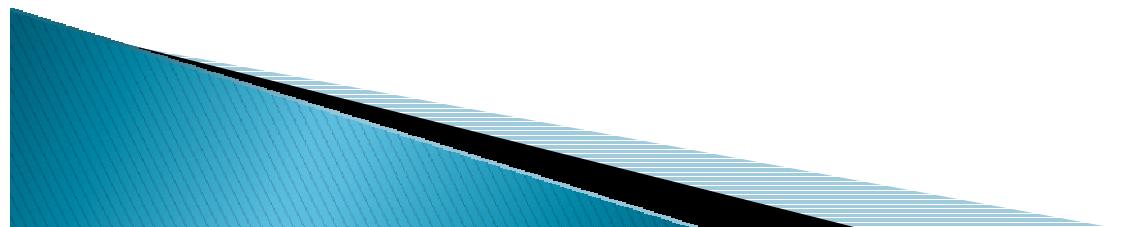


NEW DEVELOPMENT IN LAND ADMINISTRATION AND SURVEYING MATTERS IN NIGERIA

BY

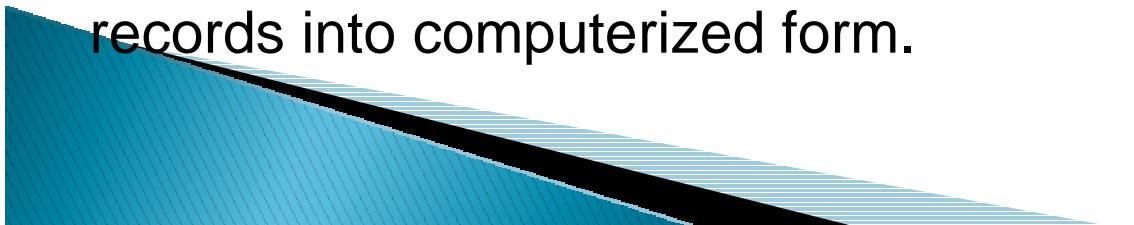
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BEING A PAPER
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INTRODUCTION

- Land is the platform of all societies activities.
- Land policy regulates the access to land and the management of land.
- An acceptable and proactive land policy is a critical success factor in economic development and growth in developing countries.
- Land administration instruments determine how a government can provide access to land, offer tenure security, regulate the land market, implement land reform, protect the environment, and levy land taxes.
- Therefore, the establishment of a modern land administration system is imperative which involves the new surveys of existing/new land parcels, and the conversion of existing paper records into computerized form.



-Technology is a useful tool to speed up some of the processes of creating and updating a cadastral system,

-It is important to involve land owners in the process and have confidence in the outcome of data acquisition exercise.

- Effective land administration requires access to good land information. The storage of data in computers has become much easier provided the data have been digitized.

- The size and volumes of data for land administration are large. Consequently, for increase efficiency all land titling data needs to be archived, most especially the root of title.

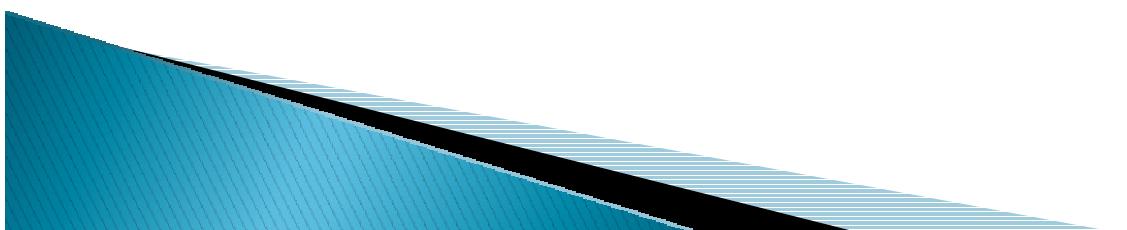
Therefore, land administration is however more than land transfers. The state of the land market usually influenced the way in which the land is used.



OBJECTIVES

The objective that this paper is set to achieve is as follows:

- To identify new development in land administration and surveying in Nigeria.
- To appraise the effectiveness or otherwise of the current land administration strategies in Nigeria.
- To proffer workable solution that could take Nigerian land administration and surveying to the next level.



LAND ADMINISTRATION IN NIGERIA

Nigeria is endowed with vast land mass of approximately 924,768 sq.km with a population of about 144.7million people and an annual growth rate of 2.5%. The country has more than 250 ethnic groups. Nigeria is the most populous country in Africa, and one of the fastest growing countries in the world. It has a Federation of 36 states and the Federal Capital Territory, Abuja. The Federation is made-up of 774 local government councils area.

The objective of land administration in Nigeria is to ensure that the ownership of natural resources is preserved, protected and properly managed in a manner that explores all the inherent potentials.

