

THE UNITED REPUBLIC OF TANZANIA
President Office

TANZANIA SOCIAL ACTION FUND
Productive Social Safety Net - III
(PSSN III)



RESETTLEMENT POLICY FRAMEWORK

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LIST OF ABBREVIATIONS AND ACRONYMS

| | |
|-------|--|
| ASP | Adaptive Social Protection |
| CBPP | Community Based Participatory Planning |
| CS-PW | Climate Smart Public Work |
| ESF | Environmental Social Framework |
| ESS | Environmental Social Standards |
| GRM | Grievance Redress Mechanism |
| ICT | Information and Communication Technology |
| LE | Livelihood Enhancement |
| M&E | Monitoring and Evaluation |
| MIS | Management Information Systems |
| NSPP | National Social Protection Policy |
| PAA | Project Authority Area |
| PAP | Project Affected Persons |
| PCT | Productive Cash Transfer |
| PSSN | Productive Social Safety Net |
| PW | Public Work |
| PWP | Public Works Program |
| RAP | Resettlement Action Plan (RAP) |
| RP | Resettlement Plan |
| RPF | Resettlement Policy Framework |
| SP | Social Protection |
| TASAF | Tanzania Social Action Fund |

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A. Introduction

1. This document constitutes the Resettlement Policy Framework (RPF) prepared for this project, consistent with requirements of the World Bank Environmental and Social Framework. Its fundamental purpose is to establish terms of agreement between relevant authorities in the United Republic of Tanzania and the World Bank regarding principles and procedures to be used in subsequent preparation of a Resettlement Plan (RPs) or Procedures for Voluntary land donation for the subprojects. World Bank approval of an RP (or RPs) is required before project authorities invite bids for any contracts in which works are expected to involve physical or economic displacement as a result of land acquisition or restrictions on access or use of natural resources.
2. The RPF is intended to avoid or minimize any adverse impacts associated with physical or economic displacement, and to ensure arrangements are in place to mitigate any adverse impacts that may occur. The United Republic of Tanzania hereby agrees to apply the principles, procedures, and standards incorporated in ESS5 of the World Bank ESF if obtaining any sites for subproject use would cause economic displacement or physical displacement.
3. This RPF is intended to utilize the existing legal and policy framework of United Republic of Tanzania, incorporating any supplementary measures necessary to achieve consistency with ESS5 principles and standards.

B. Project Objectives and Description

4. The third phase of the Productive Social Safety Net (PSSN III) will build on lessons from PSSN I and II (2012–2025) to continue supporting Tanzania’s flagship safety net program, delivering targeted assistance to extremely poor and vulnerable households

The government aims to reach a total of 100 Project Area Authorities in PSSN III, in this phase, activities will be more geographically focused. PSSN III will streamline interventions, prioritizing those with proven impact and cost-effectiveness, with a stronger emphasis on resilience and income generation.

The Program will continue to support PSSN’s core activities; cash transfers, economic inclusion, and public works while investing in adaptive and digital delivery systems throughout the delivery chain. This will comprise investments in digital and dynamic delivery systems that would enable more efficient and effective responses to the needs of vulnerable populations, facilitating targeted interventions with a climate resilience focus.

The Program will deliver integrated interventions aimed at achieving the following goals: (i) boosting productivity and income generating capabilities of the household, (ii) smoothing consumption, encouraging saving and facilitating the transition to alternative, climate-resilient livelihoods; (iii) protect and promote human capital development, and (iv) Building resilience to withstand shocks.

The objective of Tanzania Social Action Fund (TASAF) in the third phase of Productive Social Safety Net (PSSN III) is to enhance income generating opportunities and development of human capital for PSSN beneficiaries and build adaptive Social Protection (SP) delivery systems.

5. The program focuses on three core components, that are 1) Promoting resilience and economic inclusion through Adaptive Safety Nets, 2) Strengthening and modernizing social protection delivery systems and 3) Program Management.

i. Promoting resilience and economic inclusion through Adaptive Safety Net

This component aims to enhance household resilience and promote economic inclusion among poor and vulnerable populations. Its overall goal is to establish a streamlined, cost-efficient, and adaptive safety net system that integrates income support with opportunities for productive engagement and climate resilience. Implementation will be carried out through two key sub components of Productive Cash transfer and Climate - Smart Public Work (CS-PW).

Productive Cash Transfers (PCT):

PCT is the core intervention of PSSN III, providing bi-monthly cash transfers to ensure household consumption, promote savings and investment, and build resilience. All households receive an unconditional cash transfer, with top-ups based on household composition (e.g., children, people with disabilities). Transfers are inflation-adjusted, and beneficiaries participate in quarterly community sessions on topics such as climate awareness, nutrition, and financial literacy.

Economic Inclusion Support:

PSSN III through Economic inclusion strengthens the “cash plus” approach through 1) Basic Support (500,000 households), which Focuses on financial and digital literacy, savings group promotion, and connections to local services, and 2) Enhanced Support (100,000 households) which Builds on the basic package with entrepreneurship training, life skills development, coaching, and a one-time productive grant, following a graduation model with support from private sector partners

Climate-Smart Public Works (CS-PW)

This sub-component offers temporary, labor-intensive employment during lean seasons to 100,000 new, seasonally vulnerable households. It supports climate change adaptation through community asset creation (e.g., soil conservation, water projects) while providing income. Targeting is based on labor capacity and vulnerability. The program will operate in selected high-risk areas and maintain high labor intensity (at least 72%). Projects will be selected through participatory planning and aligned with local climate resilience priorities.

ii. Strengthening and Modernizing Social Protection Delivery Systems

This component focuses on enhancing the efficiency, flexibility, and responsiveness of PSSN’s delivery systems by modernizing operations and building the foundation for Adaptive Social Protection (ASP), it supports the development of digital tools, robust data systems, and institutional capacity to deliver shock-responsive social protection, in line with the National Social Protection Policy (NSPP). This component is divided into two sub-components:

Under PSSN III, the modernization of delivery systems will prioritize efficiency and adaptability through digital and institutional upgrades. Key actions include expanding and upgrading TASAF’s registry of poor households, scaling up e-payments to ensure all beneficiaries including savings groups receive digital transfers, and deploying ICT tools to strengthen data collection, monitoring and evaluation, communication, and grievance tracking

The program will further reinforce the Management Information System (MIS) and invest in digital infrastructure such as tablets and smartphones. It will also establish clear protocols for targeting, graduation, and updating household while building local capacity through structured, phased training aligned with program implementation. Additionally, institutional and technical support for Adaptive Social

Protection (ASP) will be provided by fostering national coordination, building stakeholder consensus, supporting relevant policy and legal frameworks, and financing technical assistance, learning exchanges, workshops, and communication tools essential for effective ASP implementation.

iii. Program Management.

