



LAND TENURE CENTER
University of Wisconsin - Madison

Consultancy Services to
The Government of the
Republic of Trinidad &
Tobago

LAND USE POLICY AND ADMINISTRATION PROJECT (LUPAP)

FINAL REPORT

An Outline of Training Modules for the Staff of the Commissioner of State Lands & The Proposed State Land Management Authority

By

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1. Introduction

The outline of the training modules presented in this paper is specifically designed to satisfy the strategic needs of the Commissioner of State Lands and the proposed State Lands Management Authority. They are meant for in-house training. The University of West Indies at St. Augustine will provide an advanced course of specialized training for key public sector professionals leading to a Graduate Diploma in Land Management.

2. Objectives

- (a) Provide in-house training to all categories of staff of the Commissioner of State Lands and the proposed State Land Management Authority
- (b) To upgrade the skills of the existing staff to perform assigned duties and functions
- (c) To bring efficiency and effectiveness into its operational activities and increase the productivity of the staff by imparting the necessary skills
- (d) To fully utilize technological innovations to its best advantage and promote opportunities for learning to all levels of staff

3. Course Outline

Module	Function	For Whom
1. Core	Concepts of institutional development; an overview of objectives; duties & functions; processes & control mechanisms; land laws and their application	Deputy Commissioner/Land Officers and Managers/Deputy Managers of the SLMA
2. State Land Management	Scope- Location, Evaluation, Conservation, Allocation, and Management of state land, Acquisition of private lands; procedures	Deputy Commissioner/Land Officers and Managers/Deputy Managers of the SLMA
3. Monitoring and Evaluation	Performance targets; Indicators of progress; Data analysis; Monitoring	Deputy Commissioner/Land Officers, Managers/Deputy Managers of the SLMA,

	program implementation, Evaluating efficiency and program impact; Financial monitoring and Beneficiary Assessment	Information System Managers and Planning Officers
4. Field Operations	Overview; Procedures; Collection of Revenue; Encroachment surveys; Resolution of disputes; Court procedure; Reporting and record keeping.	Field Staff of the Commissioner of State Lands/SLMA
5. Training for Support Staff	Systems overview; Data content and methods of operation; Presentations	Support staff of the Commissioner of State Lands/SLMA

3.1. Core Module

This module is a pre-requisite for all other modules of training, particularly for the senior staff and middle-level staff. It is designed to provide a quick overview of current concepts of institutional development, the objectives of the legislators, duties and functions entrusted to public officers under various statutes, and regulations, processes designed to ensure conformity to legal provisions and government/administrative regulations. Moreover, it describes the control mechanisms that have been installed to ensure conformity with regulatory aspects of legislation and those that have been designed to monitor progress of activities.

3.1.1. Institutional Development

- 3.1.1.1.Improving the ability of institutions to make effective use human and financial resources
- 3.1.1.2.Concept of efficiency
 - 3.1.1.2.1. Allocative efficiency (efficient allocation of resources)
 - 3.1.1.2.2. Operational efficiency (by maximizing the use of labor and capital through sound management)
- 3.1.1.3.Concept of effectiveness
- 3.1.1.4.Management techniques & application
 - 3.1.1.4.1.Quantitative techniques
 - 3.1.1.4.2. Systems techniques and
 - 3.1.1.4.3. Social science techniques
- 3.1.1.5.Management systems and changes
- 3.1.1.6.Planning, including planning for an efficient investment process
- 3.1.1.7.Staffing and personnel policies
- 3.1.1.8.Staff training
- 3.1.1.9.Financial performance, including financial management and planning, budgeting, accounting, and auditing;

- 3.1.1.10.Maintenance; and procurement
- 3.1.1.11.Inter-agency coordination

3.1.2. Overview of Objectives

- 3.1.2.1.Identification of State land
- 3.1.2.2.Management and protection of State land
- 3.1.2.3.Allocation and Distribution of State land
- 3.1.2.4.Determination of rents, collection of rents and royalties from State land
- 3.1.2.5.Issue of Grants, leases and licenses
- 3.1.2.6.Issue of any instrument dealing with or affecting any other right or interest in State lands
- 3.1.2.7.Containment of encroachment and squatting on State land
- 3.1.2.8.Grants of rights and liberties over the foreshore or lands under territorial waters, or for reclaiming of lands from the sea
- 3.1.2.9Acquisition of private land for public purposes
- 3.1.2.10.Post-alienation management including penalties for non-compliance

