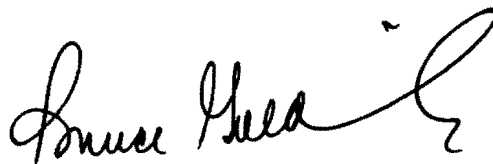


**PROGRESS ON THE LAND ADMINISTRATION AND MANAGEMENT PROGRAMME (LAMP)  
LAND TITLING AND REGISTRATION**

1. The Honourable House is asked to take note of the progress report on the Land Administration and Management Programme (LAMP) which is attached as Appendix 1 to this Ministry Paper, as well as a status report on the land titling and registration process which is also attached as Appendix 2.
2. The House may recall that LAMP was established in 2000 as a pilot project to regularize and clarify 30,000 parcels of land in designated sections of St. Catherine. The programme was later extended to include St. Elizabeth, Manchester and Clarendon. A progress report at Appendix 1 provides information on achievements to date of the pilot project which includes the granting of 2,250 provisional applications, issuance of 2,149 Certificates of Titles, and updating of 1,442. The promulgation of the Registration of the Titles, Cadastral Mapping and Tenure Clarification (Special Provisions) Act to facilitate unregistered land being registered with certain exemptions is another important milestone.
3. In an effort to accelerate the programme the Government entered into an agreement with Geoland Title Limited and Korea Cadastral Surveying Corporation, one of the world's largest land surveying companies. This arrangement culminated with the establishment of the LAMP 2 programme in July 2010. Under LAMP 2, it is expected that 15,000 parcels of land will be surveyed and 12,500 new titles issued over a two-year period. The parish of St. Elizabeth has been identified as the target parish because it has the highest number of unregistered parcels in the island.
4. A progress report on the land titling and registration process, attached at Appendix 2, highlights improvements to the processing of land transactions implemented by the National Land Agency. The turnaround time for memoranda matters (transfers, mortgages etc) has improved to a 98% rate of completing endorsements within 7 days. As at August, 2010, on average of 86% of New Certificates of Title with plan were completed within 30 days; and for those without plan on average 92% were completed within 20 days.
5. The Honourable House is asked to note the information provided in this Ministry Paper and related Appendices.



Bruce Golding M.P.  
Prime Minister

October 5, 2010

## **LAND ADMINISTRATION AND MANAGEMENT PROGRAMME (LAMP)** **PROGRESS REPORT**

### **Background**

Of the more than 800,000 parcels of land in Jamaica, approximately 45% are unregistered. They represent "trapped assets" since the lack of titles severely restricts their use as capital for investment and the creation of wealth.

### **LAMP Pilot Project**

The LAMP Programme was established in 2000 as a pilot project in designated sections of St. Catherine. It was designed to regularize and clarify 30,000 parcels of land in the designated areas. "Regularization" means the registration of previously unregistered land and may require obtaining of grants, Probate and/or Letters of Administration and land surveying prior to registration. "Clarification" means the updating of existing titles which may involve the resolution of discrepancies relating to boundaries, sub-divisions, ownership and other legal rights and may require actions similar to those mentioned above.

In order to further facilitate the programme, the Registration of Titles, Cadastral Mapping and Tenure Clarification (Special Provisions) Act was promulgated in 2005. This statute makes significant provisions as follows:

- (1) All fees and charges relating to the application for registration of title are based on the tax roll value of the parcel in question instead of the improved (market) value;
- (2) Waiver of transfer tax and stamp duty on first registration applications, transfers not for monetary consideration and on land passing on the death of an individual;
- (3) Exemption from court fees in probate and Letters of Administration proceedings;
- (4) Ministerial discretion to grant exemption from the requirements of the Local Improvements Act, Natural Resources Conservation Act and Town & Country Planning Act in respect of subdivisions required to facilitate the registration of titles within the declared areas;

- (5) Allowance for open undisputed, quiet, continuous and undisturbed possession of unregistered land for a minimum of 12 years to be accepted as proof of ownership.

### **Expansion of LAMP Programme**

In 2008 the LAMP Programme was extended to St. Elizabeth, Manchester and Clarendon. It is shortly to be further expanded to St. Mary, Portland and St. Ann.

### **Achievements to date**

As at September 21, 2010, 12,927 applications have been received under the LAMP Programme. These involve first-time registration as well as modification and updating of existing titles.

2,652 applications for registration have been lodged with the Titles Office. Of this number, 2,250 provisional applications were granted and 2,149 certificates of title issued. In addition, 1,442 existing titles have been updated.

In 2008, persons in the declared areas in possession of survey diagrams were invited to make application to LAMP as registration of these parcels could be fast-tracked. To date, approximately 4,000 diagrams have been submitted and the necessary steps for registration are being pursued.