This component focuses on supporting effective and continuous implementation of the program by financing essential program management functions. This includes covering costs related to staffing, logistics, coordination, monitoring and evaluation (M&E), supervision, financial management, procurement, and safeguards compliance. It will also support regular project coordination meetings and other management activities to ensure the smooth operation and effectiveness of the program. In addition, this component will finance communication efforts and stakeholder engagement to promote transparency and inclusive participation throughout the implementation process

6. Implementation of PSSN III under Component one of Promoting resilience and economic inclusion through Adaptive Safety Nets, in its sub components of Economic inclusion enhanced support and Climate Public Work (CS-PW) will inevitably entail land acquisition. The component will support implementation of on farm and off farm subprojects to 150,000 households; and the climatic shock preparedness and responsiveness public work subprojects to include 100,000 households with the number of PW subprojects to be lesser than the number of intended beneficiaries. The PW subprojects are to be implemented at Mtaa/village level and not at household level. The CS-PW is expected to include afforestation, landscaping, and water related subprojects to foster climate adaptation. The Subprojects implementation will subsequently require different sizes of land depending on the nature, types, and level of subprojects.

Objective of the RPF

Land acquisition and restriction on land use can have an impact on communities and persons causing economic displacement (loss of land, assets or access to assets) leading to loss of income sources or other means of livelihood. To address potential impacts that might arise from land acquisition the World Bank Environmental and Social Framework on Land Acquisition, Restriction on Land Use and Involuntary Resettlement (ESS5) will be applied parallel to national policies and legislations.

The project will finance subprojects that will involve civil works related to infrastructural development and resource management. This includes implementing soil and water conservation measures, afforestation, sea water protection charco dams/wells, small scale irrigation, water supply for human and livestock consumption that will enhance overall environmental resilience.

ESS5 is relevant because the Bank Financed Project is likely to cause loss of land or other assets resulting in: (i) relocation or loss of shelter; (ii) loss of assets or access to assets (resulting in adverse impacts upon livelihoods); and (iii) loss of income sources or means of livelihood, whether or not the affected people must move to another location or not.

Purpose of the RPF

In the case of the PSSN III, the location and extent of resettlement impacts are not known at the time of appraisal, and so, the borrower has prepared a Resettlement Policy Framework (RPF). Subsequently, detailed RAPs may be needed during implementation and where community land is used an adequate

process of consultation

The RPF will provide project stakeholders with procedures to address the risks that may arise from implementation of sub projects leading to economic or physical resettlement of populations. It is expected to provide guidelines on how the project will avoid, minimize, manage or mitigate and even compensate all project related displacement risks.

This RPF ensures that any possible adverse impacts of proposed Sub-project activities are addressed through appropriate mitigation measures, in particular, against potential impoverishment risks. These risks will thus be minimized by:

- a) avoiding displacement of persons without a well-designed compensation and relocation process;
- b) minimizing the number of PAPs to the extent possible;
- c) compensating for losses incurred and displaced incomes and livelihoods; and
- d) /Ensuring resettlement assistance or rehabilitation, as needed, to address impacts on PAPs livelihoods and their wellbeing.

C. Key Principles and Definitions

7. In World Bank-assisted projects, borrowers are expected to take all feasible measures to avoid or minimize adverse impacts from land acquisition and restrictions on land use associated with project development. The fundamental objective of ESS5 is to ensure that, if physical or economic displacement cannot be avoided, displaced persons (as defined below) are compensated at the replacement cost for land and other assets, and otherwise assisted as necessary to improve or at least restore their incomes and living standards.

8. Other ESS5 objectives include:

- a) To avoid forced eviction
- b) To improve living conditions of poor or vulnerable persons who are physically displaced, through provision of adequate housing, access to services and facilities, and security of tenure
- c) To conceive and execute resettlement activities as sustainable development programs, providing sufficient investment resources to enable displaced persons to benefit directly from the project, as the nature of the project warrants
- d) To ensure that resettlement activities are planned and implemented with appropriate disclosure of information, meaningful consultation, and the informed participation of those affected.

9. Displaced persons (ESS5, Para. 10) are defined as any persons subjected to project-related adverse impacts who (a) have formal legal rights to land or assets; (b) have a claim to land or assets that is recognized or recognizable under national law; or (c) who have no recognizable legal right or claim to the land or assets they occupy or use. The term incorporates all potential categories of persons affected by land acquisition and associated impacts; all of those adversely affected are considered “displaced” under this definition regardless of whether any relocation is necessary.

10. Replacement cost (ESS5, Para. 2,) is defined as a method of valuation yielding compensation sufficient to replace assets, plus necessary transaction costs associated with asset replacement. Where functioning markets exist, replacement cost is the market value as established through independent and competent real estate valuation, plus transaction costs. Where functioning markets do not exist,

replacement cost may be determined through alternative means, such as calculation of output value for land or productive assets, or the undepreciated value of replacement materials and labor for construction of structures or other fixed assets, plus all transaction costs associated with asset replacement. In all instances where physical displacement results in loss of substandard shelter, replacement cost must at least be sufficient to enable purchase or construction of housing that meets minimum community standards of quality and safety.

11. ESS5 also establishes key principles to be followed in resettlement planning and implementation. These include:

- a) All displaced persons are entitled to compensation for land and attached assets, or to alternative but equivalent forms of assistance in lieu of compensation; lack of legal rights to the assets lost will not bar displaced persons from entitlement to such compensation or alternative forms of assistance.
- b) Compensation rates refer to amounts to be paid in full to the eligible owner(s) or user(s) of the lost asset, without depreciation or deduction for fees, taxes, or any other purpose.
- c) Compensation for land, structures, unharvested crops, and all other fixed assets should be paid prior to the time of impact or dispossession.
- d) When cultivated land is to be taken for project purposes, the TASAF seeks to provide replacement land of equivalent productive value if that is the preference of the displaced persons.
- e) Community services and facilities will be repaired or restored if affected by the project.
- f) Displaced persons should be consulted during preparation of the RP, so that their preferences are solicited and considered.
- g) The RP (in draft and final versions) is publicly disclosed in a manner accessible to displaced persons.
- h) A grievance mechanism by which displaced persons can pursue grievances will be established and operated in a responsive manner.
- i) Negotiated settlement processes are acceptable as an alternative for legal expropriation if appropriately implemented and documented.
- j) Land donation is acceptable only if conducted in a wholly voluntary manner and appropriately documented.
- k) The Village Councils/ Mtaa Committees/ Shehia Advisory Councils bears official responsibility for meeting all costs associated with obtaining project sites, including compensation and other considerations due displaced persons. The RP includes an estimated budget for all costs, including contingencies for price inflation and unforeseen costs, as well as organizational arrangements for meeting financial contingencies.
- l) Monitoring arrangements will be specified in the RP, to assess the status and effectiveness of RP implementation.

