

# **APPENDIX 17**

*(FAKALAH I 17)*

# **FINAL REPORT ON INFORMATION REQUEST FROM THE ROYAL LAND COMMISSION**

30<sup>th</sup> September. 2011

## **A. BACKGROUND**

The Royal Land Commission ("the Commission") submitted a written request dated 8 October 2010 to the Ministry of Lands, Survey, Natural Resources & Environment requesting the following information:

**For each estate and all Crown Land:**

- 1. What percentage of the total land area has been registered as tax & town allotments;**
- 2. What percentage of the total land area has been leased (differentiating leases to charitable bodies);**
- 3. What percentage of the total land area is unallocated (not registered nor leased).**

The Commission further requested that Mr Warrick Vea undertake the task of compiling the required information for the Commission. Mr. Vea was assigned to carry out this task.

Notwithstanding the Commission's request, this report provides only a "snapshot" of the records held in various Registers kept by the Ministry of Lands.

## **B. DISCLAIMER:**

While this report strives to make the information available in a timely and accurate manner, the Ministry of Lands, Survey & Natural Resources makes no claims, promises or guarantees about the accuracy, completeness or adequacy of the contents of the data set out in this report and expressly disclaims liability for errors and omissions in the contents of this report. The information provided in this report is only a preliminary capture of raw data from the Ministry's records. No warranty of any kind, implied, expressed or statutory is given with respect to the contents of this report or its links to other official records.

# FINAL REPORT ON INFORMATION REQUEST FROM THE ROYAL LAND COMMISSION

## C. METHODOLOGY

My starting point was the Hereditary Estates then I continued to Crown Land. I went through the following steps in order to confirm preliminary matters relating to hereditary estates before I will start gathering the information on each estate as required by the Commission.

### **Step 1: List of Hereditary Estates**

A list of all Hereditary Estates and the estate holders was confirmed from Schedule 1 of the Land Act which is attached as Attachment 1. In addition to the estates set out in Schedule 1, there are other estate(s) that are deemed by law, convention and tradition to belong to an estate-holder.

### **Step 2 : Total Land Area for each Estate.**

The total land area for each estate should be first confirmed before any calculation of what percentage of the estate comprises of registered leases, registered allotments and unallocated land.

The Ministry of Lands in the mid 1970's began the process of surveying and draughting the Estate Deeds for each Estate-Holder which was supposed to show the total area of each estate. This process ceased and therefore, no Estate Deeds have been issued to date.

As a result, the total area of a hereditary estate (tofi'a) cannot be accurately provided to the Commission. This is because the Land Act in Schedule 1 does not clearly set out the area and boundaries of each estate. The other reason, as explained above, is that there are additional estates that the Hereditary Estate-Holders hold. Another reason is that a substantial proportion of Hereditary Estates also compromised land that is deemed to be Crown Land because of land being used for public purposes- roads/road reserves, cemeteries and coastal areas affected by the high water mark. Therefore, it would be inappropriate and inaccurate for this report to make any estimation of the total land area for each Estate-Holder. Without the express consent of the Hereditary Estate-Holders, the Ministry of Lands is not confident that it is in a position to provide any information on the total area of hereditary estates.

# FINAL REPORT ON INFORMATION REQUEST FROM THE ROYAL LAND COMMISSION

For the reasons outlined below, the total area of Crown Estates cannot also be accurately calculated.

### Step 3 : Register of Tax Allotment, Town Allotment and Leases.

I compiled data from the following registers – Register of Tax Allotments, Register of Town Allotments and Register of Leases. This data was compiled in the following table form for each Hereditary Estate-Holder and Crown Estate –

| TAX ALLOTMENT         |      | TOWN ALLOTMENT |      | INDIVIDUAL LEASES |      | CHARITABLE LEASES |      |
|-----------------------|------|----------------|------|-------------------|------|-------------------|------|
| No. reg               | area | No. reg        | Area | No. lease         | Area | No. lease         | area |
|                       |      |                |      |                   |      |                   |      |
| TOTAL AREA REGISTER : |      |                |      |                   |      |                   |      |

I note the following issues that should be taken into account in the data presented :

- The table includes registered allotments that are recorded as zero (0) land area.
- The table includes registered allotment that have no recorded land area or location.
- The table includes registered allotments where the previous landholder(s) has not been deregistered from the record – these landholders having already died or surrendered their allotments. Therefore there may be multiple registers on one allotment which is simply added on as a new register.

Therefore, the information shown in the tables reflects more land being registered than is the realistic situation.