3.1.3. Duties and Functions

- 3.1.3.1.Powers of the President over State lands
- 3.1.3.2.Duties of the Commissioner of State lands/SLMA
- 3.1.3.3.Powers of the Commissioner of State lands/SLMA
- 3.1.3.4.Utilization of state land resources on a sustainable basis and the promotion of orderly and planned development of state land resources
- 3.1.3.5.Assess land use demands from different sectors of the economy and base allocation decisions on economic efficiency, equity and social and ecological sustainability
- 3.1.3.6.Conserve state lands with particular regard to biodiversity, soil and watershed conservation
- 3.1.3.7.Pursue a vigorous policy of state land distribution
- 3.1.3.8.Issue of legal instruments of Grants having freehold status, Leases, Permits, and Licenses for use of State lands and registering such instruments with the appropriate Government Authorities
- 3.1.3.9.Provide for vesting of State land in Government agencies
- 3.1.3.10.Collect rents and royalties from lands belonging to the State
- 3.1.3.11.Impose penalties for defaulters including prosecution
- 3.1.3.12.Accept surrenders of leases and licenses
- 3.1.3.13.Issue consents for sub-division, transfer, assignment and mortgage
- 3.1.3.14.Grant rights and liberties over the foreshore or lands under territorial waters, or for reclaiming of lands from the sea
- 3.1.3.15. Issue any instrument dealing with or affecting any other right or interest in State lands vested in the Authority
- 3.1.3.16.Acquire private lands for public purposes and pay compensation (as provided in the Acquisitions Act)

- 3.1.3.17. Advise Government on policy formulation and development in regard to State land
- 3.1.3.18. Contain squatting and encroachment on state lands
- 3.1.3.19. Conduct public education programs to discourage squatting and encroachment as a means of land acquisition.
- 3.1.3.20. Enhance the legal, regulatory and institutional framework for state land management

3.1.3. Processes

- 3.1.4.1. Methods of identification of State land from Ward sheets, sectional sheets and plans.
- 3.1.4.2. Evaluation of potential of land for a particular land use
- 3.1.4.3. Techniques for estimating the value of land
- 3.1.4.4. Application procedure for State land
- 3.1.4.5. Selection procedure for State land
- 3.1.4.6. Issue of new leases
- 3.1.4.7. Process of renewal of leases
- 3.1.4.8. Grant of consents for transfer of lease, assignments and mortgages
- 3.1.4.9. Process for the issue of State Grants in Ownership for National Housing Authority Parcel Holders
- 3.1.4.10. Issue of permits and licenses for quarrying and land reclamation
- 3.1.4.11. Procedure for approval of buildings on state land
- 3.1.4.12. Acquisition procedure for private lands required for public purposes
- 3.1.4.13. Post-alienation Management
 - 3.1.4.13.1. Cancellation of permits and licenses
 - 3.1.4.13.2. Service of Advisory Notices
 - 3.1.4.13.3. Serving of Termination Notices
 - 3.1.4.13.4. Serving of Repossession Notices
 - 3.1.4.13.5. Eviction Procedure
 - 3.1.4.13.6. Summons and Order for removal of squatters

3.1.4. Control Mechanisms and their Use

3.1.5.1. Lease Management System

- 3.1.5.1.1. Data Content of the Lease Management System
- 3.1.5.1.2. Use of database to identify functioning and valid leases
- 3.1.5.1.3. Use of database to identify the permits, licenses and agreements
- 3.1.5.1.4. Use of database to respond to renewal or assignment of leases
- 3.1.5.1.5. Collection of lease rents on a timely basis
- 3.1.5.1.6. Identification of lease rent infringements
- 3.1.5.1.7. Collection of outstanding rents on all licenses and agreements
- 3.1.5.1.8. Use of system to pursue action against defaulters
- 3.1.5.1.9. Periodic review of lease rent
- 3.1.5.1.10. Updating data on status of leases

- 3.1.5.1.11.Regular updating of information pertaining to transfers, assignments, sub-division etc.
- 3.1.5.1.12.Mode of retrieval of information concerning all leases, licenses and agreements issued by the Commissioner of State lands
- 3.1.5.1.13.Use of data from the Lease Management System for the formulation of the Annual Work Plan

3.1.5.2.Workflow Management System

- 3.1.5.2.1. Data Content of the Workflow Management System
- 3.1.5.2.2. Use of system to track progress of all applications made to the Commissioner of State lands
- 3.1.5.2.3. Methods of identification of delays within the Division as well as with other Government agencies
- 3.1.5.2.4. Use of the computer for follow up
- 3.1.5.2.5. Use of system to respond to requests from members of the public

Training is required in the use of the two systems, maintenance of data and regular updating, information content of the data base, its storage structure and access strategy; The participants should be able to use the system to monitor performance and develop capacity to respond to changing user requirements. The course should include established norms on data security. System manuals have been designed to facilitate training.