D. Legal and Regulatory Framework

12. The Ministry of Lands, Housing and Human Settlement Development is responsible for formulation of Land policy, regulation and coordinate matters pertaining to land in Tanzania Mainland while in Zanzibar this responsibility is under the Ministry of Land, Housing, Water and Energy. This section lays out the legal and policy framework for both mainland and Zanzibar that will be applied to project activities in case of land acquisition for any of the subprojects under PSSN III.

- **Land occupancy and procedures in Mainland Tanzania**

The Constitution of the United Republic of Tanzania of 1977 (as amended), the Land Act (No. 4 of 1999), Village Land Act (No.5 of 1999), Land Acquisition Act (No. 47 of 1967), the Land Use Plan Act (No. 6 of 2007) and Urban Planning Act (No. 8 of 2007) and their regulations contain provisions related to land administration, tenure and ownership in Tanzania. Public land is categorized as general, village, or reserved land. Socio-economic activities are permitted on general and village land, and not permitted or are restricted in reserved land such as national parks, game reserves and forest reserves.

Mainland Tanzania has a dual system of land tenure concerning public lands: (i) customary rights and (ii) Statutory rights of occupancy. Granted rights to land can be held by individuals or by Communities. Holdings of individuals can be covered by the following: (i) Right of occupancy for varying periods e.g. 33, 66, or 99 years; and (ii) Customary rights of occupancy for indefinite term.

Approved land use plans or layouts and cadastral survey plans form the basis for plot allocations to individual landowners. Individuals are given certificates that provide the details on the plot size, use, development conditions, rent payable, duration of ownership and other covenants. The plot owners are required by law to prepare building plans according to uses/development conditions in the certificate and obtain a building permit from the local authority. A change of land use requires application of that change of use to local authorities and later on to be approved by the Director of rural and town planning.

Mechanisms for land tenure in plot allocations to individual landowners also apply to allocation to government lands intending to construct public buildings: i.e. requirements for approved land use plan, cadastral survey plan, application of change of use, building plans and building permit. Where the government fails to obtain land through the usual allocation procedures, the Land Acquisition Act No 47, 1967 gives power to the President to acquire "Land" from private occupants where such land is required for any public purpose. This Act provides that land shall be deemed to be required for a public purpose where it is for, among others, exclusive Government use, for general public use, any Government scheme, and the development of agricultural land or for the provision of sites for industrial, agricultural or commercial development, social services, or housing.

The authorized person is allowed to enter upon and survey and take levels of any land in such locality; to do all other acts necessary to ascertain whether the land is adapted for such purpose; and to clear, set out and mark the boundaries of the land proposed to be taken and the intended line of the work (if any) proposed to be made thereon. Also, the Act read together with the Valuation and Valuers Registration Act of 2016 which provides how compensation should be assessed to compensate those whose interest on land has been acquired and directs the Government to pay for all damage done in consequence of the exercise.

- **Land occupancy and procedures in Zanzibar**

In Zanzibar, Zanzibar Constitution of 1984, under article 17, Commission for Land Act No. 6 of 2015, Land Tenure (Revised) Act No 12 of 1994 and The Town and Country Planning Decree Cap. 85 are among the major statutes in land administration. The overall function of land administration and management is vested in the Commission for Land. The Acts provide for procedure for land allocation, approval of land use plans, cadastral survey and application for change of use, building plans and permits. The mentioned laws and Policies will be applied in land donation and acquisition procedures of PSSN III especially during the implementation of PWP and other income generating activities in Livelihood support. These projects

require land and, in most cases, will be implemented on communal land, village land, publicly owned land or voluntarily donated Land administration system in Mainland

Policies and Legal Status in Mainland Tanzania

The Land Laws governing Land administration in Mainland Tanzania are the following:

- **National Land Policy of 1995:**

The Policy advocates equitable distribution and access to land by all citizens. It aims at ensuring that existing rights in land especially customary rights of small holders (i.e. peasants and herdsmen who form the majority of the country's population) are recognized, clarified, and secured by law. Under the policy framework, land is to be put to its most productive use to promote rapid social and economic development of the country among other objectives. This implies that land that provides livelihood to community members is to be protected and made available for their use. This Program will ensure that there is no denial on access to land by Program participants, and that all community members enjoy equal rights to access resource within possessed land.

- **Agriculture and Livestock Policy of 1997**

The overall aim of the Policy is to promote and ensure a secure land tenure system to encourage optimal use of land resources and facilitate broad-based social and economic development without upsetting or endangering the ecological balance of the environment. The land use plan in the Program will be observed to protect the rights of hunters-gatherers, livestock keepers, and specific uses on Vulnerable Communities.

- **Land Act No. 4 of 1999**

The Land Act Cap. 113, establishes three categories of land: general, village and reserved. In addition, land may be declared 'hazard land' where its development might lead to environmental damage, e.g. locations such as wetlands, mangrove swamps and coral reefs, steep lands and other areas of environmental significance or fragility.

The Act recognizes customary tenure as of equal status to granted rights of occupancy and allows livestock keepers to own pasture lands either individually or in groups. Importantly, the land act promotes gender equality by recognizing equal access to land ownership and use by all citizens - men and women alike and giving them equal representation on the land committees. The application of this Act will enable soliciting land for subproject implementation in both rural and urban areas.

- **The village Land Act No. 5 of 1999.**

The Village Land Act, (No. 5), 1999 was enacted specifically for the administration and management of land in villages. Under the provisions of this act, the Village Council is responsible for management of village land and is empowered to do so in accordance with the principles of a trustee managing property on behalf of a beneficiary. In addition, the Village Council is required to manage land by upholding the principles of sustainable development, relationship between land uses, other natural resources and the environment. Many PSSN III subprojects shall be established and operated within the village lands.

Under village Land Act, No 5 of 1999, Village Councils are responsible for administration of Village Land, whereas Commissioner for Land is responsible for administration of urban land under the Land Act. Other Acts addressing land issues include The Land Disputes Courts Act No. 2 of 2002, The Urban Planning Act No. 8 of 2007, The Land Use Planning Act No. 6 of 2007, The Land Surveys Act No. 32 of 1957 as Amended, The Land Acquisition Act No. 47 of 1967, The Land Registration Act and No.36 of 1953 as Amended and The Valuation and Valuers Registration Act No. 7 of 2016.

