

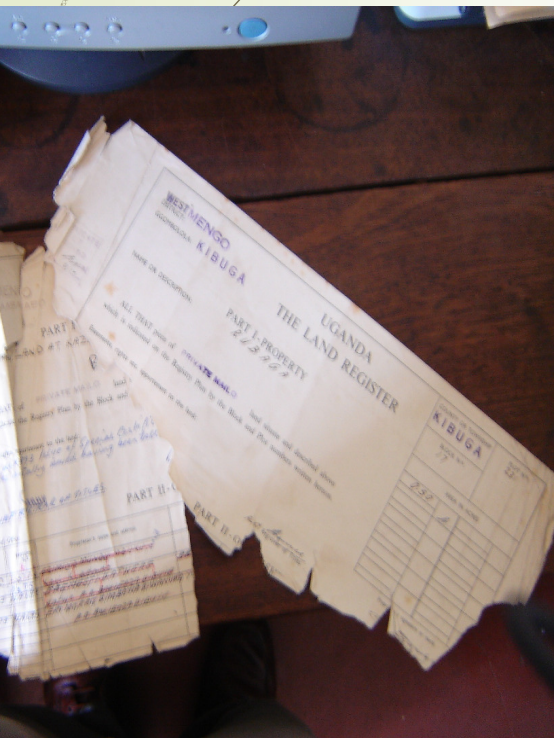


THE REPUBLIC OF UGANDA

LAND RECORDS & REGISTRATION IN UGANDA

**By Sarah Kulata B.
Ag. Director Land Management**

Ministry of Lands, Housing and
Urban Development



Land Records

- The land records in Uganda are among the first records created. They originated from the 1900 Buganda Agreement which provided for the allotment of land. Shortly after its signing, the first steps were taken to establish a Land and Survey Department and the first Chief Surveyor arrived in the Country in 1901.
- It was proposed that the first settlement survey would take 10 years to complete. In 1902, after establishment of the initial topographical survey, the chief surveyor gave his estimate as 14 years at a cost of 76,000 pounds. It was with this estimate in mind that the work was eventually started upon what came to be called the Mailo Survey of Buganda in July 1904.
- The allotment lists were prepared and confirmed by Mengo Lukiiko. Once confirmed, each claim was further evidenced by the issue of a Provisional Certificate (PC) pending formal demarcation and survey. After survey and the production of plans, an allocatee's mailo interest was recognised by the issuance of a Final Certificate (FC) supported by a dimensional plan. This in turn led to the issuance of a mailo – owner certificate of Title upon its registration under the Ordinance of 1908.
- The first titles were made in 1908 and was distributed by Sir Hesketh Bell, the Governor of Uganda on 2nd January 1909. These PC's and FC's are the first land records in Uganda.

The Survey Process

- ▶ The whole survey process which was done systematically, started in 1904 covering the area from Ssingoo County and was concluded in Buvuma Islands in May 1936 at a total estimated cost of 200,000 pounds.
- ▶ The survey task, which initially was thought to be easy and simple ended up being complex, long and expensive. The original one thousand acres allocated virtually quadrupled. Claims and complex land dealings developed. The First World War also caused further delays. A systematic method of survey was used with the policy of first dealing with those claims lying in the fertile and densely settled counties in the vicinity of Kampala and working outwards in radical fashion to survey the relatively fewer claims in the outlying areas.
- ▶ In September 1904, the Registration of Documents Ordinance came into force. The Chief Surveyor was also appointed the Principal Registrar of Documents with effect from 1905. This law provided for the compulsory registration of all documents conferring right, title or interest in immovable property, except those of a testamentary nature. This was the first legislative attempt to provide for the maintenance of adequate land records but was superseded, before it came into effective operation, by the Registration of Title law.

