



**GOVERNMENT OF SAMOA**

**SAMOA SECOND INFRASTRUCTURE AND ASSET  
MANAGEMENT PROJECT (SIAM II)**

**COMPONENT 5.01: LAND ADMINISTRATION AND SURVEY**

**QUARTERLY REPORT**  
**February – April 2005**

**SUBMITTED TO**  
**MINISTRY OF NATURAL RESOURCES, ENVIRONMENT and**  
**METOROLOGY**

**May 2005**



## INTRODUCTION

This report covers project implementation activities for the first quarter February – April 2005.

The report summarises the highlights, progress, any issues arising and action as appropriate for each sub-component activity in the implementation work plan.

## SUMMARY

### Project Start-up

The contract between the Government of Samoa and LEI was signed in Apia on 4<sup>th</sup> February 2005 and the adviser team was mobilised immediately after that date.

The Project Inception Report (Technical Assistance Report No. 1), based on the initial review and analysis conducted in February, was approved by the Ministry of Natural Resources, Environment and Meteorology (MNREM). This confirmed the Work Plan and the related activity Delivery Plan.

### Reports Completed

Draft individual activity reports, in accordance with the Work and Delivery Plans were submitted as follows:

Report No. 1	Project Inception Report
Report No. 2	Samoa Land Registration System – Review, Analysis and Future Strategy.
Report No. 3	Land Information Integration Strategy (including Procurement Specifications).
Report No. 4	Technical Specifications for GPS & Ancillary Equipment
Report No. 5	Valuation System - Initial Review and Analysis
Report No. 6	Samoa Geodetic Network – Initial Review and Options for Upgrade.
Report No. 7	Land Information Integration Procurement

This is a significant number of reports, most of which are substantial in content, and feedback is awaited from MNREM for subsequent development work in many cases.

### Adviser Team:

After full mobilisation in February, adviser deployment was as follows:

- Land Legislation, Land Registration and Land Information Integration Advisers were temporarily demobilised in April pending review of reports.
- National Mapping adviser demobilised after inception study and is scheduled to re-deploy for 2 months on 6<sup>th</sup> May.
- Team Leader returned to Australia for a scheduled two week family reunion break 1 -16<sup>th</sup> April.

The mobilisation schedule is shown in the Delivery Plan (copy attached to this report).

### Group Study Tour

Assistance has been provided in the planning and organisation of a Group Study Tour for five senior officials under the project training program and budget. Programs covering surveying and title registration have been confirmed and detailed agendas have been prepared with two comparable jurisdictions in Australia. These are

- Department of Property Information (DPI) in New South Wales, and
- Department of Land Information (DLI) in Western Australia.

The GST is scheduled for late May and LEI will continue to provide as much support on an informal basis as possible to the team.

## ACTIVITY REPORTS

**COMPONENT C5.1 – Survey and Geographic Information**

**SUB-COMPONENT C5.1.1 - Geodetic Survey**

***Activity 1.1.1 – Initial Review & Analysis.***

**Progress:** The report “Samoan Geodetic Network Initial Review & Options for Upgrade” was completed and submitted on 24<sup>th</sup> March. Feedback from MNREM is expected in early May.

***Activity 1.1.2 – Specification of geodetic and supporting computer equipment.***

**Progress:** GPS Specifications were completed and supplied to MNREM together with dealer contact information in March. The adviser has provided continuing support and advice to the Project Component Manager during the bidding process for purchase of GPS equipment.

**Issue:** There have been complications in the procurement process which threaten to delay the acquisition of GPS equipment and hence the observations for the upgrade of the geodetic network.

**Action:** Urgently examine and rectify shortcomings in the procurement approach used based on comments and guidance received from the World Bank.

***Activity 1.1.3 – Geodetic Upgrade Action Plan***

**Progress:** The report on the Samoa Geodetic Network (Activity 1.1.1) included the draft Geodetic Upgrade Action Plan. A response is anticipated from the MNREM.

In the interim, the Principal Surveyor and National Survey Adviser have completed a field inspection of Apia to determine the extent of the tertiary control network needed. This was to include a search of all cadastral plans in Apia (see issue below). The area required to be covered is significantly larger than initially assumed.