Land ownership can be tied to records and documentation. Land records and registration is a function of Governmental activities by which the ownership of estates, interests and rights in land are recorded and indexed. This requires confirmation of evidence of title by proof of ownership.

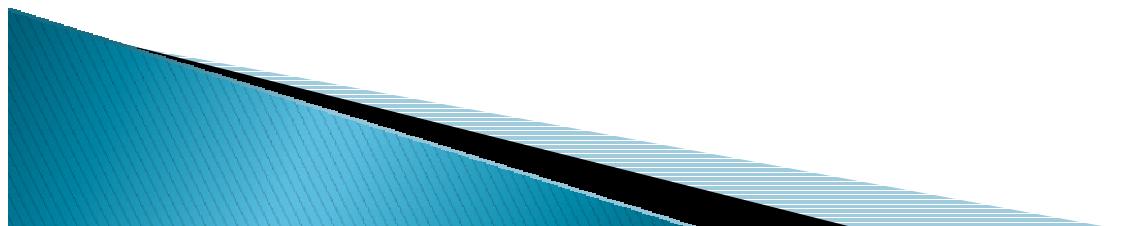
The ultimate goal is to ensure transparent land administration system.



Official recording of interest, rights and obligations in land was introduced in Nigeria during the colonial rule which led to the establishment of a Land Registry in Lagos in **1863**. This operated for some time and later land registration laws were based on regional basis until **1915** when the Land Registration Ordinance No.12 Unify the Systems of Land Registration in the colony of Southern and Northern protectorates. It amended all laws affecting the registration of titles and deeds throughout Nigeria. (Ordinance No.29 of 1915, No.12 of 1918 and No.15 of 1920).

With the creation of new Federal Capital Territory (FCT) Abuja. The new Federal Lands Registry became necessary and the Federal Lands Registry (Miscellaneous Provision) Decree No.7 of 1992 was enacted. The motive was to exclusively register interests on land belonging to Federal Government.

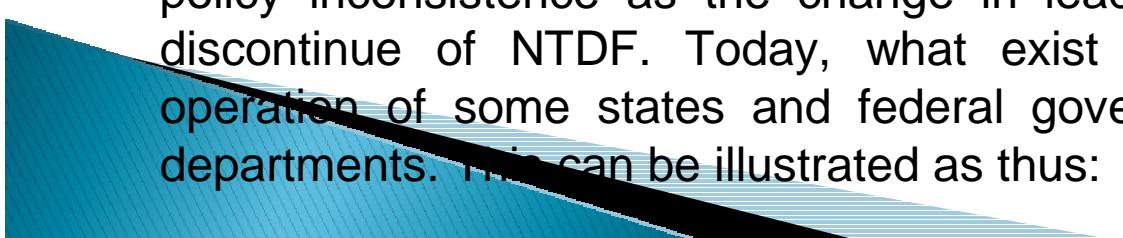
This become effective in 1993 and as a result registration of Federal Land Titles in State Land Registries Ceased.



NEW DEVELOPMENT IN LAND ADMINISTRATION

- With the unification of land registration throughout the country. The National Technical Development Forum (NTDF) was established and inaugurated on April 11, 2006.
- The NTDF have representatives from all the 36 states of the Federation.
- The aim is to formulate ideals for uniform operations in land administration, establish a consistent data recording format as well as establish acceptable software standards among others.
- NTDF succeeded in organizing series of zonal workshops across the six geo-political zones of the country and that provided the opportunity for understanding the land administration and registration systems that are operated in the different states of the Federation.
- This also provided the opportunity to harmonize the existing states systems and formulate acceptable national standards and procedures.
- Existing states best-practices were harnessed for mutual national advantage.

However, this lofty and commendable effort is deviled with the challenges of policy inconsistence as the change in leadership in the country led to discontinue of NTDF. Today, what exist is fragmentation of modern operation of some states and federal government ministries and some departments. This can be illustrated as thus:



(i) FEDERAL LAND INFORMATION SYSTEM (FELIS)

FELIS is a project embarked by the Federal Ministry of Works & Housing. It is a system that is expected to captures information on Federal Government Lands throughout the country in a functional digital format.

It is aimed at achieving a more flexible system of recording and administering land information against the hitherto the manual system.

It is designed as a single database linked to other centres to send and receive information about transactions on Federal Government Land nationwide via the internet.