Cadastral Index map

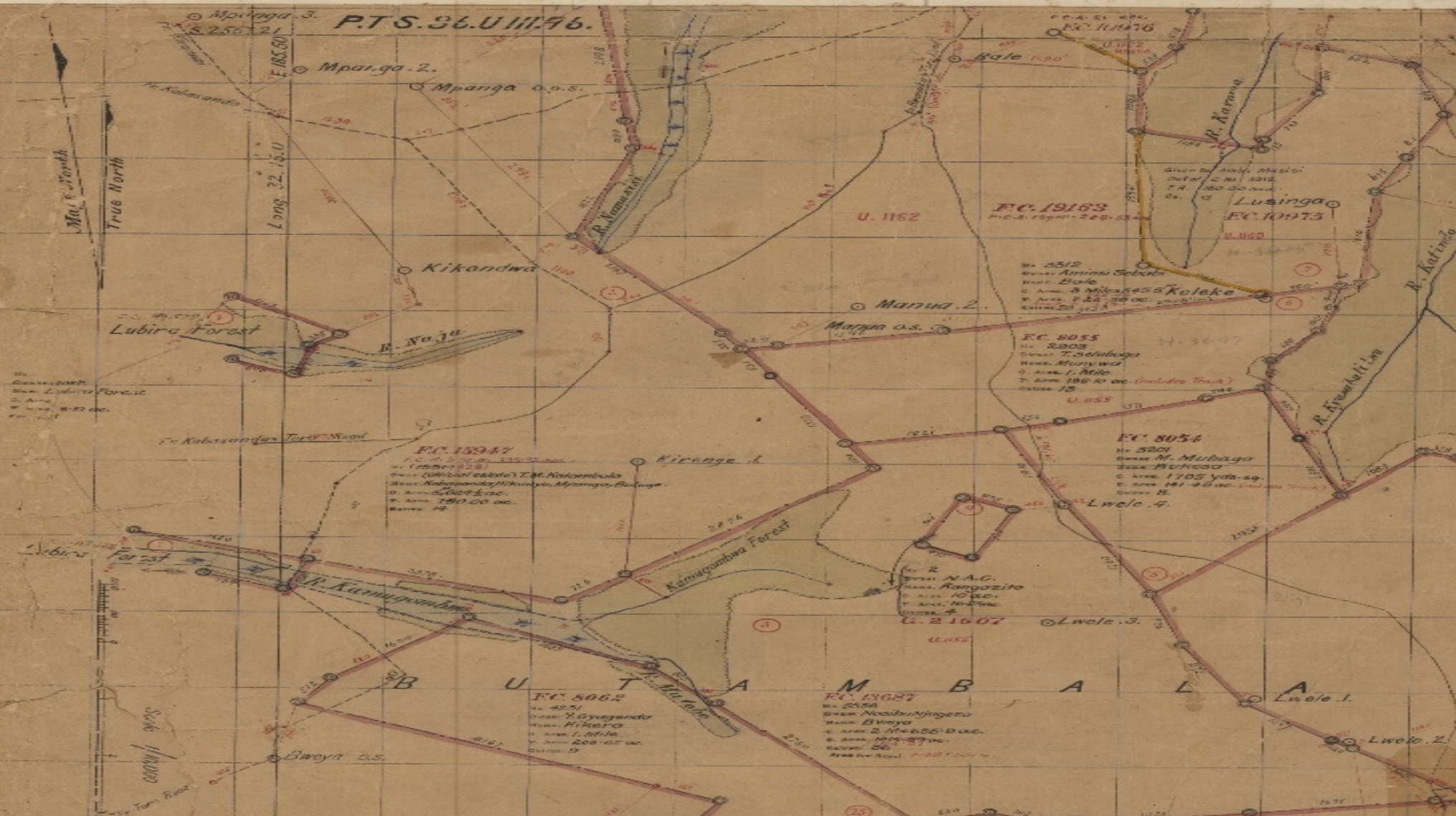
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