Land Acts continue to signify that, land in Tanzania is public and remain vested in the President of the United Republic of Tanzania as trustee for and on behalf of all citizens of Tanzania. Furthermore, they specify that an interest in land has a realizable value and that value is taken into consideration in any transaction affecting that interest; the recognized land ownership is the granted right of occupancy and customary ownership; and that to pay full, fair and prompt compensation to any person whose right of occupancy or recognized long-standing occupation or customary use of land is revoked or otherwise interfered with to their detriment by the State and the Acts or is acquired under the Land Acquisition Act No. 47 of 1967.

In assessing compensation, land acquired in the manner provided for in the Acts, shall be based on market value of the property in addition transport allowance; disturbance loss of profits and accommodation; cost of acquiring or getting the subject land; and interest at market rate will be charged or paid for the delayed compensation.

For the purposes of the management of land under the Land Acts and all other laws applicable to land, public land is in the following categories: (1) general land; (2) village land and (3) reserved land. The transfer of land from one category to another is provided in the Acts and shall be given due regard in the process of land acquisition after proper compensation and resettlement has been undertaken.

Land Administration System in Zanzibar

The President of Zanzibar remains the custodian of all Land and the Minister responsible for Lands is vested with power to control and administer land on behalf of the President. The Commission for Land Act No. 6 of 2015 provides for establishment of Land Commission, which has overall power in Land administration in Zanzibar

- **The Land Tenure (Revised) Act, No. 12 of 1992**

The Land Tenure Act (Revised), 1992 is the Principal Legislation for the land administration in Zanzibar. Under the Act, all land is public vested in, and at the disposition of the President for the use and common benefit direct or indirect to Zanzibar. The Act addresses issues, which include grants, and termination of land right as right of occupancy; rights to separate ownership of trees and leases. It provides mechanism for provision of land and Certificate of right to occupancy, conditions and the right to sale of Right of Occupancy (RO) granted. The protection of rights to the holders of right of occupancy and that it provides secure tenure in land ownership by requesting payment of compensation where termination of the rights to occupancy is the only option. It addresses issues of control to land and it provides proper mechanism to the affected people. The Act provides for procedures relating to compensation of unexhausted improvements during the process of termination of rights to occupancy and the right of a holder to appeal if not satisfied.

Further, the Land Tenure Act provides for provision regarding to land management. The Land Act provides for liberal methods of acquisition of land or right of use of land for works of National interests. Land Adjudication Act 1990 and Land Tribunal Act 1994 assist the Land Tenure Act and Tribunal Act in resolving disputes before and after the grants of right of occupancy. The Ministry of State Local Government in Zanzibar plays vital role in controlling land development.

A part from the Constitution of Zanzibar, 1984, other applicable laws with relevance to Land Tenure compensation and resettlement include The Land Survey Act, No. 9 of 1990, The Land Tribunal Act, No. 7 of 1994, The Land Transfer Act, No. 8 of 1994, The Registered Land Act, No. 10 of 1990, The Zanzibar

Economic Zones Authority Act, 1992, The Stone Town Conservation and Development Authority Act 1994, The Land Adjudication Act. No. 8 of 1990, The Town and Country Planning Decree, Cap. 85 of the laws of Zanzibar (1955), and Commission for Land Act No. 6 of 2015.

Property Valuation Norms

The law and practice in Tanzania (both Mainland and Zanzibar) advocate for Market Value as Basis for Valuation. Market Value of affected property/asset may be arrived at using different methods. The Valuation and Valuers Registration Act 2016 and its Regulations, Regulation 3 of the Land (Assessment of the Value of Land for Compensation) Regulations, 2001 and Part I - III of the Village Land Regulations, 2002 provide for practical guidelines on assessment of compensation in Mainland Tanzania. On the other hand, The Land Tenure (Revised) Act 1992 provides for practical guidelines on assessment of compensation in Zanzibar. Unlike Mainland Tanzania, in Zanzibar compensation is paid for unexhausted improvement for both registered and unregistered land. But owners of registered land are entitled to alternative land instead of monetary compensation for land value, unlike the unregistered owner who are entitled to monetary compensation for land value.

13. The United Republic of Tanzania agrees to take all actions necessary to ensure full and effective implementation of RPs prepared in accordance with the RPF, and to otherwise take actions necessary to achieve all relevant provisions of ESS5.

E. Preparing a Resettlement Plan

14. All projects causing physical or economic displacement through land acquisition or project-related restrictions on resource access or use are required to prepare a resettlement plan for World Bank approval. Responsibility for preparation and implementation of the RP (or RPs) rests with the Tanzania Social Action Fund (TASAF). As necessary, TASAF will exercise its authority to coordinate actions with any other involved agencies, jurisdictions, or project contractors to promote timely and effective planning and implementation.

15. RP preparation begins once the physical footprint of a proposed investment has been determined, establishing that a particular site (or sites) must be acquired for project use. The TASAF initially screens proposed sites to identify current usage and tenurial arrangements and identifies the site (or sites) that will minimize physical and economic displacement. The TASAF subsequently carries out, or causes to be carried out, a census survey to identify and enumerate all displaced persons on the selected site (or sites) and to inventory and value land and other assets that are to be acquired for project use.

16. Each RP is based on the principles, planning procedures, and implementation arrangements established in this RPF, and normally includes the following contents:

- a) Description of the project (with appropriate maps and illustrations), including explanation for the necessity of acquiring particular sites for project use and efforts undertaken to avoid or minimize the amount of land acquisition or other potential impacts deemed necessary
- b) Results of a census survey of displaced persons and inventory and valuation of affected land and assets and establishment of clear cut off date

- c) Description of any project-related restrictions on resource use or access
- d) Description of tenure arrangements, including collective, communal, or customary use or ownership claims
- e) Review of relevant laws and regulations pertaining to acquisition, compensation, and other assistance to displaced persons, and identification of gap-filling measures needed to achieve ESS5 requirements
- f) Description of land and asset valuation procedures and compensation standards for all categories of affected assets
- g) Eligibility criteria for compensation and all other forms of assistance, including a cutoff date for eligibility
- h) Organizational arrangements and responsibilities for RP implementation
- i) Implementation timetable
- j) Estimated budget and financial contingency arrangements
- k) Consultation and disclosure arrangements
- l) Description of grievance mechanism
- m) Arrangements for monitoring implementation progress.

The RP should be complemented by a separate set of individual compensation files for each displaced household or persons. These files are to be handled confidentially by the borrower to avoid any prejudice to displaced persons.

Eligibility criteria for compensation and all other forms of assistance should be clearly summarized in a table that can be used for consultation with displaced persons (see example provided in Annex 1).

