



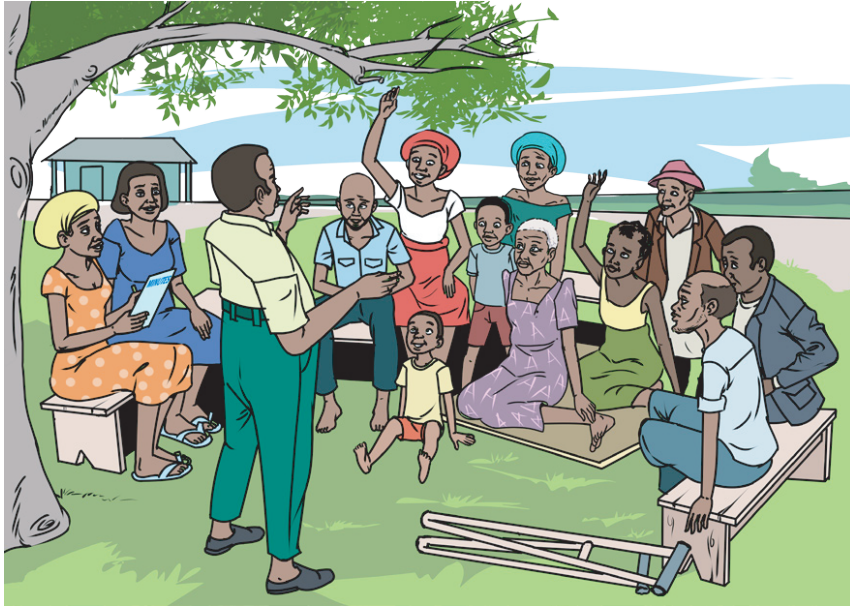
SECURING LAND TENURE UNDER CUSTOMARY SYSTEM



'How to become a legal entity that can own Customary Land'

Access to accurate land Information

1st STEP



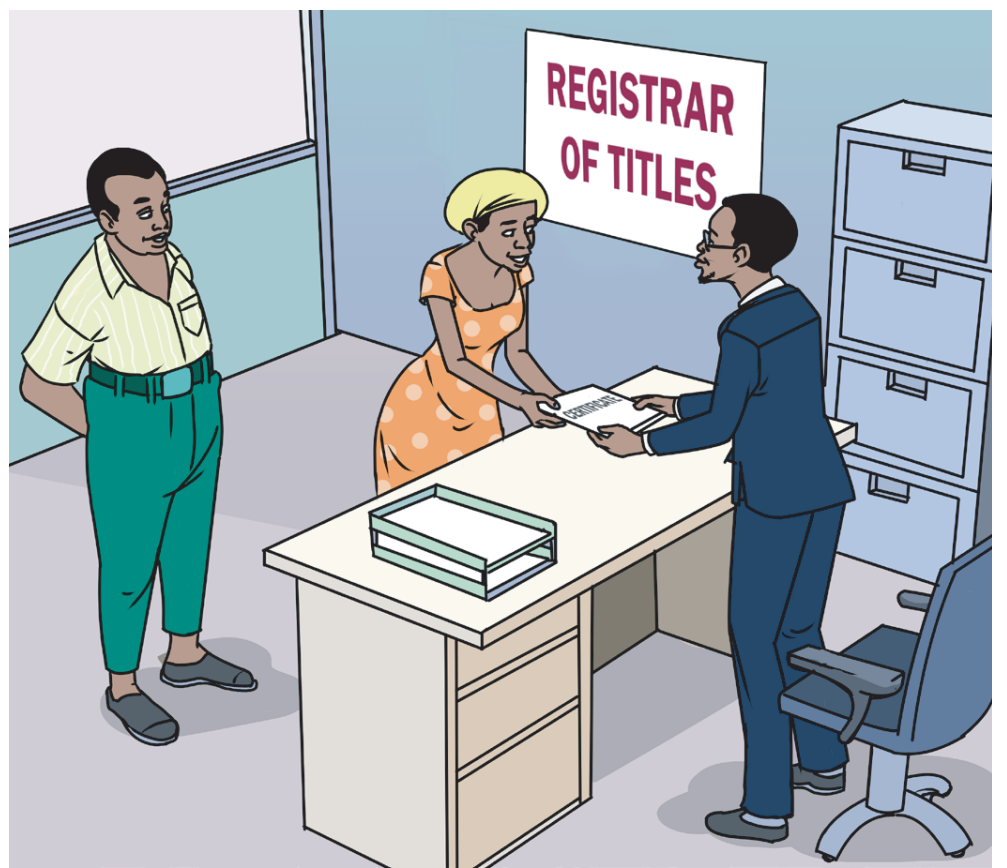
- a. Hold a meeting of the clan/sub clan and/or Land holding group members to agree on formation of a Communal Land Association. List all persons with rights/interests in the land. These may include women, minors, absent persons, or persons with disability, among others. Ascertain that all the members and their rights have been identified and make a record of all these names in a Register.
- b. Agree on name of the CLA that is to be incorporated in order to become a 'legal entity,' which name will also appear on Certificate of Customary Ownership (CCO). Women, youth, children and any other stakeholders should be provided an opportunity to declare their interests.
- c. The minutes of the meeting MUST be signed by all persons in attendance, including their representatives.

2nd STEP

- a. The Meeting makes an application to the Registrar of Titles by filling in Land Form 44 to incorporate the group into a 'Legal Entity.' Make sure that the traditional institutions in that area are fully involved, for proper guidance regarding the customary rules, norms and practices. Submit the duly filled in Application Form (Land Form 44) to the ROTs.



- b. The ROT issues a 21 day public notice inviting all members to determine whether the group can be incorporated into a CLA and to elect officers of the Association as members of the Managing Committee. The notice is placed in prominent places like churches, mosques, markets, in order to inform all members of the community.



3rd STEP

- a. After 21 days a meeting is held. Members agree to form a CLA and they elect members of the Managing Committee. Minutes, resolutions and an Attendance list are compiled.
- b. The elected members draft a constitution which is presented to the entire group for approval. There after it is submitted to the ROTs who issues a certificate of compliance of the constitution of the CLA.
- c. The elected officers then apply to the ROTs using Land Form 47 to be incorporated as officers of the CLA.
- d. Once incorporated, then a Certificate of incorporation of the CLA is issued.