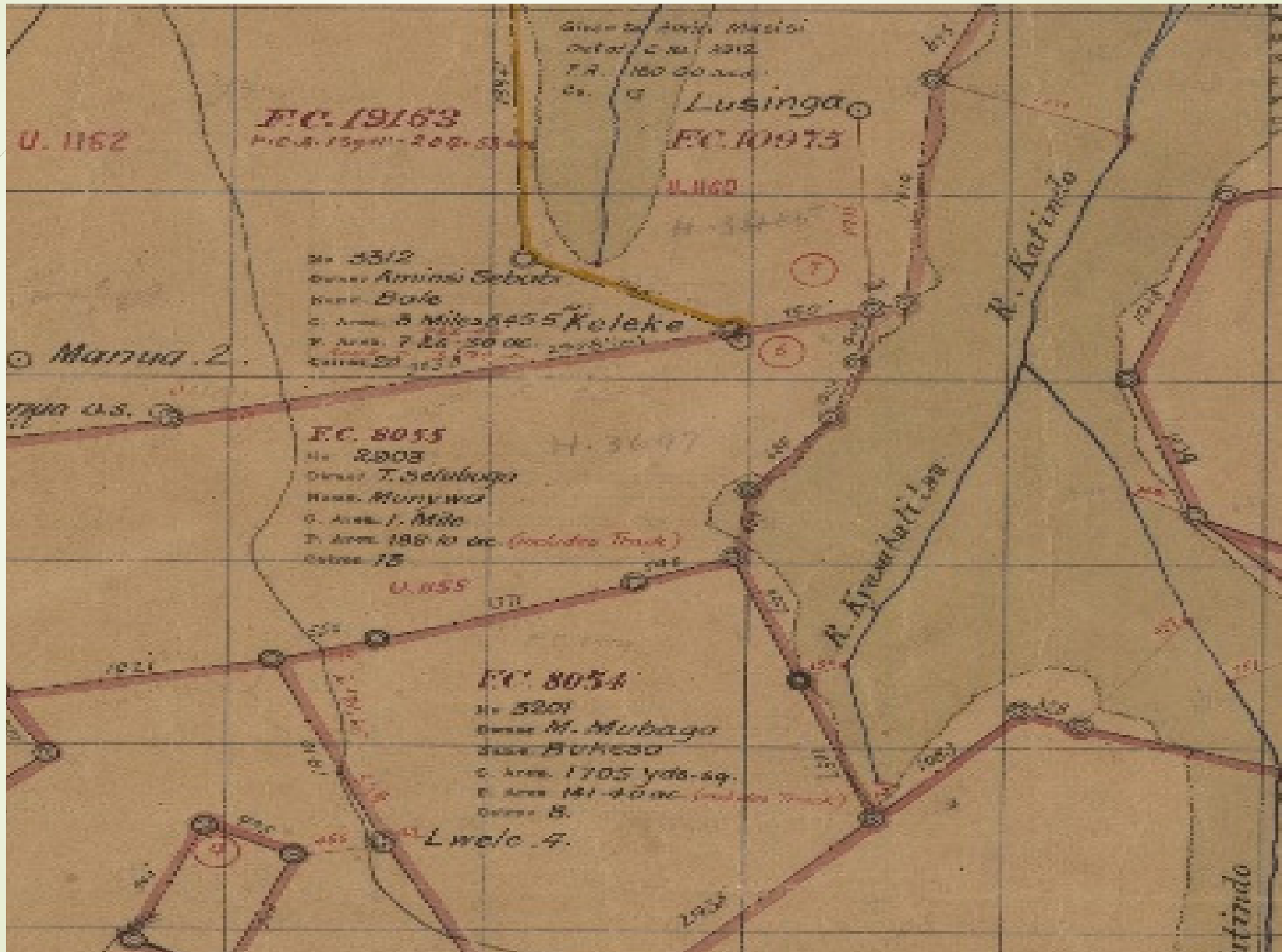
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DETAILS