Additional planning measures must be incorporated into RPs for projects causing physical displacement, or significant economic displacement, as described below.

17. For projects causing physical displacement, the RP should include planning measures relating to the following, as relevant for project circumstances:

- a) Description of relocation arrangements, including options available to displaced persons, and including transitional support for moving or other expenses
- b) Description of resettlement site selection, site preparation, and measures to mitigate any impacts on host communities or physical environment, including environmental protection and management
- c) Measures to improve living standards and otherwise address particular needs of relocating poor or vulnerable households, including measures to ensure that replacement housing is at least consistent with minimum community standards and is provided with security of tenure
- d) Description of project design measures to improve living standards, access to or functioning of community services or facilities, or for providing other project-related benefits
- e) Any measures necessary to address impacts of resettlement on host communities.

Other Legally Established Indemnification Compensation.

20. According to the laws of Tanzania, there is a general rule concerning indemnification and compensation to the land donors. It should be noted that PSSN III will encourage voluntary land donation

to the extent where the donors have an informed choice and consent to give their land. However, a participatory process will be followed to identify the subprojects and the possibilities for land donation at the village level. The Procedure allows beneficiaries to donate land voluntarily for the use of the sub-project.

Alternative to Land Acquisition for PSSN III - Voluntary Land Donation

21. Implementation of PSSN III will be based on experience gained from PSSN I and II whereby Village council/Shehia/Mtaa committees were responsible to secure land for the subprojects through consultations with land holders. Land for the subproject was acquired through amicable agreement. PSSN III will emulate the same procedures which should however be evidenced by filling in a written agreement form duly signed by both parties to the agreement. This procedure will be documented and reported through PAA Quarterly Reports and end of Subproject Implementation Report. However, this process of voluntary land donation should be able to meet the basic principles of informed consent to donate land and power of choice, i.e. the choice to agree or disagree and show that the act of donation is undertaken without coercion, manipulation, or any form of pressure on the part of public or traditional authorities. It is important that the land donated is minor and that such donation of land is made for a project that has benefits for the community donating. Further, due diligence will be carried out to establish the status of ownership of the donated land and completion of transfer where applicable. The Land Donation Agreement Form is attached as Annex 2.

Procedure on Voluntary Land Donation

22. The following procedure will be followed by a Project to acquire land for subprojects implementation on.

- i. Meeting of the Village/Mtaa/Shehia Assembly (VA) to sensitize communities to make them aware of the Program components, design elements of PW subprojects entailing the type, nature and scope of the subprojects
- ii. Members of the Village/Mtaa/Shehia Council and Communities representatives to undertake Community Based Participatory Planning (CBPP) to identify possible types of subprojects and prioritize according to their felt needs.
- iii. Communities to agree on the subprojects to be implemented during the second Village Assembly and deliberate on the location of the subproject, status of land ownership of the proposed subprojects and the available alternatives.
- iv. Written notification indicating the location and amount of land that is sought and its intended use; and
- v. Regardless of ownership of the piece of land that need to be acquired consultations will be done with the land owner to determine the willingness to offer land for the proposed subproject.
- vi. Documentation need to show that (i) potential donor or donors need to have been appropriately informed and consulted about the sub project and the choices available to them, (ii) the amount of land being donated is minor and will not reduce the donor's remaining land area below that required to maintain the donor's livelihood at current levels; (iii) no household relocation is involved; and (iv) the donor is expected to benefit directly from the project
- vii. For Privately owned land, land donation form will be completed while for a public owned land, change on land use will be documented.
- viii. For community or collective land, donation can only occur with the consent of individuals using or occupying the land.

- ix. Once land owner agrees to offer land for subprojects, the decision is presented to the General Village Assembly Meeting that approved the subprojects
- x. A formal statement of donation, establishing informed consent, confirming that there is no disputed ownership and that there are no claims by renters, users, squatters, or encroachers, and signed by each owner or user involved
- xi. A dully signed land donation form will be filled, signed and stamped by the responsible authorities. The form should be witnessed by representatives of the land owner (family member), representative of the Village Council, and attested by the PAA Legal Officer
- xii. The Village Council oversees the process and keep all records in the sub project file; including minutes of Villages Assembly Meeting and records of the completed land donation forms
- xiii. The Village Council to disclose the summary of land acquisition agreement to the public through village assembly and other communication channels.

F. Consultation and Disclosure Arrangements

23. For the implementation of PSSN III, the exact nature and locations of land required for subprojects are not yet known. Consultation with land donors will be carried out once the community identify and prioritized subprojects based on their needs. Regardless whether the land is public or private owned, a thorough consultations will be conducted with the land owner to confirm their willingness to provide land for the proposed subproject. Once land owner agrees to provide land for subprojects, the decision is formally presented to the General Village Assembly Meeting for confirmation and approval. A formal donation statement will be prepared, documenting informed consent and confirming that the land has no disputed ownership or competing claims from renters, users, squatters, or encroachers. The statement must be signed by all relevant owners or users involved.

A dully signed land donation form will be filled, signed and stamped by the responsible authorities. The form should be witnessed by representatives of the land owner (family member), representative of the Village Council, and attested by the PAA Legal Officer. The Village Council oversees the process and keep all records in the sub project file; including minutes of Villages Assembly Meeting and records of the completed land donation forms. TASAF will disclose RPF after being reviewed and approved by the bank. The Village Council/Shehia/Mtaa Committees will disclose the summary of land acquisition agreement to the public through village assembly and other communication channels.

G. Monitoring and Evaluation

24. TASAF will make arrangements for monitoring implementation and will submit periodic monitoring reports to the Bank on the status of land acquisition and implementation of the RP. The Program will establish a monitoring system involving TMU staff at national and district levels, as well as communities to ensure effective implementation of RPF, and a set of monitoring indicators will be developed during implementation. For a sub-project found to have potential negative impacts on land, PAAs experts, Ward Extension Staffs and the Village Council will be engaged to verify information of the subproject specific documentation status and land acquisition agreements. If there will be a land dispute a corrective action which may include preparation of new agreement or updating the agreements clauses will be undertaken.

26. The RPF will be monitored through a number of indicators as mentioned below. The established GRM will assist in tracking the implementation of RPF by assessing land reported incidences and

respective actions applied to resolve them. The GRM register will incorporate reported land grievances and set for amicable solution. Other indicators and subjects for monitoring and evaluation of RPF at community levels will be applied including:

- (i) process of consultation activities;
- (ii) Number of grievance and issues on land disputes attended in specified time
- (iii) Number of subprojects implemented in public land
- (iv) Number of subproject implemented on private land
- (v) Size of the land donated by public, as compared to size of the land donated by private land owners.