3.1.6. Land Laws and their Application

- 3.1.6.1. State Lands Act
- 3.1.6.2. State Land (Regularization of Tenure) Act
- 3.1.6.3. Land Redemption Ordinance
- 3.1.6.4. Land Acquisition Act
- 3.1.6.5. Real Property Ordinance
- 3.1.6.6. Valuation of Land Act
- 3.1.6.7. Forests Act
- 3.1.6.8. Environmental Management Act
- 3.1.6.9. Tobago House of Assembly Act
- 3.1.6.10. The Registration of Title Act
- 3.1.6.11. Land Tribunal Act
- 3.1.6.12. Land Adjudication Act
- 3.1.6.13. Regulations under these Acts
- 3.1.6.14. Publication of Notices under provisions of legislation and legal requirements in publication
- 3.1.6.15. Serving of Notices – Advisory, Repossession, Acquisition, Termination, Default of payment of rent
- 3.1.6.16. Offences and procedure in dealing with them
- 3.1.6.17. Penalties, seizure and detention of material, arrest of persons
- 3.1.6.18. Eviction procedure including filing of relevant forms for eviction

- 3.1.6.19. Court procedure including leading evidence, record keeping for court work

The Manual of Procedures for State Land Management should be used in the training program and each Land Officer/Manager provided with a copy for their personal use.

3. 2. Module on State Land Management

This module covers the totality of the work envisaged in state land management. It is designed to enable practitioners of state land management to acquire the required skills. State Land Management has some elements of real estate management but covers a much wider scope and describes the responsibilities cast on government agencies managing State land. It encompasses the procedures and institutional means whereby State land resources may be located, evaluated, conserved, distributed and managed so that they may be utilized on a sustainable basis and to the greatest national advantage. The acquisition of private lands for public purposes is also part of the responsibilities cast on State land managers.

3.2.1. Location/Identification of State Land

- 3.2.1.1. Methods of identification
- 3.2.1.2. Use of Ward Sheets, Sectional sheets, parcel surveys and maps
- 3.2.1.3. Identification of reserves and other areas that cannot be alienated
- 3.2.1.4. Methods of identification of alienated land and other encumbrances on state land

3.2.2. Evaluation of capability/value

- 3.2.2.1. Determination of overall potential of land for specified uses
- 3.2.2.2. Use of resource evaluation data for land use planning (taking into account physical, social, and economic information)
- 3.2.2.3. Methods for rationalization of land use (allocation of available land among competing demands on the basis of objective criteria) and data requirements for such rationalization
- 3.2.2.4. Techniques and procedures for determining value of land
- 3.2.2.5. Accessing information on rent prices for particular land uses

3.2.3. Conservation state land for designated purposes

- 3.2.3.1. Identification of environmentally sensitive areas including wet lands and critical habitats; lagoons and estuaries; preservation of mangroves
- 3.2.3.2. Identification of forest, wildlife and other reserves, preservation of crest forest systems along ridge tops, preservation of state lands in higher elevations;
- 3.2.3.3. Identification of road, river and stream reservations

3.2.3.4. Identification of areas topographically unsuitable or subject to erosion, landslides etc.

3.2.4. Allocation and Distribution of State Land

3.2.4.1. Methods available for distribution of state land

3.2.4.2. Well-functioning markets as efficient mechanism for allocating resources

3.2.4.3. Advantages of having well defined, secure, transferable and enforceable property rights

3.2.4.4. Actions that can be pursued to provide a safety net to those who cannot enter the land market

3.2.4.5. Selection procedure and public inquiries

3.2.4.6. Choosing appropriate tenure forms

3.2.4.7. Preferential leases

3.2.4.8. Formalization of rights and responsibilities/registration procedure

3.2.4.9. Transfer/vesting of land to other agencies as and when required

3.2.5. Management of State Land

3.2.5.1. Issues pertaining to post-alienation management

3.2.5.2. Management of information requirements;

3.2.5.3. Monitoring techniques to ensure conformity with terms and conditions

3.2.5.4. Underlying causes and response options available for encroachment of state lands

3.2.5.5. Containment of squatting and informal uses

3.2.5.6. Actions on those in violation of lease/agreements/ license conditions

3.2.5.7. Collection of rents and royalties at the appropriate time and imposition of penalties on defaulters

3.2.6. Acquisition of Private Lands for Public Purposes

3.2.6.1. Applications for acquisitions from Ministries

3.2.6.2. Availability of funds to pay compensation

3.2.6.3. Need to determine non-availability of state land in close proximity

3.2.6.4. Publication of Notices in terms of the Acquisition Act

3.2.6.5. Determination of ownership and title to the land

3.2.6.6. Payment of Compensation

3.3. Module on Monitoring and Evaluation

This module is designed for senior staff officers and planners to chart the progress of project/program implementation towards the achievement of its objectives, efficiently