INSTRUCTIONS

Notice the Full Length of Several Edges. Place Tracing Square on Lower Half and Press Strip Down Firmly. Th



Map showing FC and Owner



Difficulties encountered

A) Complex and lengthy process

- ▶ After getting a PC, allocatee's lay claim for a particular area. Upon survey the land could be less than allocated, necessitating him/her to look for extra elsewhere. Even at initial laying claim, an allocatee of say 3,000 acres, could lay claim to pieces of land in different counties, ie 1,000 in Kyaggwe, 500 in Kibuga and 1,500 in Ssinga. This made the survey and titling process more complex, tedious and lengthy.
- ▶ Surplus estates - Once an allocatee surveyed his entitlement as per the PC, any excess area became surplus estate which automatically converted back to the crown. However, the Chiefs redistributed some of these surplus estates by surrendering equivalent land from lesser desirable areas to better desirable areas.

Difficulties encountered cont'd

B) Paper claims

- ▶ The Mailo settlement, at that time, was like a rolling snowball which increases in size as it proceeds. No staff was available to attend to the mutations occurring upon the estates already demarcated. The work which had been estimated to end by 1918 was way behind schedule and was interrupted by the 1st World War. Clearly something had to be done to increase the officers and pass on expertise to locals to assist in the survey.

Because people could not get the survey services in time, they resorted to having their claims registered onto the titles and would get a paper confirming registration of their claim. This gave rise to many paper claims on the title which made the register become a more of a register of claims/ caveats rather than a register of titles.

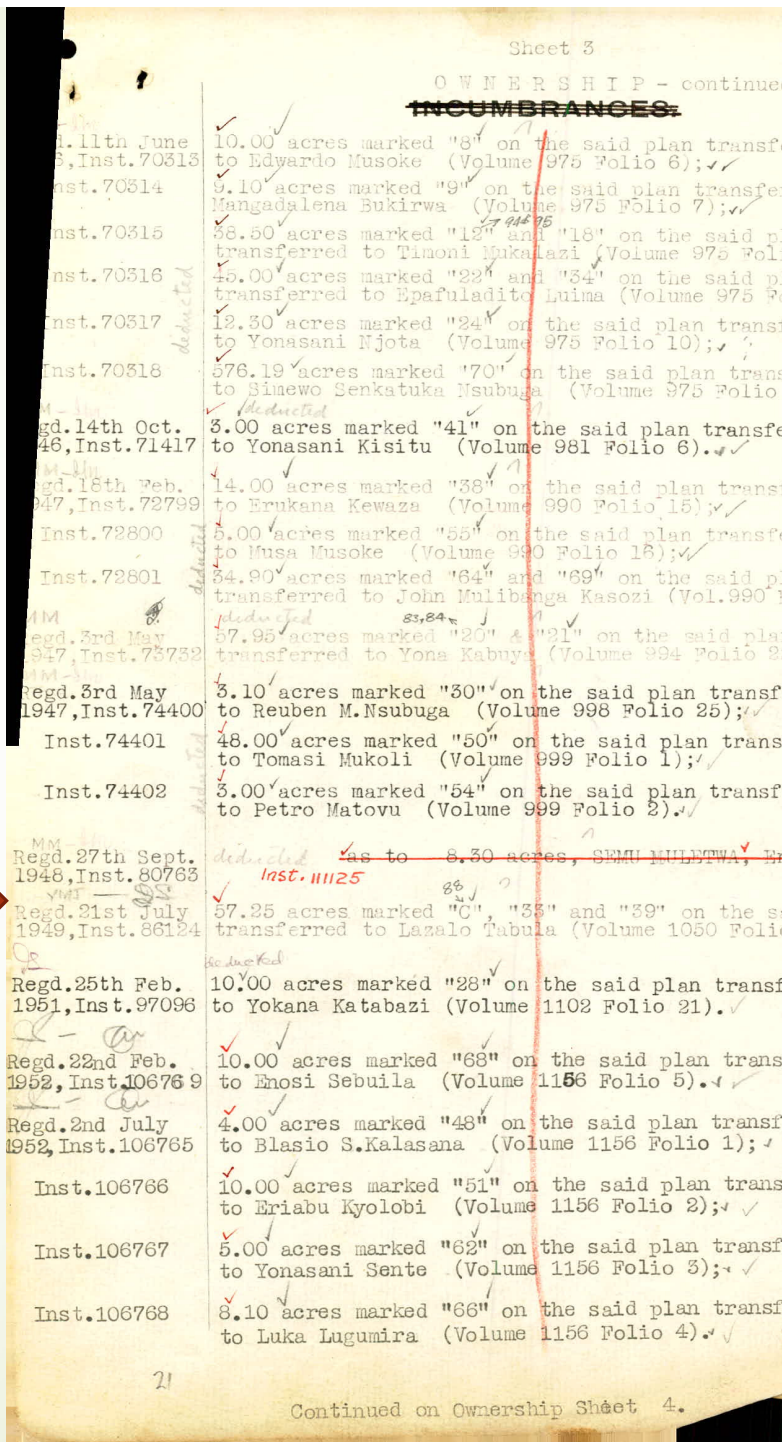


Paper claims

Sheet 1



Sheet 2



Difficulties encountered cont'd

C) Lack of trained personnel

- ▶ This gave rise to the establishment of a survey Training school to train plain tablers to assist the surveyors. This is now the School of Survey and Land Management located in Entebbe.
- ▶ When the allotment, survey was completed in 1936, with the complex land records generated, a decision was made to archive the claims which were the root of the mailo titles. This was done from 1936 onwards. After archiving, these records were closed and Mailo titles used (S 32 RTA).

