

CHAPTER 267

THE REGULATION OF LAND TENURE (ESTABLISHED VILLAGES) ACT

[PRINCIPAL LEGISLATION]

ARRANGEMENT OF SECTIONS

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CHAPTER 267

THE REGULATION OF LAND TENURE (ESTABLISHED VILLAGES) ACT

An Act to regulate land tenure in villages established pursuant to Operation Vijiji, to provide for the settlement of land disputes and for related matters.

[1st January, 1993]

[DPG]

Acts Nos.
22 of 1992
18 of 1995
2 of 2002
1 of 2013

Short title

1. This Act may be cited as the Regulation of Land Tenure (Established Villages) Act.

Interpretation
Acts Nos.
2 of 2002
Sch.
1 of 2013 s.22
Cap. 2

2. In this Act, unless the context requires otherwise-

“High Court” means the High Court of the United Republic of Tanzania established under Article 108 of the Constitution of the United Republic of Tanzania;

“Minister” means the Minister responsible for lands;

“Operation Vijiji” means the settlement or re-settlement of people in villages during and at any time between the years 1970 and 1977, for the purpose of implementing the policy of villagisation;

“Tribunal” means the District Land and Housing Tribunal;

“village land” means the land within the boundaries of any village established as the result of Operation Vijiji, whether or not, the area has been registered as a village in accordance with section 22 of the Local Government (District Authorities) Act.

Cap. 287

Extinction of
certain rights
Act No.
18 of 1995
Sch.

3.-(1) Subject to the provisions of section 4 of this Act, the rights to occupy or to use land in accordance with any custom or rule of customary law existing or held or claimed to be held by any person in any village land prior to Operation Vijiji, are hereby extinguished.

(2) For the avoidance of doubt, the extinction of rights under subsection (1) shall not affect a right to-

- (a) occupy or to use any village land which was acquired by any person during or subsequent to Operation Vijiji, in any village established as the result of Operation Vijiji; or
- (b) use or to occupy any land in accordance with any custom or rule of customary law existing in any village which was not established as the result of Operation Vijiji.

Claims for
compensation
Act No.
18 of 1995
Sch.

4. Where in proceedings instituted in accordance with the provisions of this Act, it is proved to the satisfaction of the Tribunal that,-

- (a) any person was an occupier of any village land to which section 3 applies;
- (b) the person had made any unexhausted improvements or added any ascertainable value to the village land prior to Operation Vijiji; and
- (c) the land was not subsequently allocated to that person, the Tribunal may award compensation as the Tribunal may think is fair in relation to the value of the unexhausted improvements or the value added to that land.

Repealed

5. [Repealed by Act No. 18 of 1995 Sch.]

Institution of
proceedings
Act No.
18 of 1995
Sch.
Cap. 377

6. Proceedings under this Act may be instituted in the Tribunal having jurisdiction over the area in which the dispute arises:

Provided that, where the Customary Leaseholds (Enfranchisement) Act does not apply, the Minister may for the purpose of this Act, establish a Tribunal and the Tribunal

established shall perform the functions and exercise the powers of the Tribunal under this Act.

Repealed **7-10.** [Repealed by Act No. 2 of 2002 Sch.]

Omitted **11.** [Omitted].

Repeal
GN. No.
88 of 1987 **12.** [Repeals the Extinction of Customary Land Rights Order].

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