and economically. It will enable the participants to take corrective action when implementation deficiencies are detected. The technical skills imparted will enable the participants to assess the relevance, efficiency and effectiveness of the project/program including its impact.

- 3.3.1. The organization and functions of the different elements of the monitoring and evaluation system
- 3.3.2. Design, management and use of the monitoring and evaluation system
- 3.3.3. Identification of performance targets
- 3.3.4. Indicators to measure progress against targets (input indicators, output indicators, impact indicators)
- 3.3.5. Scrutiny of existing data and information needs
- 3.3.6. Techniques of data collection, both quantitative and qualitative
 - 3.3.6.1. Qualitative methods such as participant observation, rapid assessment, focus groups interviews or direct observation
 - 3.3.6.2. Quantitative methods – techniques to collect, analyze, organize and apply available information
- 3.3.7. Data analysis including use of Gantt Charts, Logical Network Charts, Cost Summary Charts etc.
- 3.3.8. Monitoring program implementation
- 3.3.9. Inputs such as money, materials, equipment, staff, technical assistance
- 3.3.10. Outputs such as number of permits, leases and licenses issued; transfers, assents and mortgages authorized; building applications approved; encroachments detected; Number of encroachers relocated; Number evicted; Acquisitions completed; Number paid compensation etc.
- 3.3.11. Implementation methods
- 3.3.12. Evaluating the efficiency of program implementation
 - 3.3.12.1. Speed of implementation of various program components
 - 3.3.12.2. Quality of the service
 - 3.3.12.3. Accessibility of services to beneficiaries
- 3.3.13. Financial monitoring including use of funds, disbursements, progress in collection of revenue and cost-effectiveness analysis
- 3.3.14. Use of diagnostic studies to identify the causes of problems and determine corrective actions
- 3.3.15. Stakeholder analysis
- 3.3.16. Principal reporting requirements, report preparation and presentation of findings
- 3.3.17. Evaluating project impact
 - 3.3.17.1. Impact on the land market
 - 3.3.17.2. Impact on the landless
 - 3.3.17.3. Encroachers and squatters on public land
 - 3.3.17.4. Agricultural production
 - 3.3.17.5. Impact on housing, commerce, and industry
 - 3.3.17.6. Employment generation
 - 3.3.17.7. Reduction of demographic pressures on land

- 3.3.18. Beneficiary assessment focusing on the needs and interests of the intended beneficiaries
- 3.3.19. Use of monitoring and evaluation for policy analysis

3.4. Module for Field Operations

This module is specifically designed for the benefit of the field staff and will enable them to acquire the skills that are necessary to perform the tasks effectively. The field staff of the Commissioner of State Lands is entrusted with a large number of activities. The Senior Staff depend on them for accurate reporting of field situations. An effective training program with a clear and consistent set of procedures will equip the field staff to better manage their portfolio and attain improved efficiency.

- 3.4.1. General Overview of the statutory responsibilities of the Commissioner of State Lands
- 3.4.2. Legislative framework for state land management
- 3.4.3. Institutional framework for state land management
- 3.4.4. Identification of state lands
 - 3.4.4.1. Acquisition of skills to read survey plans, ward sheets and sectional sheets
 - 3.4.4.2. Noting encumbrances on state land
 - 3.4.4.3. Updating of ward sheets and sectional sheets and maintenance
 - 3.4.4.4. Identification of environmentally sensitive areas
 - 3,4,4,5, Forest reserves and climatic reserves
 - 3.4.4.6. Land subjected to floods, earth slips, erosion, water logging etc.
 - 3.4.4.7. State lands required for future urban expansion
 - 3.4.4.8. Road, river and stream reservations
 - 3.4.4.9. Identification of wetlands and mangroves
 - 3.4.4.10 Coastal habitats
- 3.4.5. Environmental degradation
- 3.4.6. Need to maintain biological wealth
- 3.4.7. Application procedure for state lands
 - 3.4.7.1. Types of applications (Individual, Company, Non-government Organizations, Religious Bodies etc.)
 - 3.4.7.2. Land use types
 - 3.4.7.3. Preparation of field reports on applications for State land
 - 3.4.7.4. Conducting public inquiries
 - 3.4.7.5. Interviewing applicants to obtain additional information
- 3.4.8. Renewal/Transfer/Mortgage of leases
- 3.4.9. Site inspections and reporting procedures

