number of Staff Required	Number of Staff Available
Distribution Coordinator (On contract)	\$9,400/mth	B.Sc. Agric.	Project Management	15	1	1
Lands Officers (On contract)	\$6,871	Dip. Agric.	Basic knowledge of agriculture	2	9	9

2. List the physical resources required to perform this function.

Physical Resources	Age or Year of Acquisition
PC with office document software	1999
Photocopier and Scanner	1996

3. What is the annual estimated cost attributed to the performance of this function?

Cost Category	Cost (TT\$)
Staffing	\$135,360.00
Physical Resources (equipment etc.)	20,000.00
Consumables	5,000.00

4. What is the annual estimate of revenue collected due to the performance of this function?

_____ None _____

5. Kindly provide a detailed step-by-step procedure used in the performance of this function.

- Networking with regional and county Lands Officers
- Vetting of land use and Occupancy reports
- Ensuring that blocks identified conform with land policy
- Ensuring that blocks approved are included in Annual Work Programmes
- (See Operations Manual attached for further information)

6. In relation to procedure described above, please provide the following information in respect of the data required in the performance of this function.

Data Required	Sources of Data	Cost of data acquisition	Problem Associated with the Data
Occupancy data & Subdivision Plans	Regional Offices	Staff salaries	Delays
Approved Cadastral Survey Plans	Lands and Surveys Division	Unknown	Delays
Valuation Reports	Valuations Division	Unknown	Delays

7. How many times is this function performed in a year (Volume of work/ Number of requests)?

_____ On going _____

8. Who are the main clients who benefit directly from this function?

_____ State agencies, land occupants _____

9. How is this function initiated?

- Work Plans of the Regional Offices
- Requests from clients

10. How long does it take to perform a particular task from the point of initiation to completion (including waiting time)?

_____ Variable, depending on problems encountered. _____

Agency: _____ *Land Administration Division* _____

Function No. 2 _____ Administration of Standard Agricultural Leases _____

1. Provide the following in relation to the staff category employed to perform this function:

Staff Category	Salary Range	Minimum Qualification Required	Skill Type Required	Minimum Years of Experience	Number of Staff Required	Number of Staff Available
Director, Land Administration Division	\$7,237	B.Sc. Agric.	Management; Policy Analysis; Project Management	15	1	1
Agricultural Officer II	\$5,767- \$6,066	B.Sc. Agric.	Agric. extension	10	1	1
Administrative Officer II	\$ 5,277 – 5,529	Public Service Entry Requirements	Public Service administration	5	1	1

2. List the physical resources required to perform this function.

Physical Resources	Age or Year of Acquisition
PCs and ancillaries	1996-1998
Photocopier	1995
Fax machine	1998

3. What is the annual estimated cost attributed to the performance of this function?

Cost Category	Cost (TT\$)
Staffing	
Physical Resources (equipment etc.)	5,000.00
Consumables	10,000.00

4. What is the annual estimate of revenue collected due to the performance of this function?

_____ None _____

5. Kindly provide a detailed step-by-step procedure used in the performance of this function.

_____ See Operations Manual attached _____

6. In relation to procedure described above, please provide the following information in respect of the data required in the performance of this function.

Data Required	Sources of Data	Cost of data acquisition	Problem Associated with the Data
Parcel data & Occupier data	Regional and County Offices	900,000/an	Inaccuracies, delays
Land tenure status	Lands and Surveys Division	Not known	Delays
Rent data	Valuations Division	Not known	Delays
Land use approval	Town & Country Planning Division	Not known	Delays

7. How many times is this function performed in a year (Volume of work/ Number of requests)?

_____ On going _____

8. Who are the main clients who benefit directly from this function?

State agencies; Land Occupants _____

10. How is this function initiated?

_____ Requests form clients _____

_____ Annual Work Programme of the Land Administration Division _____

11. How long does it take to perform a particular task from the point of initiation to completion (including waiting time)?

_____ Variable, depending on complexity of issues and problems _____

Agency: _____ *Land Administration Division* _____

Function No.3. Management of tenures granted by Standard Agricultural Lease

1. Provide the following in relation to the staff category employed to perform this function:

Staff Category	Salary Range	Minimum Qualification Required	Skill Type Required	Minimum Years of Experience	Number of Staff Required	Number of Staff Available
Agricultural Officer II	\$5,767 - \$ 6,066	B.Sc. Agric.	Ag.Extension	10	1	1

2. List the physical resources required to perform this function.

Physical Resources	Age or Year of Acquisition
PC and ancillaries	1997
Photocopier Scanner	1995

3. What is the annual estimated cost attributed to the performance of this function?

Cost Category	Cost (TT\$)
Staffing	
Physical Resources (equipment etc.)	
Consumables	

4. What is the annual estimate of revenue collected due to the performance of this function?

_____ None _____

5. Kindly provide a detailed step-by-step procedure used in the performance of this function.

_____ See Operations Manual attached _____

6. In relation to procedure described above, please provide the following information in respect of the data required in the performance of this function.

Data Required	Sources of Data	Cost of data acquisition	Problem Associated with the Data
Parcel data & Occupier data	Regional and County Offices	900,000/an	Inaccuracies, delays

7. How many times is this function performed in a year (Volume of work/ Number of requests)?

_____ On going _____

8. Who are the main clients who benefit directly from this function?

_____ State, land tenants _____

9. How is this function initiated?

_____ Land Administration Division _____

10. How long does it take to perform a particular task from the point of initiation to completion (including waiting time)?

_____ Variable. _____

Agency: _____ *Land Administration Division* _____

Function No. 4. Maintenance and upgrading of a State Agricultural Land Information System

1. Provide the following in relation to the staff category employed to perform this function:

Staff Category	Salary Range	Minimum Qualification Required	Skill Type Required	Minimum Years of Experience	Number of Staff Required	Number of Staff Available
Land Information Officer (On contract)	\$7,325	M.Sc. GIS	GIS, Project Management	3	1	1
Land Information Assistants (On contract)	\$6,325	Certificate GIS	GIS, Project Management	2	2	2
SALIS Data Enumerators	\$2,890	CXC Agri. Science	Interview	1	20	20

2. List the physical resources required to perform this function.

Physical Resources	Age or Year of Acquisition
PC with GIS and related software and ancillaries	1998
Photocopier	1995
Scanner	1999

3. What is the annual estimated cost attributed to the performance of this function?

Cost Category	Cost (TT\$)
Staffing	\$817, 615
Physical Resources (equipment etc.)	\$ 5,000
Consumables	\$25,000

4. What is the annual estimate of revenue collected due to the performance of this function?

_____ None _____

5. Kindly provide a detailed step-by-step procedure used in the performance of this function.

_____ See Operations Manual attached _____

6. In relation to procedure described above, please provide the following information in respect of the data required in the performance of this function.

Data Required	Sources of Data	Cost of data acquisition	Problem Associated with the Data
Parcel and Tenant data	Regional and County Offices	\$900,000.00/ an	Inaccuracies and delays

7. How many times is this function performed in a year (Volume of work/ Number of requests)?

_____ On going _____

8. Who are the main clients who benefit directly from this function?

_____ State, Land Tenants _____

9. How is this function initiated?

_____ Land Administration Division _____

10. How long does it take to perform a particular task from the point of initiation to completion (including waiting time)?

_____ On going _____