

Kingdom of Lesotho

Land Administration Authority

Strategic Plan
2012-2015

November 2012



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Preface

This Strategic Plan is a working and living document designed to inform customers, stakeholders and staff about the Land Administration Authority's vision for the future, strategic objectives and key service delivery targets in 2012-15 in order to achieve them.

The Plan was approved by the Board of the Land Administration Authority at its meeting on 7th November 2012.

Background

The Land Administration Authority is an autonomous government agency established on 15 June 2010 by the Land Administration Authority Act 2010 (hereinafter referred to as "the Act"). The Authority replaced the former government departments of Lands, Surveys and Physical Planning and the Deeds Registry and merged their land administration functions in the Authority. However, non-land administration function of these former departments, such as land use and physical plan and non-land deeds registration remain a responsibility of the Ministry of Local Government and Chieftainship.

The Act provides the Authority with a governance framework. There is a Board with nine key stakeholders represented; these are:

- Ministry responsible for land matters (Ministry of Local Government and Chieftainship)
- Ministry responsible for agriculture
- Ministry responsible for forestry and land reclamation;
- Ministry responsible for trade and industry;
- Lesotho business sector
- association of bankers in Lesotho;
- association of surveyors in Lesotho;
- notaries and conveyancers; and
- Lesotho Housing and Land Development Corporation

A Director General and Chief Executive is the tenth, non-voting member and reports to the Board.

Organisation

In 2011 the Authority adopted an organisational structure appropriate for its needs and the delivery of services. This organisational structure has been retained for the 2012-15 strategic plan as shown in Appendix A.

Our Mission

To provide quality, cost-effective and efficient land administration services to land users and the general public in order to facilitate the country's economic development.

Our Vision

To be a highly reputable, customer-centric organisation renowned in the Sub-Saharan Region as the leading land administration and land information services provider.

Our Purpose

The core business of the Land Administration Authority is to:

- Issue leases and consents for lease transactions
- Register land deeds
- Regulate land surveys and provide maps and geospatial information

In addition the Authority is expected to:

- provide dispute resolution services for land matters; and,
- to advise the Minister and the Government of Lesotho on land administration laws and land policies.

The Authority provides land administration services equally to the Government, business, and to citizens of Lesotho. These services facilitate the operation of a land market where immovable property is described, acquired, sold, subleased, mortgaged and however otherwise land-rights holders may wish to deal with their landed property that the law permits. The Authority creates legally enforceable title deeds (leases) and provides for the safekeeping and recording of these and other documents or deeds that evidence transfers and transactions. Registration of leases and deeds provides security of tenure. The buying, selling and mortgaging of immovable property could not be done safely and securely without the services provided by the Land Administration Authority.

The Authority does not, however, provide or allocate land. This is the responsibility of local land allocation authorities – urban and community councils – who provide State land to citizens and businesses requesting it. It is the role of the Land Administration Authority to convert all such land allocations in urban areas and commercial land allocations in rural areas into leases. Other land allocations in rural areas do not need conversion but such allocations cannot be dealt with (e.g. transferred, mortgaged, inherited) in the same way that leasehold title can be. An increasing amount of land in urban

areas is being held under leasehold title registered at the Land Administration Authority.

Our Laws

The principal laws under which the Authority operates and conducts its business are:

- The Land Act 2010
- The Land Administration Authority Act 2010
- The Deeds Registry Act 1967
- The Land Survey Act 1980

In March 2012 all these laws were amended to remove some inconsistencies and ambiguities between them and since then the following statutory positions are located within the Land Administration Authority:

- The Commissioner of Lands
- The Land Registrar
- The Chief Surveyor

The post of Commissioner of Lands, which has been joined with the post of Director General, in the Land Administration Authority performs only those functions specified in the section 12 of the Land Act 2010 that are related to land administration. Functions related to land management, such as compulsory acquisitions of land, are currently being performed by the Ministry of Local Government and Chieftainship pending a review and possible further amendments to the Land Act 2010.

The Land Registrar is responsible for the registration of land-related deeds in accordance with the Deeds Registry Act 1967. Registration of non-land deeds are currently being handled by the Registrar General.