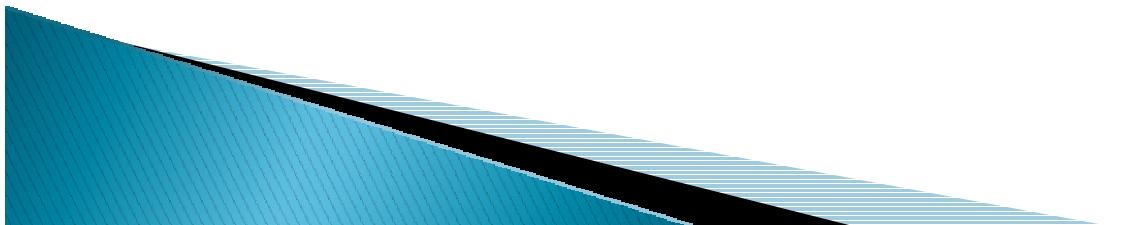
FELIS is a geospatial information system with a centralized database serving over fifteen remote sites and the FELIS project includes:

- Federal Land records rehabilitation
 - Software development and licenses
 - Data conversion
 - Archive computerization
 - Hardware, communication, peripherals, infrastructure
 - Assimilation of work processes
 - Onsite training
 - Routine ongoing maintenance
- 

(ii) FEDERAL MINISTRY OF TRANSPORTATION (FMT) NIGERIA

Recently, the Federal Ministry of transportation established the Road Information System (RIS) within the Ministry.

- RIS aimed at the management of Federal roads with GIS capabilities including financial elements such as budget planning, contracts payments management, contractor's performance evaluation among others.
- RIS is expected to improve the ability of FMT to manage, maintain and control the status of Federal roads throughout Nigeria.
- It is a geospatial information System with roads as its main entity. The infrastructure Hard and soft wares have been provided.
- RIS project is a turnkey project and focuses on physical Infrastructure management using GIS technology.



(iii) OFFICE OF THE SURVEYOR GENERAL OF NIGERIA (OSGOF).

The OSGOF is now an institution that provides the much needed control over survey and mapping in Nigeria.

OSGOF is recently into development of a Cadastral Geographical Information System (GIS) that would allow defining land parcel data of Federal Lands that can seamlessly integrate with FELIS for effective management and Administration of Federal Lands in Nigeria.

The objective is to establish and create a full geographic layer of plots. The activities and services currently being pursued are:

- Provision of enabling infrastructure of newly establish service center.
- * Procurement of hardware equipment including servers, computers with accessories and peripherals.
- * Procurement of communication equipment and configuration setup including broadband internet and Local Area Network (LAN).
- * Software licenses of servers and desktops Operation Systems, GIS, CAD, Imaging etc.
- * GIS Implementation of all relevant layers
- * Training and support of relevant personnel
- * Maintenance routine.

(iv) NEW DEVELOPMENT AT THE STATES LEVEL

To the time of this paper preparation only the following states have made substantial progress in the procurement and installation of the state-of-the-art facilities in their land administration and surveying and they are:

Lagos, Niger, Kwara, Benue, Kaduna, Plateau, Enugu, Abia, Ondo and Cross-Rivers States. The Federal Capital Territory (FCT) Abuja is not left out too. It has Abuja Geographical Information System (AGIS). AGIS in 2006 recertified all Lands within the Federal Capital City, Abuja, though, facing serious challenges in recertification the Area Councils Lands within the FCT.

The objectives of the project in the different states is to improve land files and records, decrease of data loss, keeping mutilated records and storing old and irrelevant information, enable easy retrieval of data, receive reports and statistics, effective land taxation and revenue generation, and improve long term planning.

Most of the states have achieved a computerized information system for land and property Administration. The projects in the different states are at various stages of completion and is expected to provide the infrastructure for the land information management system with varying degree of emphasis. Some state emphasized on GIS and Recertification of Titles, Land records and Property System etc.



CHALLENGES OF LAND ADMINISTRATION AND SURVEYING IN NIGERIA.

Despite the fact that FELIS and AGIS has recorded tremendous transformation in their land administration System. There exists serious challenges not only in them but across the country:

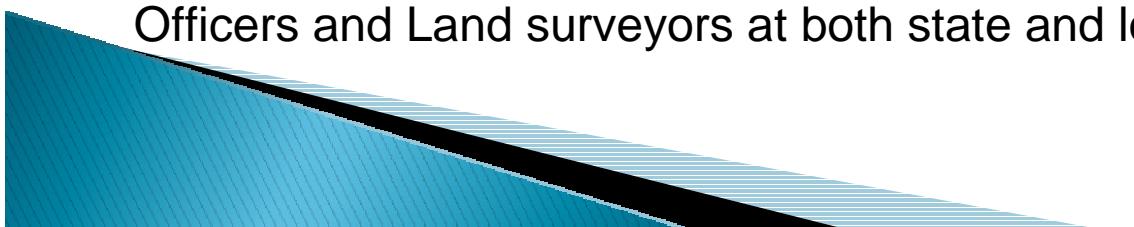
The expected hub of network of land records across the 36 states of the Federation and the Federal Capital Territory, Abuja has been discontinued.

The consequence is the fragmentation of states land recording system in Nigeria. This is as a result of policy inconsistency.