# FINAL REPORT ON INFORMATION REQUEST FROM THE ROYAL LAND COMMISSION

## D. RESULTS AND CONCLUSION

The detail of the results of my research of data and information are presented in Attachment 2. In total the sum of registered title (including all Hereditary Estates and Crown Estate) is :

### HEREDITARY ESTATES.

| TAX ALLOTMENT                              |                    | TOWN ALLOTMENT       |                    | INDIVIDUAL LEASES    |            | CHARITABLE LEASES    |            |
|--|--------------------|----------------------|--------------------|----------------------|------------|----------------------|------------|
| Total No. Registered                       | Total area (acres) | Total No. Registered | Total area (acres) | Total No. Registered | Total area | Total No. Registered | Total area |
| 3710                                       | 21639              | 5109                 | 1189.67            | 454                  | 1693.29    | 354                  | 1870.22    |
| <b>TOTAL AREA REGISTER : 26392.18acres</b> |                    |                      |                    |                      |            |                      |            |

### CROWN ESTATES.(Tongatapu Only)

| TAX ALLOTMENT                |            | TOWN ALLOTMENT       |            | INDIVIDUAL LEASES    |            | CHARITABLE LEASES    |            |
|------------------------------|------------|----------------------|------------|----------------------|------------|----------------------|------------|
| Total No. Registered         | Total area | Total No. Registered | Total area | Total No. Registered | Total area | Total No. Registered | Total area |
|                              |            |                      |            | 741                  | 1076.66    | 235                  | 393.36     |
| <b>TOTAL AREA REGISTER :</b> |            |                      |            |                      |            |                      |            |

**FINAL REPORT ON INFORMATION REQUEST FROM THE ROYAL LAND COMMISSION**



.....  
**SUBMITTED by WARRICK VEA (LAND REGISTRATION OFFICER)**  
Ministry of Lands, Survey and Natural Resources



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**ENDORSED by Dr. Sione Nailasikau Halatuituia**  
**SECRETARY FOR LANDS, SURVEY AND NATURAL RESOURCES**

**FINAL REPORT ON INFORMATION REQUEST FROM THE ROYAL LAND COMMISSION**

| Tofta  | Title                 |
|--|-----------------------|
| <p>Mu'a but not to include Havelu, Fatumu and Lavengatonga but it shall include Ha'atalafale to Fua'amotu and Kai'avale and Ha'atui also that part of Navutoka that was divided by Malupo and Toi.</p> | <p>TUNGI.</p>         |
| <p>Lapaha, Hamula and Toloa.</p>   | <p>KALANIUVALLU.</p>  |
| <p>Pelehake and Ha'atalafale in Ha'apai and Ha'atalafale in Vava'u.</p>  | <p>TU'IPPELEHAKE.</p> |
| <p>Kolonga, Poha and Kotongo.</p>  | <p>NUKU.</p>          |
| <p>Fangale'ounga in Ha'apai.</p>   | <p>NIUKAPU.</p>       |
| <p>The landward side of Tokomololo and Vaini.</p>  | <p>MA'AFU.</p>        |
| <p>Fualu and Pea.</p>  | <p>LAVAKA.</p>        |
| <p>Havelu.</p>   | <p>FIELAKEPA.</p>     |
| <p>Kolovai and 'Atata.</p>   | <p>ATA.</p>           |
| <p>Fahafa and F'angai in 'Eua.</p>   | <p>VE'EHALA.</p>      |
| <p>Hihifo in Vava'u.</p>   | <p>'ULUKALALA.</p>    |
| <p>Tungua, Matuku, Ha'ateiho in Tongatapu but not including Manamo'ui, Ha'ateiho, in Ha'apai, Ha'ateiho in Vava'u, Vaikeli in Tongatapu and the town allotment of Fine'ehe in Pangai Ha'apai.</p>      | <p>TU'IHA'ATEIHO.</p> |
| <p>Ha'ano, Pukotala and Mutoa.</p>   | <p>TU'IHA'ANGANA.</p> |
| <p>'Uiha, Taka'amoto'a and Teleki.</p>   | <p>MALUPO.</p>        |

## FINAL REPORT ON INFORMATION REQUEST FROM THE ROYAL LAND COMMISSION

|  |              |
|--|--------------|
| 'Alele and western side of Angaha and 'Ahau, Palau and Ha'ahoko.   | FOTOFILI.    |
| Vaipoa and Hihifo but not to include Falehau and Matavai and Tafahi; and in Niuatoputapu,-Vaotahi, Hunganga, Tavili and the waste land between Hunganga and Tavili. 'i | MA'ATU.      |
| Nakolo, Malapo and Fetoa in Tongatapu, Tefisi in Vava'u.   | LUANI.       |
| Talasiu, Ofu, Okoa and Vasivasi.   | TU 'ILAKEPA. |
| Makave, Holopeka in Ha'apai, and Fonoifua.   | TU'I'AFITU   |
| Houma.   | VAEA.        |
| Ma'ufanga, Faleloa and Nga'akau.   | FAKAFANUA.   |
| Fo'ui and Ta'anea.   | VAHA'I.      |
| Nukunuku, Matafonua, Vaotu'u, Matahau.   | TU'IVAKANO.  |
| Ha'avakatolo and 'Utui.  | 'AHOME'E.    |
| Hunga, Fangalepa and Loto'uiha.  | FULIVAI.     |
| Falevai.   | FAKATULOLO.  |
| Mahinafekite in Niua; and Angihoa in Nivatoputapu.   | TANGIPA.     |
| Faletanu and eastern side of Angaha and Ma'ufanga in Niua.   | FUSITU'A.    |
| 'Utungake and Ha'afakahenga and Futu in Niuafo'ou.   | TUITA.       |
| Puke.  | FOHE.        |
| Te'ekiu and Haufolau.  | MOTU'APUAKA. |