***Activity 1.1.6 – Undertake Geodetic Network Upgrade***

**Progress:** Completed reconnaissance for the Primary Network on Upolu and Savai'i. Completed reconnaissance for the Secondary Network for Salelologa, Savai'i.

**Issue:** It was proposed that new control marks should be a brass rod in concrete. Brass rod is not available in Samoa accordingly a request was made to the New Zealand Naval Hydrographic Section to source some suitable brass plaques in New Zealand before their assignment to Apia on 20<sup>th</sup> April. They were unable to do so.

**Action:** The Geodetic Adviser has requested sufficient brass plaques from the South Australian Surveyor General's Office for the new Primary & Secondary control points. The response has been positive and the matter is to be pursued.

**Issue:** The search of all cadastral plans in Apia has not commenced.

**Action:** The search is now scheduled to commence on 2<sup>nd</sup> May

**Issue:** To assist with the search process, Survey Section requires access to an A3 photocopier and sufficient supplies to make copies of all plans in preparation for the field search.

**Action:** MNREM to make a commitment to provide access to a suitable photocopier and supplies.

**Risks:** There are no significant new risks attached to this sub-component.

#### **SUB-COMPONENT C5.1.2 - Land Information Integration (LII)**

##### ***Activity 1.2.1 – Initial Review and Options Analysis***

**Progress:** Activity completed and included in the Inception Report.

##### ***Activity 1.2.2 – Development of LII Principles and Strategy***

**Progress:** Activity completed and submitted as Report No. 3. The comments from MNREM are awaited.

##### ***Activity 1.2.3 – Preparation of IS Specifications (for all activities)***

**Progress:** A report describing equipment to be procured and outsourced data conversion tasks completed and submitted as Report No. 7.

**Issue:** Budget for equipment and data conversion not known and there have been numerous suggestions for extra equipment to be included.

**Action:** prioritise equipment so that schedule of equipment to be procured can be modified to fit budget, when it is known.

**Issue:** LII initiatives may include the Lands and Titles Court and necessitate the procurement of a workstation and associated hardware and software. MNREM needs to consider the use of project funds outside of MNREM.

**Action:** Need for support to Lands and Titles Court has been identified in the draft of the initial LII Strategy

**Issue:** The need for several procurement packages was highlighted with three being single source procurements. The issue was raised concerning the capacity of local suppliers to provide for a competitive procurement for the package containing most of the required items of equipment. It was suggested, late in March, that International Shopping Rules be used for LII Equipment procurements.

##### **Actions include:**

- Approaches made to various potential international bidders for LII procurements with only one company (Geosystems(NZ)) expressing interest.
- MNREM Component Manager has approached overall Project Manager to see if “Local Shopping” rules can apply with respect to the main LII procurement package (instead of “International Shopping” as he was initially advised)
- The suppliers of the identified “sole source” LII procurements - handheld calculators with software appropriate for Samoan Surveyors; SDR (current Survey Software package used in Samoa) LandXML software; Mapinfo GIS software; Survey Plan and other Microfilm digital conversion have been contacted to check price estimates and suitability of their products/services for the MNREM.

**Issue:** Microfilm records conversion.

Potential suppliers of Desktop Imaging service (to convert microfilm records) were supplied with a sample of about 100 microfilm records. Feedback is that:

- All of the sample cards are in good physical condition;
- Most of the cards produced reasonable scan results but the image quality on the originals was poor;

## SIAM- 2 : Land Administration and Survey - Quarterly Report April 2005

- Some cards contained images where the exposure (due to either the condition of the original or the filming process) resulted in the need to scan in greyscale to obtain all of the detail;
- The indexing process was not too difficult but reasonably time consuming.

The revised cost estimate to convert all 25,000 microfilms (including Survey Plans, Scheme Plans, old German Land Registers, and Old Land Claims) is NZ\$26,286 plus the cost of greyscale processing of approximately 4% of these records (based on the sample of microfilms) which equates to an extra NZ\$2,198 (assuming the sample was representative of all the microfilms).

**Action:** As 3 out of the 4 records that needed the greyscale processing were survey plans, it is recommended greyscale processing is included where image quality is found to be poor and can be made legible through this additional step. With respect to the indexing, the accuracy of this step would be improved if MNREM pre-examined the set of microfilms to be processed in this way and made sure each aperture card was labeled and microfilms were in correct order.