27. Required data/information will be collected and analyzed regularly to indicate progress on implementation of RPF, project outputs, outcomes and impacts on land issues. Results of analysis will be submitted to the Bank semi-annually. RPF will significantly be part of the PSSN III MIS to specifically enhance digitalization of monitoring and reporting on the land related consultations, size of land donated and to whether the donated land was previously publicly or privately owned. Consideration will be taken into account on issues related to digital access, privacy, and security to ensure inclusion, effectiveness and efficient transition to digital systems.

H. Grievance Mechanism

28. To ensure that displaced persons can raise complaints regarding the land acquisition process, calculation or payment of compensation, provision of assistance, or other relevant matters, the RP shall provide for an accessible and responsive grievance mechanism. The RP describes submission procedures, organizational arrangements, and responsive performance standards for handling grievances, and measures to be taken to inform displaced persons or communities about grievance initiation and response standards. The grievance mechanism does not preclude displaced persons from pursuing other legal remedies available to them.

29. The project will continue to strengthen and upgrade the Grievance Redress Mechanism (GRM) established in the previous program, with further enhancements in PSSN III to integrate digital solutions at all levels, from the community to Project Authority Areas (PAAs) and the national level. Lessons learned from implementing the GRM system in PSSN II have identified key areas for improvement, including coordination, management, and the absence of digital data collection and monitoring. To address these gaps, system upgrades and digitization will be introduced to facilitate timely grievance review and resolution, enhance case tracking, and streamline data collection, reporting, and monitoring.

To strengthen GRM management and coordination, dedicated GRM committees will be established at both the TMU and PAA levels to oversee and manage grievance processes effectively. Additionally, a real-time grievance reporting system will be introduced to improve grievance collection from beneficiaries and the wider community. This will be supported by a functional computerized Management Information System (MIS) and a robust Monitoring and Evaluation (M&E) system, both of which have demonstrated their ability to generate timely and accurate information.

Grievances Reporting Channels

30. A diverse group of project-affected individuals, including community members, vulnerable groups, project implementers, civil society organizations, and the media will be encouraged to raise grievances and

provide feedback to the Program. Awareness and promotion of available grievance reporting channels will be conducted through village assembly, community sessions and various media platforms, including TV, radio, newspapers, posters, flyers, and social media. The following channels will be used to receive program-related grievances:-

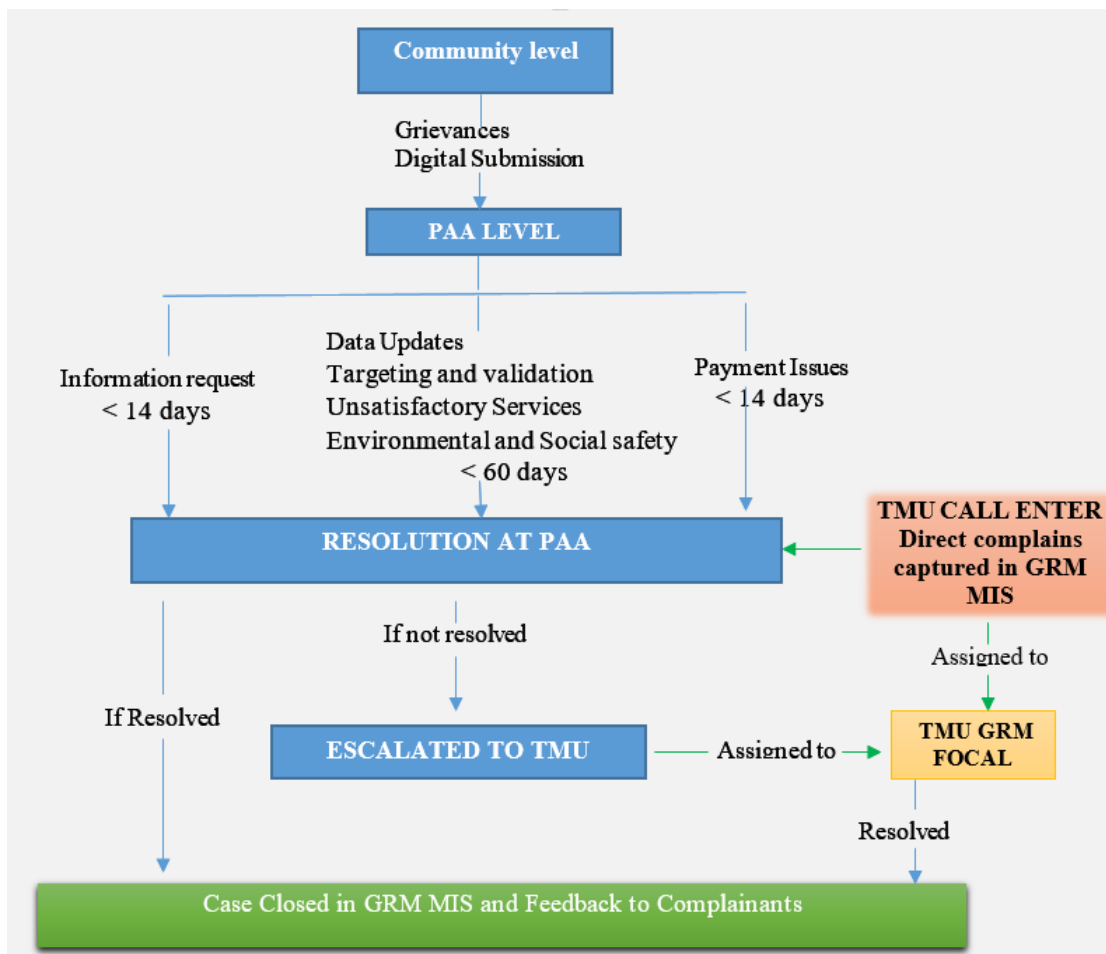
- Call center: Free toll numbers 0800 110057 and 0800 110058
Charged calls number: 0739-000038
- Mails: Letters through P.O. Box 2719, Dodoma and Email: malalamiko@tasaf.org
- Walk in: To PAAs or TASAF offices
- Grievance Registers: Available at Village/Mtaa/Shehia office
- Media Channels: Social Media and Main Media
- Real time channels: USSD *152*00# and e- mrejesho
- Phone calls & SMS: Through program staff

Grievances Pathways

31. To keep the grievance process simple and efficient, complaints will first be received and addressed at the community level by the Village/Mtaa Council or Shehia. If unresolved, they will be escalated to the PAA level, where the PSSNC and other program team members will work on solutions. Grievances that cannot be resolved at the PAA level will be forwarded to the TMU for further management and resolution. There is also a room for other levels of the program to receive grievances i.e. PAA and TMU levels. All grievances at every level will be recorded. At the community level, they will be documented in the GRM register, while at the PAA level, they will be entered into the GRM MIS. Additionally, all grievances recorded at the community level will also be uploaded straight to GRM MIS.