The Chief Surveyor is responsible for regulating all land surveys for leasing purposes and for land surveyors who conduct these land surveys.

Our Values

The Authority and its staff subscribe to and strive to uphold the following values:

- To be customer-centric
- To respect all
- To have integrity
- To work transparently
- To be accountable
- To work as a team

- To serve

Our Stakeholders

Our external stakeholders are primarily our customers who are:

- Citizens, communities and the general public
- Government (central and local)
- Businesses
- Property professionals and developers
- Banks and financial organisations
- Development partners
- The media
- Non-governmental organisations
- Suppliers
- Educational institutions and students

Our internal stakeholders are:

- Employees
- Board members
- Minister of Local Government and Chieftainship and Government
- Contractors and consultants

Strategic Planning Context

This second strategic plan of the Land Administration Authority falls again within the Millennium Challenge Compact reformation period. The Compact is an agreement between the Governments of Lesotho and the United States that over the period 2008 to 2013 invests in promoting economic growth to reduce poverty. There are development programmes in water, health and private sector development, and the latter includes a Land Administration Reform Project (LARP), which facilitated the establishment of the Land Administration Authority.

The Compact and LARP requires that the Authority when established will be:

- professionally managed and operated;
- operated in a largely autonomous manner in accordance with its objectives;
- capable of providing cost-effective and efficient services to the public and land information users (including the poor);
- able to hire and retain qualified managerial and technical staff; and,
- self-sustaining.

Over its duration the Compact will provide in-kind resources of approximately \$7.8 million for various goods, works and services to support establishing a modern and efficient Authority with capacity to provide leasehold titles and secondary transactions more quickly, cost-effectively and transparently. The funding has or is currently being invested in, for example:

- Information technologies (a lease management system)
- Alterations and refurbishment of offices (mainly at the HQ building on Leretholi Road, Maseru, to create a customer service area)
- Equipment, furniture and vehicles
- Temporary staff engaged for project-related activities
- Ortho-rectified aerial images and maps

The Compact is providing a once-off investment to help the Authority get started. In its day-to-day operations the Authority is expected to secure sufficient revenue to cover its recurrent expenditure.

In reviewing operations and results in its first year of operation, no adjustment is thought necessary to the organisational structure, notwithstanding the return to the Authority of the Office of the Commissioner of Lands from the Ministry of Local Government and Chieftainship. However, the need to strengthen certain functions has been identified, to make others permanent, and to review some functions and services as the impact of reforms materialise. For instance, additional resources will be made available to help resolve more land-related disputes as this service has proved to be an effective alternative to the courts.

Financial Planning Context

The Authority's revenue comes from three principal sources, as provided by the LAA Act 2010:

- Fees and charges for services provided
- Ground rents on leasehold properties
- Grants from the Government and other approved sources

In its first year 75% of the Authority's operational funds came from grants received from the Government; about 20% came from ground rents paid by leaseholders, and 5% from fees and charges levied. All MCA-Lesotho grant funding is assigned to procurement and project-related activities.

The Authority's first strategic plan prepared in 2010 envisaged that ground rent payable on non-exempted leasehold titles will increase to provide most of the revenue received and this should, assumptions permitting, lead to revenue exceeding expenditure in or around the 2018-19 financial year.

The Strategic Plan for 2012-15 also envisages increasing ground rent income that should, all being well, exceed expenditure in the 2018-19 financial year.

The projections for revenue and expenditure over the course of this Strategic Plan are given in the Authority's Annual Business Plan.

Strategic Objectives

The objectives defined in the strategic planning exercise conducted by the Authority in 2012 remain broadly the same as the strategic objectives defined in the 2010 plan.

As before, each strategic objective has a performance indicator that is measurable and a target that is believed realistic based on the achievements of the last strategic plan.