MRV

BROUGHT ON TO NEW REGISTER

BLOCK 592 PLOT 69&112

R. K. K. K. 14/5/03
A.R.J. DATE

MAILO REGISTER
Volume 1758 Folio 12.
F.C. No. 19381
Head Title Vol. 990 Folio 17.

UGANDA
REGISTRATION OF TITLES ORDINANCE

CERTIFICATE OF TITLE

DESCRIPTION OF LAND

The absolute Mailo estate in the Mailo land shown on District Registry Plan and situate and known as follows:—

Number: 69+112 Estate: Lubya
Gombolola: Sabawali Ssaza: Busiro
District: Mengo Approximate area: 26.00 acres

PROPRIETORSHIP

Name and Address of Proprietor	Price or Value	Initials of Registrar
<u>MASANI SENTE %6 Bulanja. Mamba clan, Lubya. Sabawali. Busiro.</u>	<u>2600/-</u>	<i>LB</i>

Assistant Registrar of Titles.

MRV Sample 1



Kampala District Registry

BROUGHT ON TO NEW REGISTER

BLOCK 592 PLOT 69&112

R. K. K. K. 14/5/03
A.R.J. DATE

MAILO REGISTER
Volume 1758
F.C. No. 19381
Head Title Vol. 990

UGANDA
REGISTRATION OF TITLES ORDINANCE

CERTIFICATE OF TITLE

DESCRIPTION OF LAND

The absolute Mailo estate in the Mailo land shown on District Registry Plan No. 19381 and situate and known as follows:—

Plot Number: 69+112 Estate: Lubya
Gombolola: Sabawali Ssaza: Busiro
District: Mengo Approximate area: 26.00 acres

PROPRIETORSHIP

Date and Inst. No.	Name and Address of Proprietor	Price or Value

MRV Sample 2



Current Titles

42567
LEASEHOLD REGISTER
Volume HQT22 Folio 10

THE REPUBLIC OF UGANDA
REGISTRATION OF TITLES ACT
CERTIFICATE OF TITLE
DESCRIPTION OF LAND

The Leasehold land edged red on the plan attached hereto and situate and known follows: -
Plot Number(s): 26
Block (Road) Name: GULU MUNICIPALITY BLOCK LAGONY
Township/Municipality/City: BARDEGE
District: GULU Area: Approx.0.2010 HECTARES

TERM from 1st day of January 2013 for 5 years and months at the rent and subject to the covenants and conditions contained or implied in Lease Number DLB-5- MIN: 4/2011 -a- 2 of 1st - 2nd JUNE,2011 bound up herewith and to the encumbrances (if any) entered in the Incumbrance Register.

ements

PROPRIETORSHIP	
Name and Address of Proprietor	Signature of Registrar
LIAM OMONY OF P.O. BOX 1511, Gulu	<i>[Signature]</i> Registrar of Titles

REGISTRAR OF TITLES

Date of issue: 23/09/2013

Folio 10 ML B00947844



Leasehold title

Freehold title



10000000018779

THE REPUBLIC OF UGANDA
REGISTRATION OF TITLES ACT

Certificate of Title
FREEHOLD REGISTER, VOLUME HQT316 FOLIO 12
DESCRIPTION OF LAND

ALL THIS piece of land delineated and edged red on plan hereto annexed containing the following area thereabouts and situate as follows:

Area	County	District
0.9450 hectares	Bungokho	Mbale

and known as: **Block(Road) 1 Plot 368 at WAKWAB.**
(Subject to conditions herein)

OWNERSHIP

SAUYA WARUNYA AND AHAMAD KISUBI BOTH
P.O. BOX 1187, MBALE (AS JOINT TENANTS)

Date, time and Inst. No.
REGD. 16/12/2014
AT. 10:57 AM
INST. 00008845

Is /are now the proprietors of an estate in fee simple in land above described subject to the conditions and incumbrances herein after set out.