Grievances Flow Chart

Timeframes: At the community level, grievances are submitted digitally or through the call center, and both channels are captured immediately. **At the PAA level:** grievances are categorized into two groups. Group one, which includes data updates, targeting and validation issues, unsatisfactory services, and environmental and social safety concerns, takes up to 60 days for resolution. Group two, which covers payment issues and information or enquiry requests, takes up to 14 days for resolution. At the TMU level, all escalated cases are resolved within 30 days. **Log and Feedback:** All cases are digitally logged in the GRM system with a unique ID, and the status is automatically updated through the stages of *Open* → *In Progress* → *Closed*. Feedback is then automatically sent to the complainant via SMS, app notification, or other available communication channels



32. The TASAF keeps a record of all complaints referred to the grievance mechanism, including a description of issues raised and the status or outcome of the review process.

Gender Responsiveness

33. Implementation of the PSSN III will have positive impacts to the community. The Program have been developed to be more gender responsive by improving communication between household members, encouraging open discussions about financial priorities, resource allocation and land use. The implementation of component one, Climate Smart PW and Enhanced LE land will be required for subproject placement. Land can be donated from either a public owned land or private owned land, though the emphasis to use public spaces; though it is bound to happen that the land might be donated from a private owned land. In either ways, the Project implementation will encourage involvement of both men, women, and siblings regardless of their age, sex, or their disabilities, at a community and/or household level to confirm their consent in the process, size, location and the expected use of that particular land.

34. The program will encourage communal decisions at household level on the selection of Livelihood Pathways depending on the availability and capacities of the household to acquire land without deteriorating their day to day lives. In the context vulnerable groups given their social-cultural behavior,

geographical location and livelihood activities of the respective community, local leaders will be used to deliver key messages related to gender inclusions.

Annex A - Suggested Outline for Preparation of RP Entitlements Matrix – Example Only, to be adapted for specific project

| IMPACT | AFFECTED PERSONS | ELIGIBILITY CRITERIA | ENTITLEMENT IN PRINCIPLE | MITIGATION STANDARDS/MEASURES |
|---|--------------------------------------|-----------------------------|---|--|
| [A. Loss of agricultural land] - Irrigated land - Rainfed land - Pasture - Groves - Fishpond - Other | Owners | (TBD) | Compensation in kind or at replacement cost | (TBD; usually unit of currency per unit of land) |
| | Users with legalizable claims | (TBD) | Compensation in kind or at replacement cost | (TBD; usually unit of currency per unit of land) |
| | Renters/Lessees | (TBD) | Prorated compensation for remainder of term; assistance in finding suitable alternative | (TBD; usually unit of currency per unit of land) |
| | Other users (squatters, encroachers) | (TBD) | Compensation for improvements; assistance in lieu of land compensation | (TBD) |
| B. Loss of residential land | Owners | (TBD) | Compensation in kind or at replacement cost | (TBD; usually unit of currency per unit of land) |
| | Users with legalizable claims | (TBD) | Compensation in kind or at replacement cost | (TBD; usually unit of currency per unit of land) |
| | Renters/Lessees | (TBD) | Prorated compensation for remainder of term; assistance in finding suitable alternative | (TBD; usually unit of currency per unit of land) |
| | Other users (squatters, encroachers) | (TBD) | Compensation for improvements; assistance in lieu of land compensation | (TBD) |
| C. Loss of commercial land | Owners | (TBD) | Compensation at replacement cost, commercial real estate value | (TBD; usually unit of currency per unit of land) |
| | Users with | (TBD) | | (TBD; usually unit of |

| IMPACT | AFFECTED PERSONS | ELIGIBILITY CRITERIA | ENTITLEMENT IN PRINCIPLE | MITIGATION STANDARDS/MEASURES |
|---|---|------------------------|---|--|
| | legalizable claims Renters/Lessees Other users (squatters, encroachers, illegal businesses) | (TBD) (TBD) | Compensation at replacement cost, commercial real estate value Prorated compensation for remainder of term; assistance in finding suitable alternative Compensation for improvements; assistance in lieu of land compensation | currency per unit of land) (TBD; usually unit of currency per unit of land) (TBD; usually unit of currency per unit of land) |
| D. Temporary loss of land | Owners, occupants, users | (TBD) | Compensation for duration of project use; restoration of land to prior condition | (TBD) |
| E. Loss of agricultural production - crops -fruit/nut trees -timber trees -aquaculture -forest produce -livestock forage -livestock | Producers | (TBD) | Opportunity to bring to market, or compensation at market value at maturity (or compensation at net present value for trees and livestock) | (TBD) |
| F. Loss of productive fixed assets -irrigation facilities -fencing -wells -troughs -sheds -barns -other | Asset owners/users | (TBD) | Compensation at replacement cost (non-depreciated value including labor and materials) | (TBD) |
| G. Loss of | | | | |

| IMPACT | AFFECTED PERSONS | ELIGIBILITY CRITERIA | ENTITLEMENT IN PRINCIPLE | MITIGATION STANDARDS/MEASURES |
|--|---|---|--|---|
| <p>residential structures</p> <p>(Often categorized by major building material ,fixed improvements, or other features)</p> | <p>Owners</p> <p>Occupants with legalizable claims</p> <p>Renters/Lessees</p> <p>Illegal structures</p> | <p>(TBD)</p> <p>(TBD)</p> <p>(TBD)</p> <p>(TBD)</p> | <p>Direct house replacement or compensation at replacement cost (non-depreciated value including labor and materials); transitional assistance</p> <p>Direct house replacement or compensation at replacement cost (non-depreciated value including labor and materials); transitional assistance</p> <p>Prorated compensation for remainder of term; assistance in finding suitable alternative; transitional assistance</p> <p>Direct house replacement or compensation at replacement cost (non-depreciated value including labor and materials); transitional assistance</p> | <p>(TBD, usually specified as unit of currency per square meter of structure)</p> <p>(TBD, usually specified as unit of currency per square meter of structure)</p> <p>(TBD)</p> <p>(TBD)</p> |
| <p>H. Loss of commercial structures</p> <p>(Often categorized by major building material, function and capacity, fixed improvements, or other features)</p> | <p>Owners</p> <p>Occupants with legalizable claims</p> | <p>(TBD)</p> <p>(TBD)</p> | <p>Compensation at replacement cost for structures, fixed equipment and other improvements; transitional assistance</p> | <p>(TBD)</p> <p>(TBD)</p> |