1. Deliver high quality and customer-centric services, information, and advice.

<i>Customer satisfaction targets</i>	<i>2012-13</i>	<i>2013-14</i>	<i>2014-15</i>
1. Repeat visits (average)	4	4	3
2. Waiting time per visit (minutes on average)	20	15	10
3. Quality of advice (clearly informed)	75%	78%	80%
4. Customer satisfaction with lease delivery time (satisfied or highly satisfied)	60%	70%	80%
5. Overall quality of service (good or excellent)	78%	79%	80%

Customer satisfaction targets are measured using a standard questionnaire survey of about 80 randomly-selected customers. The survey was first used in 2010 and repeated again in 2012.

2. Issue leases and lease transaction consents quickly and transparently.

<i>Lease service targets</i>	<i>2012-13</i>	<i>2013-14</i>	<i>2014-15</i>
1. Time to issue new lease (days on average)	40	30	20
2. Time to issue consent and process transaction (work days on average)	15	10	5

The time to issue a new lease, from date of application to date of receipt by the applicant of their registered lease, is a key indicator and one that most customers and stakeholder use to judge the Authority's performance. It is also a measure of 'doing business' and time to register property features as one of the indicators in the World Bank's ranking of global economies. The importance of this indicator is also reflected in its inclusion in the performance assessment framework for general budget support to the country provided by development partners.

The baseline figure in the 2012 Doing Business Report is 101 days; in 2011-12 the target of 60 days was met.

The targets are measured by standard reports produced by the Lease Management System, register book entries, and the annual customer satisfaction questionnaire survey.

3. Register all land transactions securely.

Legal service targets	2012-13	2013-14	2014-15
1. Time to register a deed (days on average), excluding lease services	9	7	5

The time to register a deed in the Land Deeds Registry is measured using the Lease Management System or register book entries.

This measure combined with the measure of time taken to grant a consent to a lease transaction, such as a transfer which will necessitate a deed to be registered, will approximate the measure typical used in most economies for the transfer of property.

4. Establish a robust lease management system to process lease transactions and to maintain information on all land holdings.

Lease management system	2012-13	2013-14	2014-15
1. System installed	By end of 2012		
2. System operational (working days on average)	240	240	240
3. System coverage (% of urban leased & allocated land)	15%	20%	25%

This objective and its activities will be measured from periodic reports.

5. Provide land information to all who request it.

<i>Data provision</i>	<i>2012-13</i>	<i>2013-14</i>	<i>2014-15</i>
1. Time to respond to written requests for information (work days on average)	5	3	2

The requests for information measured for this objective are formal written requests submitted to prepare for a transaction or for an inventory of land rights held; for example, a conveyancer undertaking a search of the deeds register. The indicator does not include more casual requests.

6. To be financially self-sustaining and to calculate and collect ground rent efficiently, fairly and fully.

<i>Revenue collection</i>	<i>2012-13</i>	<i>2013-14</i>	<i>2014-15</i>
1. Earned revenue/expenditure	12%	23%	38%
2. Bills issued (% of all non-exempted leases)	80%	85%	90%
3. Rents collected (% of all non-exempted leases)	40%	60%	80%
4. Revenue collected (Maloti, million)	2	4	8

The Government of Lesotho expects the Land Administration Authority to be financially self-sustaining and with improved lease ground rent billing and collections and with gradually increased rents to bring them back to market-related levels (as required by the Land Act 2010), there is the potential to achieve this. This is a key objective, for the Government in particular and for internal stakeholders, and it will be measured through regular financial reporting. The self-sustainability ratio calculated by dividing earned revenue by recurrent expenditure is an indicator where if the ratio is greater than 100% it means that revenue is exceeding expenditure.

7. Continually improve the land administration system and strive for excellence.

Progress & status	2012-13	2013-14	2014-15
1. World Bank Doing Business – Registering Property ranking out of 183 countries	130	120	110
2. Number of secondary property transactions registered (lease transfers, mortgages, subleases)	1,000	2,000	3,000
3. Customer and employee surveys	Conducted annually		

Better service delivery and continuous improvement can be assessed by any one or more of the aforementioned strategic objectives. This objective uses different but no less informative indicators: the first as a comparative measure; and, the second to see if the land market is becoming more dynamic as a result of reforms and improvements. The third measures improving service to our key stakeholders.

Appendix A – Organisation Chart