Dated this 16th day of December 2014

Registry Copy
Volume HQT316 Folio 12

Mailo title and system deed plan

**UGANDA
THE LAND REGISTER**

PART I – PROPERTY

Plot No. 158

COUNTY: MAWOKOTA

BLOCK No 20

AREA IN HECTARES
0.4060

Proprietor's signature or Mark

CS issued after 20.11.14

of PRIVATE MAILO land situate and described above on the Registry plan by the Block and plot numbers written hereon.

burtenant to the land:

RRSB
Registrar of Titles

PART II – OWNERSHIP

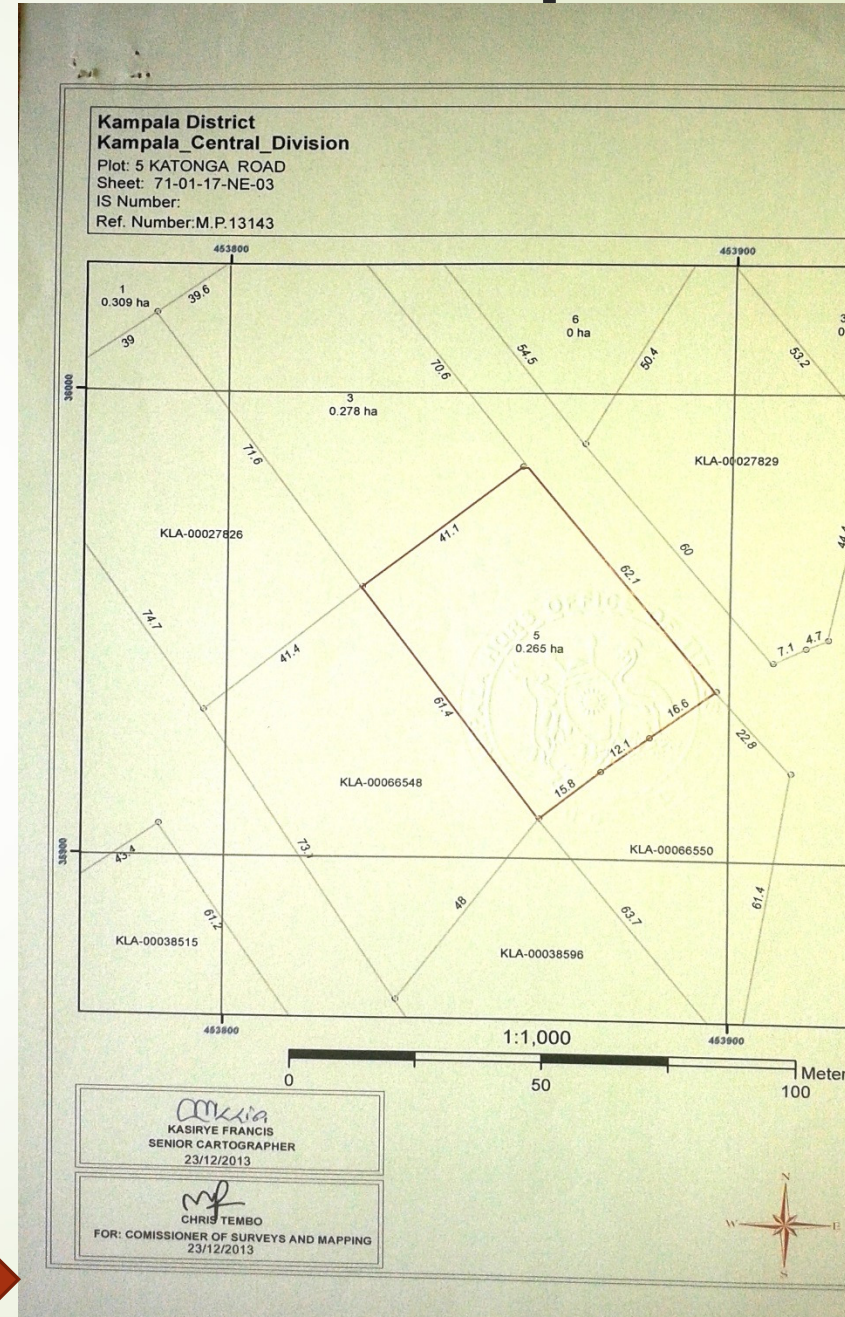
Document No.	Proprietor's Name and Address	Father's Name	Clan	Registrar's Signature
0003127	SSEBULIBA LIVINGSTONE and ELIZABETH KANSAZE, (ADMINISTRATORS of the estate of the late Manjeri Kweresa Eva Nansubuga Lubega, A/C NO. 0043/2012 of Chief Magistrates Court of Mpigi) (AS JOINT TENANTS)			<i>RRSB</i>