### *Activity 1.2.4 – Drafting of Key Standards and Policies for LII*

**Progress:** Required LII Standards and Policy Papers identified in LII Strategy. Outline of proposed Metadata Standard and implementation prepared and distributed to James Atherton (local consultant who has developed a Samoan metadata catalogue) for his comments.

**Issue:** Standards and policies are also covered within the National Mapping Agency sub-component

**Action:** Standards, policies and technical specifications will be jointly developed with the NMA Adviser.

### *Activity 1.2.5 – Develop LII Land Administration and Mapping Software Applications*

**Progress:** High level software and database design completed (and included in draft of initial draft of LII Strategy). Detailed software design completed including an analysis of the NZ Landonline (Land Registration and Survey Lodgement) application. Database design implemented (in Microsoft SQL Server) including trial installation of Mapinfo GIS network product, Spatialware, utilising Samoan DCDB data. Software development started with all main forms completed.

**Issue:** The Mapinfo Spatialware software (loaded on the computer hosting the DBMS, Microsoft SQL Server) would be a very valuable tool and greatly simplify the initial DCDB upgrade effort, the ongoing DCDB maintenance effort and making the DCDB available to users within MNREM. It has been added to the LII procurement subject to budget availability. The costs is NZ\$23,450.

**Issue:** Project is unlikely to be able to support the development of other than critical applications such as the Land Registration application, the DCDB and the (new) Geodetic application.

**Action:** Potential LII applications will be prioritised depending on budget for equipment and outsourced data conversion, progress on developing the critical applications and other LII tasks and documented in the LII Strategy.

**Issue:** Future sustainability of these new applications within MNRE and the survey industry

**Action:** MS Visual Studio.NET needs to be included in equipment to be procured (so that future development work can be undertaken by MNREM staff) and encourage Nomenata Soili (Mapping Section) to continue his part-time study at USP in Visual Basic programming.

***Activity 1.2.6 – Implement Records Conversion Programme and LII Computerised Applications***

**Progress:** Two weeks of training in MapInfo/DCDB for Draughting and Plan Examination Section staff has been completed; including the preparation of training material. DCDB upgrade work has commenced and indications are that staff still need more hands-on help before they become fully confident in this work. One of the problems experienced is a result of the older workstations they are currently using not being able to process the scanned record sheets (probably insufficient memory). This highlights the need for the LII procurement to be completed as soon as possible.

**Risks :** There are no significant new risks attached to this sub-component.

**SUB-COMPONENT C5.1.3 - National Mapping Agency**

Action on this sub-component confined to Initial Review and Analysis to this stage. Close collaboration is maintained with the LII Adviser. NMA Adviser to be re-mobilised early May and a draft position paper will be presented 9<sup>th</sup> May.

**COMPONENT C5.2 – Land Administration Reform**

In the initial stages the Land Registration and Land Legislation Advisers have collaborated closely in the development of strategy and policy for land registration reform and the recommendations for Cabinet. A common report has been completed (Report No.2) and reviewed by MNREM.

**SUB-COMPONENT C5.2.3 - Land Registration Conversion**

***Activity 2.1.2 – Develop strategy and policy for Land Registration and Titling reform and recommendations for Cabinet***

and

**Sub-component C5.2.2 Land Registration Legislation**

***Activity 2.2.3 - Develop strategy and policy for future land registration arrangements in Samoa and recommendations for Cabinet***

**Progress:** The issues and the proposed strategies were widely discussed with all stakeholders especially the Attorney General's Department and the Chief Justice of the Supreme Court. There is general agreement that the current legislation is not clear regarding the legal effect of registration under the Registration of Deeds Act 1992/1993. There is general support for a move to a Torrens title system. A workshop was held for members of the Law Society and attended by 12 members of the Society.

The report (Report No.2) incorporating the review, analysis, future options and recommended strategy was completed and all parties have indicated that they are in favour of the recommendations.

In discussions with the Attorney General's Department the option of proceeding separately with the draft legislation for holding the Register on a computer database and simplifying procedures has been supported. It is proposed that this legislation will precede any draft legislation to introduce the Torrens system which would require more extensive consideration and debate. The advantage of this approach to the project is that it would enable a quicker design and implementation of the upgraded registration system.