### **Strategic Partnerships**

In order to extend its reach, LAMP has partnered with the National Housing Trust and LAMP desks have been established at NHT offices in St. Elizabeth and Clarendon. Similar desks are to be established in the other declared parishes.

LAMP has partnered with Jamalco, Alpart and Noranda bauxite companies to regularize land parcels so as to enable the timely executing of land exchange.

LAMP has also partnered with the National Irrigation Commission to secure and update titles for parcels served by its irrigation systems.

LAMP, in conjunction with the Prince's Foundation and UTech, is regularizing approximately 50 parcels of land in Rose Town, lower St. Andrew, which was declared a LAMP Area in 2009.

### **Programme Constraints**

The three major constraints to a greater level of achievement are capacity limitations, affordability and the absence of a National Cadastre.

Capacity limitations:

- (a) Inadequate number of Commissioned Land Surveyors to conduct surveys and prepare pre-checked diagrams.

*To achieve 100% registration over a 10-year period would require approximately 40 land surveyors on a full-time basis. There are approximately 95 Commissioned Land Surveyors in Jamaica, 11 of whom are employed on the staff of the National Land Agency these surveyors are assisted by 14 Assistant or Student Surveyors.*

- (b) Delays in the Courts in relation to cases involving Probate, Letters of Administration and boundary and ownership disputes.

Affordability constraints:

Despite the considerable reductions available under the LAMP Programme, the costs associated with the registration of untitled land are still beyond the reach of some potential beneficiaries. Current costs under the programme range from \$34,450 for parcels under 2 acres and a tax roll value of up to \$500,000 to \$314,625 for parcels over 1500 acres and a tax roll value in excess of \$50 million.

In an effort to overcome this difficulty, LAMP has held discussions with various financial institutions including the National Housing Trust, People's Cooperative Banks, Credit Unions, National Commercial Bank, Bank of Nova Scotia Building Society and Jamaica National Building Society with a view to having them design suitable loan packages to assist potential LAMP beneficiaries to meet the costs associated with title registration.

### **National Cadastre**

Cadastral mapping is of inestimable value in expediting title registration as it provides the grid that enables individual parcels to be more accurately and easily identified and tied together.

The NLA has been mandated to construct the National Digital Cadastral Map of Jamaica. The first phase of this ambitious exercise, the Digital Cadastral Index with land parcels (not necessarily depicting their exact shape but shown in their relative positions), has

been completed and is currently being used to assist the titling process. The second phase which is to define these parcels according to shape and correct geographical position is in progress and will more greatly facilitate the registration of titles.

The 450,000 parcels for which registered titles exist together with approximately 150,000 parcels for which pre-checked plans exist can be placed in the National Digital Cadastral Map. These include Approximately 75,000 parcels of land (primarily in Portmore and the LAMP areas of St. Catherine) which have already been inserted. This would leave approximately 300,000 parcels that require surveys to be carried out before they can be registered by plan.

### **Public/Private Partnership**

In order to accelerate the LAMP Programme, the government in April 2010 entered into an agreement with Geoland Title Ltd., a Jamaican land management company, and Korea Cadastral Surveying Corporation (KCSC), one of the world's largest land surveying companies with proven expertise in land surveying and cadastral mapping.

This agreement led to the establishment of LAMP-2 in July 2010 and provides for the following:

- (a) Complete digital and paper cadastral maps for St. Elizabeth, constituted of all existing registered and unregistered parcels at NLA and all the newly surveyed parcels under the project;
- (b) Surveys that have been requested by parcel owners in Clarendon and Manchester;
- (c) Computer software to facilitate the preparation and tracking of applications for LAMP 2;
- (d) Financial software including billing and accounts receivable modules for LAMP 2;
- (e) Provision of staff and equipment for data conversion and project support of LAMP;
- (f) Total investment by KCSC of US\$2 million;
- (g) Joint project management of LAMP-2 by Geoland and the LAMP Unit.

LAMP-2 aims to survey approximately 15,000 parcels of land and secure 12,500 new titles over a 2-year period primarily in St. Elizabeth which has the highest number of unregistered parcels in the island.

Since commencement in July 2010 and up to September 21, 2010, 1,119 applications have been received under LAMP-2. 335 parcels have been surveyed. Data conversion of the NLA land records for St. Elizabeth is 93% advanced and should be completed by November 2010. This will produce 510 parcels that can be inserted in the National Digital Cadastral Map.

Efforts are being made to secure grant funding from the Korean government through the Korea International Cooperation Agency that would allow LAMP-2 to be extended to other parishes.



## **NATIONAL LAND AGENCY REPORT ON LAND TITLING AND REGISTRATION**

### **SERVICES**

#### **LRS/PDMS**

In 2004 the Agency computerised many of the operations at its Land Titles and Surveys and Mapping Divisions with a view to significantly improve the security and integrity of Land Title transactions and significantly reduce the waiting time experienced by customers to have their land transactions processed.