Plot 158

MLB00970790

Mailo title

Deed plan



Land records (Period 1943 – 1956)

- At this point in time, all records were centrally kept at the Lands and Survey office Entebbe. The title records were increasing in number and the demand for the service had extended beyond the native Buganda region. Below is a table showing statistics of the parcels surveyed and title at that time:

Year	Plots surveyed by Gov't	Plots surveyed Privately	Total No. of Plots surveyed	Current mutations	Number of titles issued
1954	1,961	-	1,961	-	1,123
1955	2,721	-	2,721	-	2,408
1956	3,294	806	4,100	-	3,847
1957	5,832	1,135	6,967	7,929	6,136
1958	8,395	1,737	10,132	7,665	7,634
1959	8,500	1,000	9,500	6,088	8,413
1960	8,156	833	8,989	4,941	7,293
1961	6,431	825	6,756	2,698	5,222
1962	4,843	321	5,164	2,910	6,443

Source: Lands and Surveys department Annual Report 1954 - 1962

This means that as of 1964, the total number of titles issued was 48,519

Land records cont'd

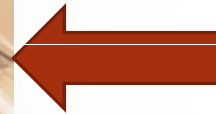
- ▶ A decision was made to create zonal and branch offices to take services near the people. This gave rise to 7 branch offices of Mukono, Bukalasa (current Luweero District), Mityana, Masaka, Fortportal, Mbarara, Kabale for mailo and native freehold titles. The leasehold and freehold titles of the rest of the country stayed at headquarters. These became operational in 1956.
- ▶ Zonal offices were created at Mbale, Arua, Gulu, Kabale, Fortportal to cater for other land management services, particularly surveys and land administration.
- ▶ Before transfer of the Mailo records, a decision was also made to improve the method of title referencing of the mailo titles from the register volume and folio method (MRV). These were also closed and archived and Mailo Block and Plot titles created.
- ▶ At closure, only the active instruments are carried forward to the new title i.e the registered proprietor and encumbrances still affecting the land.

Land Records (period 2000 to date)

- ▶ The records at the centre increased in number despite the facilities remaining the same. The title records came to about 500,000. The situation of the records in 2007 and 2009 respectively.



Kampala Mailo Office, June 2007



Leasehold Registry Jan 2009



This no wonder impacted on our delivery of service and on the integrity of our records.

Computerisation and Modernisation of the Land Registry

- ▶ With the support of the World Bank and the Private Sector Foundation Uganda, under the competitiveness project, Government embarked on various land reform projects, one of which included the modernisation and computerisation of the land registry. This entailed sorting, reconstruction, indexing and data capture. We have so far captured about 500,000 records.
- ▶ The Ministry has also created six zonal offices, in this first phase. These are at KCCA, Wakiso, Jinja, Mukono, Masaka and Mbarara which we are improving to be a one stop centre for all land services in that geographical area. We intend to roll out to initially other seven in the next three years and later to the remaining 8 in 10 years.

Old Office



New Jinja MZO



NLIC



Land records after

Land Records

Before Reorganization



After Reorganization



Why Ministry requested for an Interface

- ▶ The Ministry of Lands has in the last two years been affected by numerous cases against us, particularly the Department of Land Registration. Analyses show that about 50% of the cases are descendants/claimants of people who were allocatee's or transferees of parcels under the PC and FC claims. They present to courts micro-film extracts, and cadastral map sheets claiming ownership of the lands, which lands long changed hands. The Ministry therefore thought it imperative to give you this information so that you are guided and are enabled to reach the right decisions.
- ▶ The Ministry also requests Honourable members of the Bench to take into account the law of Limitation while deciding on matters of claims of land by descendants.
- ▶ The Ministry also notes that we are getting an increasing number of administrators of estates who are not known by the family members and do not have any degree of consanguinity with the deceased registered proprietor. Upon being registered on the title, they quickly cause multiple transfers and other transactions to create an impression of bonafide purchase.



Cont'd

- ▶ We have also registered administrators of estates of living persons!
- ▶ We also wanted to use this opportunity to inform Honourable members of the Bench of what we are doing, where we are coming from and where we intend to go. In this second phase of the project, we intend to have the Banks and Courts to our portal, such that information can easily be accessed without making a physical visit to our offices. It would assist in quick decision making.



THANK YOU