**Issue:** These include:

- whether, in the absence of the advisers, MNREM will have the resources and the experience to support Parliamentary Counsel in the drafting of the initial legislation.
- the recommended option of moving to a State guaranteed title system could involve the Government in underwriting any compensation payout.

**Action:** These include

- The advisers will supply Parliamentary Counsel with examples of the required legislation.
- The report has attempted to demonstrate that the likely incidence of claims will be low. The final decision will be a matter for Government.
- The next phase in upgrading the Registry operations will commence with the procurement of the several PCs for the Land Registration Section, the preparation of the necessary systems software and the passing of the facilitating legislation.

#### ***Activity 2.2.2 - Review of Customary Land Tenure and Administration***

**Progress:** Extensive interviews with individuals and villages on Upolu and have been undertaken and these need to be reviewed to accurately reflect people's attitudes to customary lands. Similar interviews are proposed for Savaii.

Meetings with the village of Matafaa on 6-7 April were useful in terms of the views of those living on customary lands as owners and to gather how little they are aware of any possible affect external pressure might have on customary lands. It is difficult for them to contemplate external influences impacting on customary lands so it was an opportunity to better explain potential ways to better develop customary lands.

The issue of valuation of customary lands is still one which intrigues a lot of Samoans. There is some belief that many attributes of customary lands, when quantified in monetary terms, would support the view that customary lands have higher value than comparable freehold lands. As the Salelologa case (pending a decision in August this year) depends very much on this issue of valuation of customary lands, this consultancy might need to make some suggestions to reflect these sentiments.

There is potential model for the use of customary lands as collateral for development bank financing in American Samoa. This will be investigated.

#### ***Activity 2.2.4 - Review Extension to Land & Titles Court***

**Progress:** Although not scheduled to be undertaken until June, interviews have been held with the President of the Land and Titles Court and the CEO of Justice Department and Courts Administration. The records of the Court have been inspected as well as a new database being developed by the Court. There is support for the concept of recording Court decisions in the Land Registry and the existing legislation enables such recordings. This will involve finding some compatibility between the Court system and the Land Registry system.

**Risks :** There are no significant new risks attached to these sub-components.

### **SUB-COMPONENT C5.2.3 - Land Valuation**

#### ***Activity 2.3.1 – Initial Review & Analysis of the current valuation system in use in the Ministry of Natural Resources, Environment and Meteorology***

**Progress:** A report has been completed and delivered in March 05 and minor modifications have been requested by the MNREM. These have been completed.

***Activity 2.3.2 – Draft National Valuation Standards***

**Progress** The discussion paper “National Valuation Practice Standards – Samoa 2005” was completed in early April and presented at a workshop on 6<sup>th</sup> April 2005. Workshop feedback, as well as responses from questionnaires, has been incorporated in the draft “National Valuation Practice Standards – Samoa 2005” which were submitted to MNREM on 29<sup>th</sup> April. The draft includes “Valuation Procedures”, “Valuation Practice Notes” and “Code of Ethics and Rules of Conduct”

**(Note** The Code of Ethics was initially to be included under activity 2.3.4 – it is now included under this activity)

***Activity 2.3.3 – Industry Training and Workshops.***

**Progress:** Two workshops have been completed with the MNREM Valuation section. The first for the development of ideas regarding National Valuation Standards (22<sup>nd</sup> March) and the second a review of the Vaitele Street widening exercise (24<sup>th</sup> March).

Subsequently workshops were completed on ‘National Valuation Standards’ (6<sup>th</sup> April) and ‘Valuers Licensing Act’ (28<sup>th</sup> April) involving key valuer and financial sector stakeholders.

**New Risk:** The involvement of the adviser on specific and contentious valuation tasks at operational level has presented a potential risk of a conflict of interest. The on-going valuation matters relating to the Vaitele Street widening is an example. ;

**Mitigating Action:** LEI has expressed a policy position that it prefers to avoid undertaking unscheduled valuations at operational level which are likely to place the valuation adviser in conflict with official valuations undertaken by valuation staff of MNREM. This policy is understood by GoS.

**ADVISER TEAM MOBILISATION**

The delivery plan which was approved in conjunction with the work plan in the Project Inception Report is the basis for adviser deployment on the project. This delivery plan is attached for reference.