3.4.10. Reporting procedures for construction of buildings on state lands

3.4.11. Conducting a survey of encroachments

- 3.4.11.1. Containment of encroachments
- 3.4.11.2. Enforcement procedures
- 3.4.11.3. Use of Encroachment Survey Form
- 3.4.11.4. Reporting sporadic encroachments and follow up action

3.4.12. Tenants in breach

- 3.4.12.1. Non-cultivation of land parcels
- 3.4.12.2. Causing environmental degradation
- 3.4.12.3. Non-payment of rents
- 3.4.12.4. Unauthorized structures
- 3.4.12.4. Sub-division
- 3.4.12.5. Sub-letting
- 3.4.12.7. Diversion of water courses

3.4.13. Reporting procedure on unutilized state land

- 3.4.13.1. Lands vested in Government Departments and agencies
- 3.4.13.2. Individuals and companies
- 3.4.13.3. State lands available for future development

3.4.14. Procedure for issue of Permits and Licenses for removal of material from state land

- 3.4.14.1. Unauthorized removal of material and necessary follow up action in terms of the law

3.4.15. Procedure for application for reclamation of state land

3.4.16. Collection of revenue

- 3.4.16.1. Use of the lease management system for revenue collection
- 3.4.16.2. Coordination with District Revenue Offices
- 3.4.16.3. Organizing collection through Banking Institutions
- 3.4.16.4. Role of the field staff in the collection of revenue

3.4.17. Issue of Notices

- 3.4.17.1. Issue of Advisory Notices
- 3.4.17.2. Issue of Rent Default Notices
- 3.4.17.3. Issue of Termination Notices
- 3.4.17.4. Issue of Repossession Notices
- 3.4.17.5. Issue of Acquisition Notices

3.4.18. Unauthorized transfers

- 3.4.19. Resolution of land disputes
 - 3.4.19.1. Resolution of boundary disputes
- 3.4.20. Leading evidence in a Court of law
 - 3.4.20.1. Court procedures
 - 3.4.20.2. Record keeping for court cases
- 3.4.21. Filing of eviction notices under the law
- 3.4.22. Coordination with other government agencies
- 3.4.23. Supervision of subordinate field staff
- 3.4.24. Maintenance of records of all work assignments
- 3.4.25. Accuracy, Integrity and Credibility

3. 5. Module for Support Staff

The support staff needs to familiarize themselves with the working procedures of the institution and gain skills to access the Lease management System and Workflow Management System. It is envisaged that the letters of correspondence will be generated in the most part by computers using standard formats. Support staff would be given training in maintenance of data, updating procedures, information content of the data base, its storage structure and access strategy; The participants would acquire capacity to use the system to monitor performance. The course will include established norms on data security.

- 3.5.1. An Overview of the Processes adopted
- 3.5.2. New role for the support staff
- 3.5.3. Overview of the Systems
 - 3.5.3.1. The Lease Management System, its data content and methods of operation
 - 3.5.3.2. The Workflow Management System, its data content and methods of operation
 - 3.5.3.3. Methods for data capture
 - 3.5.3.4. Data entry formats
 - 3.5.3.5. Report generation
 - 3.5.3.6. Computer generated letters
 - 3.5.3.7. Follow up action
 - 3.5.3.8. Statistical information
 - 3.5.3.9. Generation of Gantt Charts, Logical Network Charts
 - 3.5.3.10. Data security and query options
- 3.5.4. Role of support staff to perform promotional activities
- 3.5.5. Use of media and methods to reach the public
- 3.5.6. Documentary support for public education programs
- 3.5.7. Public relations and ways to respond to requests from members of the public

4. Conclusion

The Commissioner of State Lands and the proposed State Land Management Authority will introduce new performance standards for their staff and specify the importance of individual performances. This requires upgrading the skills of the staff through regular in-house training as well as providing opportunities for advanced training in the Universities. The course content identified above provides the desired knowledge and skills level that employees at various levels have to attain. It is hoped that training imparted on a regular basis would enhance the skills of the employees to attain the ultimate goal of promoting and sustaining efficient state land management.