The changes were implemented by way of the Land Registration and Parcel Data Management Systems (LRS/PDMS) Project.

#### **Express Desk**

An Express Desk was established at the Land Titles Division during the month of April 2006, offering customers the opportunity to have transactions on existing Titles such as notation of death and marriage; change of name; discharge of mortgage; and the registration of single transfers and single mortgages **processed with 48 hours**. In January 2009, two additional transactions were added to the Express Desk. These new transactions were:

- Single Lost Title Applications (without plans)
- Single Section 79 Applications (i.e. old, damaged, worn titles) without plans)

The initial processing of these two transactions is done within five days. Previously, these transactions were processed within 20 days

The Express Desk service is offered at no additional cost to the customer.

#### **Simultaneous Lodgements**

This is a new service that was developed and tested in 2004-2005. It allows for a developer to apply and receive splinter titles for developments within 40 days. In the past, the process would be done in three stages. First the survey plans would be taken to the Survey Department for checking. Then application would be lodged to get a Deposited Plan Number and then finally made to the Titles Office for the splinter titles to be prepared. This process was quite lengthy and took a total of about 90 to 100 days. It is particularly useful to Developers of 10 lots or more.

#### **Document Tracking**

The Document Tracking facility allows customers to check the status of an application for a land title or other titling transaction online instead of

calling the NLA offices. The service has been available since April 2007 and can be accessed through NLA's website. This is a free service.

### **OTHER ACTIVITIES**

#### **New Security Paper for Certificates of Title**

In May 2010, the paper used to prepare the Certificates of Title was changed. The new Certificate has enhanced security features for easy verification of the authenticity of a title.

#### **NLA Road Shows**

In March 2008, the National Land Agency embarked on a public education drive across the island to sensitize persons about the importance of having a registered title and the steps involved in getting their land registered. 19 Road Shows were held with close to 3,000 persons in attendance. One of the main objectives of the NLA Road Show was to ensure that Jamaicans have security of tenure by increasing the number of registered landowners. It also sought to address other land-related matters, such as titling issues for land settlement lots, leasing and divestment of government lands, as well as land valuation matters in relation to property tax.

#### **One-Stop-Shop/ Expanded Regional Offices**

One of the Agency's priorities is to improve access to its services through regional one-stop- shops. As such we have and are expanding services in a number of our regional offices, which before NLA, only processed Land Valuation matters:

In May 2006 the Agency launched a pilot project offering a One-Stop-Shop at the Montego Bay Regional Office. The office expanded its services to include the following transactions from the Land Titles and Surveys and Mapping Divisions:

- Preliminary verification of accuracy of documents to be lodged
- Assessment of document registration fees
- Drafting of documents for registration at the Land Titles Division
- Assessment of Survey Plans for pre-checking purposes

A decision has been taken to expand this concept to the Central Region Office which is currently located in Mandeville.

#### **Forms available on NLA's website**

- In 2004 the NLA introduced **new legal forms** designed to simplify the format of preparing and lodging documents to the Land Titles Division.
- In 2006/7 **interactive forms** were introduced on the NLA website. These forms provide the customer with information on what is precisely required by law to complete the application.

- Guidance notes were made available along with the forms outlining the procedures involved in preparing an application.

#### **Virtual Reference System (VRS)**

The NLA, in collaboration with the Spatial Data Management Division, installed the VRS network, which will assist in the provision of accurate and timely spatial data to some of our customers, namely land surveyors, GIS practitioners, utility companies etc. Already Geoland is using the network to coordinate their surveys in LAMP 2. The VRS will accelerate the building of the National Digital Cadastral Map, which will help to minimize or eliminate the incidence of dual registration in the Land Titling System.

### **SELECTED PERFORMANCES**

#### **First Registration Applications**

The turnaround time for initial processing of applications received is 99% in 30 days (with plan) and 100% in 20 days (without plan).

#### **Turnaround Time for Producing New Certificates of Title**

In 2000-2001 prior to the Agency being formed, it took 70 days to produce New Certificate of Title with plans (excluding first registration) and 60 days without plan. As at August 2010 an average of 86% of New Certificates of Title with plan was completed in 30 days and without plan 92% in 20 days.

#### **Turnaround Time for Memorandum Matters (Transfers, Mortgages, etc)**

In 2000-2001 the turnaround time for completing endorsements on Certificates of Title was 25 days. As at August 2010, 98% of endorsements were completed in 7 days.

#### **Pre-checking of Survey Plans Completed by Commissioned Land Surveyors.**

Prior to the formation of the Agency, plans were pre-checked in 40 weeks. As at August 2010, the turnaround time is 80% completed in 35 days.