| IMPACT | AFFECTED PERSONS | ELIGIBILITY CRITERIA | ENTITLEMENT IN PRINCIPLE | MITIGATION STANDARDS/MEASURES |
|---|---|--|---|---|
| | Renters/Lessees Illegal structures | (TBD) (TBD) | Compensation at replacement cost for structures, fixed equipment and other improvements; transitional assistance Prorated compensation for remainder of term; compensation at replacement cost for fixed equipment and other improvements; transitional assistance Compensation at replacement cost for structures, fixed equipment and other improvements; transitional assistance | (TBD) (TBD) |
| I. Loss of agricultural livelihood | Affected agricultural producer | TBD, requires definition of significant impact caused by severity of loss or imposed changes in livelihood methods | In addition to compensation for lost land and assets, persons whose livelihoods are significantly affected receive alternative employment, skills training, business development assistance, or other additional assistance linked to livelihoods restoration or improvement | (TBD) |
| J. Temporary loss of business income | Owner, enterprise | (TBD) | Payment of support for period of disruption | (TBD, based on prior reported profits or other forms of estimation) |
| K. Temporary loss of employment or wages | Employees | (TBD) | Payment of wages or unemployment support for period of disruption | (TBD, based on payment records or other forms of estimation) |
| L. Loss of public or community | Public or private owners | (TBD) | Compensation at replacement cost for | (TBD) |

| IMPACT | AFFECTED PERSONS | ELIGIBILITY CRITERIA | ENTITLEMENT IN PRINCIPLE | MITIGATION STANDARDS/MEASURES |
|--|---|--|--|---|
| infrastructure, facilities or services | | | damage or destruction of infrastructure and facilities; assistance in restoring functionality and accessibility of services | |
| M. Material assistance to vulnerable or disadvantaged | <p>Displaced illegal residents, users or occupants</p> <p>Blind or otherwise disabled</p> <p>Occupants displaced from substandard housing</p> | <p>(TBD)</p> <p>(TBD)</p> <p>(TBD)</p> | <p>In addition to applicable forms of compensation and assistance, provision of defined security of tenure</p> <p>Project design provides features relating to safety and accessibility</p> <p>Arrangements for obtaining replacement housing meeting minimum legal or community standards</p> | <p>(TBD)</p> <p>(TBD)</p> <p>(TBD)]</p> |

Annex B: The Land Donation Agreement Form

Key issues to consider before donating land for subprojects

- i. That the donor has been appropriately informed and consulted about the project and the choices available to him/them;
- ii. That the donor is aware that refusal is an option
- iii. That the amount of land being donated is minor and will not reduce the donor’s remaining land area below that required to maintain the donor’s livelihood at current levels;
- iv. That no household relocation is involved;
- v. That the donor is expected to benefit directly from the project;
- vi. That the donor is aware of the existence and the ability to contact the project Grievance Mechanism in case of complaint.

A: PRIVATELY OWNED LAND:

This agreement is made this Day of 20..... between(herein after referred as “Donor”) of P.O Box.....and
 The Village Council of (herein after referred as “Donee”) of P.O Box

WHEREAS

The Donor is a lawful owner of a piece of land situated at Village/street/Shehia
 Ward..... Project Area Authority
 Region (herein after referred as the Property)

That the property occupies an area of (m²/ km² hkt²/) and it is held with a right of occupancy for a period of

NOW THEREFORE THE AGREEMENT WITNESSES AS FOLLOWS:-

- 1. That the donor hereby is desirous of donating the Property to the Donee permanently/ lease for the period of commencing from to for implementation of subproject(s) namely financed by the Tanzania Social Action Fund III Phase II (PSSN II)
- 2. That the Property is identified and determined by boundaries of pieces of land adjacent to it and under the ownership of :
 - East
 - West
 - North
 - South

VERIFICATION

I with sound mind and without any undue influence whatsoever has voluntarily decided to donate by lease/disposition of the above mentioned piece of land to the Village Council of

..... for implementations of
..... PSSN subprojects.

Owner's/ Donor's

Name ¹ Signature Date

Phone Number.....

Donor's Witness

1. Name.....Signaturedate

Phone Number.....

2. Name.....Signature.....date

Phone Number.....

Village Representative

1. Name.....Signature date

Phone Number.....Name.....Signature.....date

Phone Number

Before Me:

1. Village Chairman..... Signaturedate

Phone Number.....

2. Village Executive Officer/Street/Shehia.....

Signature..... Stamp

Phone Number.....

{Note: Attach the Village Meeting Minutes

¹ If the piece of land is co-owned, each owner should fill in the form.

B: PUBLIC OWNED LAND:

This agreement is made this Day of 20..... between
.....And.....
.....being the lawful owners
of.....(herein after referred as “Donor”) of P.O
Box.....
And
The Village Council of (herein after referred as “Donee”) of
P.O Box

WHEREAS

The Donor is a lawful owner of a piece of land situated at Village/street/Shehia
..... Ward..... Project Area Authority
..... Region (herein after referred as the Property)
That the property occupies an area of (m²/ km²hkt²/) and it is held with a
right of occupancy for a period of

NOW THEREFORE THE AGREEMENT WITNESSES AS FOLLOWS: -

1. That the donor hereby is desirous of donating the Property to the Donee permanently/lease for the
period of commencing from to
..... for implementation of subproject(s) namely
..... financed by the Tanzania Social
Action Fund III Phase II (PSSN II)
2. That the Property boundaries are identified and determined by boundaries of pieces of land
adjacent to it and under the ownership of :

East
West
North
South.....

VERIFICATION

I with sound mind and without
any undue influence whatsoever has voluntarily decided to donate by lease/disposition of the above
mentioned piece of land to the Village Council of
..... for implementations of
..... PSSN subprojects.

That we 1.....2
.....3....., and
4..... (being the neighbours of the Donor)were present when the Donor
showed the boundaries to the Donee and all of us appeared fully understand and agree to the boundaries
that were shown to us .

Owner's/ Donor's

Name ² Signature Date

Phone Number.....

Donor's Witness

1. Name.....Signaturedate

Phone Number.....

2. Name.....Signature.....date

Phone Number.....

Village Representative

1. Name.....Signaturedate

Phone Number.....

2. Name.....Signaturedate

Phone Number

Before Me:

3. Village Chairman..... Signaturedate

Phone Number.....

4. Village Executive Officer/Street/Shehia.....

Signature..... Stamp

Phone Number.....

(Note: Attach the Village Meeting minutes)

² If the piece of land is co-owned, each owner should fill in the form.

Endnotes