Even with Land Reform as one of the seven point Agenda of the present Government adequate enabling framework are yet to be formulated, not to talk of implementation.

Disconnection between the operations of Land officers (at Federal, States and the 774 Local Governments) Deeds Registrars and Land Surveyors. Consequently, no uniform operation of land administration throughout the country and different states land data recording format in Nigeria.

Most state in Nigeria have fragmented and in efficient institutional framework arrangements combined with lack of clarity of responsibility and duties of Land Officers and Land surveyors at both state and local government.



Absence of required capacity in most states of the Federation. Resulting into serious dearth of suitable indigenous technical expertise.

Despite the willingness of most states of the Federation to embrace recent technology in land administration. There exist absences of precise cadastral maps that are required for the preparation of title documents.

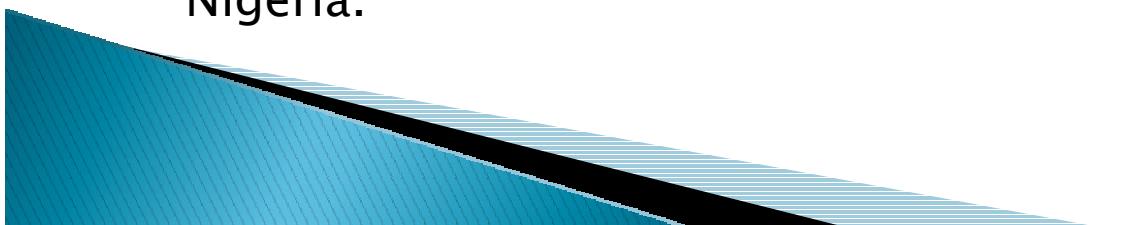
The inability of Land Administrators to operate the Land Use Act (LUA) to the benefit of all and in the manner that it should be operated. Hence the supreme court of Nigeria judgments of 2008;

*“A certificate of occupancy issued under the Land Use Act – not conclusive evidence of any interest or valid title to land in favour of the grantee – it is only a *prima facie* evidence of such right, title or interest and not more – it may be effectively challenged and rendered invalid” - S.O. Adole V. Boniface B. Gwar (2008) 4 S.C.N.J.I*

Similarly, in the same case above, the Supreme Court held that,

“– deemed grant – comes into existence automatically by the operation of law and the grantee acquires a vested right just as an actual grantee of a right of occupancy”.

This situation of compounded the land administration situation in Nigeria.



THE WAY FORWARD

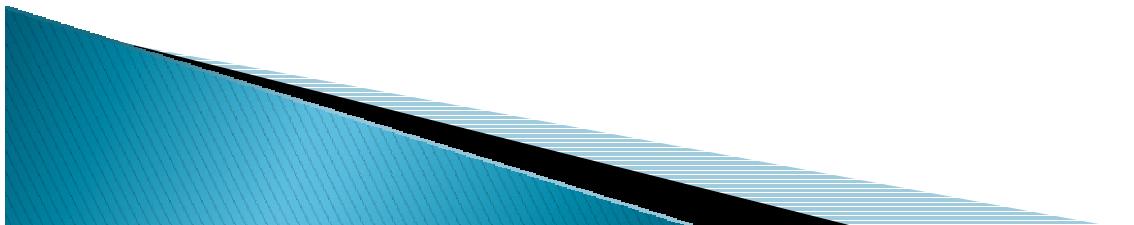
- i. Land Records documentation should be pursued vigorously in the entire country. This will facilitates access to credit, transparency in land dealings, robust free land market economy, security and protection of ownership rights. These are drivers if the Land Reform is to success in Nigeria.
- ii. Establishment of National Land Repository within Land Commission (be created at federal and states level). This will be the official sources of Land Record information for the entire country.
- iii. Continuity in Land Administration policies is imperative to national growth and development. Hence the need to promote it.
- iv. The government should involve various stakeholders such as the communities, Professionals, the private sector and non-governmental organization in Land Administration process in order facilitate planning, monitoring, managing and administering land.
- v. The Estate Surveyors and Valuers (Land Officers) and Land Surveyors should be streamlined and properly harmonized with clear responsibilities.



CONCLUDING REMARKS

Generally, it is not how far but how well. The present government should be commended for according Land Reform a priority as one of the Seven-point Agenda. The reforms is basically expected to reactive and position transparent Land Administration in Nigeria and to move it to a level of becoming a commodity and create effective land market, increase investment opportunities, encourage mortgage facilities, empower the citizens, reduce poverty level, assure security of lives and property, and drastically reduce transaction time for property rights and ease of transfer.

This gathering provides the opportunity to explore potentials in Nigeria Land Reform Agenda. It is also appropriate to solicits for support of development partners and donor – agencies to avail the country with appropriate professional, technical and expertise to further develop Nigeria's land administration system.



► THANK YOU