## FINAL REPORT ON INFORMATION REQUEST FROM THE ROYAL LAND COMMISSION

|  |                |
|--|----------------|
| Talafo'ou and Masilamea in Vava'u.   | LAUAKI.        |
| Ha'alaufuli.   | AFU.           |
| Leimatu'a.   | FOTU.          |
| Ha'afeva.  | TU'UHETOKA.    |
| Taunga.  | 'AKAU'OLA.     |
| Lakepa in 'Ahau, Lakepa in Neiafu, Lakepa in Ha'atau, Lakepa in Kala'au, Lakepa in Ha'amea, Lakepa in 'Eua, Lakepa in Navutoka, Fonongahina, and Tafangafanga in Hahake.   | LASIKE.        |
| Tongatapu —  | VEIKUNE.       |
| <ol style="list-style-type: none"> <li>1. Longoteme and Matamoana.</li> <li>2. 'Oneata (island).</li> <li>3. Kanatea (island).</li> </ol>  | VEIKUNE.       |
| <p>Vava'u —</p> <ol style="list-style-type: none"> <li>1. Pale'a to Fongotofe.</li> <li>2. Talahuo landward side of Fongotofe.</li> <li>3. Lolopipi between Nga'akau and Vaimalo.</li> <li>4. Longomapu.</li> <li>5. Kolotahi (island).</li> <li>6. Ha'akoka and Fangaeava.</li> </ol> | VEIKUNE.       |
| 'Utulau and all parts belonging to it in Tongatapu. Nomuka with Nomukeiki and Lofanga with Niniiva in Ha'apai, Taoo and all parts belonging to it in Vava'u.   | HEIR APPARENT. |

**FINAL REPORT ON INFORMATION REQUEST FROM THE ROYAL LAND COMMISSION**

ATTACHMENT 2

| Estate Holder | Estates         | Town     |               | Tax      |               | Individual Lease |               | Charitable Lease |               |
|---------------|-----------------|----------|---------------|----------|---------------|------------------|---------------|------------------|---------------|
|               |                 | No. Reg. | Area in acres | No. Reg. | Area in acres | No. Reg.         | Area in acres | No. Reg.         | Area in acres |
| ATA           | Kolovai         | 122      | 22.65         | 112      | 447.52        | 3                | 9             | 9                | 5.8           |
|               | 'Atataa         | 16       | 1.8           | 17       | 70.71         | 1                | 7.9           | 2                | 0.6           |
| AFU           | Ha'alaufuli     | 91       | 7             |          |               | -                | -             | 9                |               |
| 'AKAU'OLA     | Taunga          | 19       |               | 30       | 63.3          | 2                |               | -                | -             |
| 'AHOME'E      | Ha'avakatolo    | 27       | 5.4           | 15       | 63.6          | 1                |               | -                | -             |
|               | 'Utui           | 35       | 3.3           |          |               | -                | -             | -                | -             |
| FIELAKEPA     | Haveluloto      | 234      | 53.94         | 40       | 143.52        | 36               | 29.5          | 14               | 13.6          |
| FAKATULOLO    | Falevai Vava'u  | 37       | 0             |          |               | 3                | 3.8           | 4                | 7.1           |
| FAKAFANUA     | Ma'ufanga       | 617      | 144.5         | 115      | 346.6         | 84               | 621.2         | 31               | 53.8          |
|               | Faleloa Ha'apai |          |               |          |               | 5                |               | 5                |               |
|               | Nga'akau Vava'u | 1        | 0             |          |               | -                | -             | -                | -             |
| FOTOFILI      | Alele, Angaha   |          |               |          |               | 3                | 110.7         | 1                | 8.3           |

**FINAL REPORT ON INFORMATION REQUEST FROM THE ROYAL LAND COMMISSION**

|             |                          |     |          |     |        |    |      |    |       |  |
|-------------|--------------------------|-----|----------|-----|--------|----|------|----|-------|--|
|             | Ahau, Palau,<br>Ha'ahoko |     |          |     |        | 1  |      |    |       |  |
| FOHE        | Puke                     | 89  | 22.4     | 36  | 223.5  | 8  | 16.1 | 6  | 9.3   |  |
| FOTU        | Leimatu'a                |     |          |     |        | 2  |      | 11 |       |  |
| FULIVAI     | Hunga Vava'u             | 20  | 1r 11.4p |     |        | 4  | 6.8  | 12 | 18.5  |  |
|             | Fangalepa                | -   | -        |     |        | -  | -    | -  | -     |  |
|             | Loto'uiha                | -   | -        |     |        | -  | -    | -  | -     |  |
| FUSITU'A    | Faletanu                 |     |          |     |        | 3  |      | 2  |       |  |
|             | Angaha                   |     |          |     |        | -  | -    | 1  |       |  |
|             | Ma'ofanga NF.            |     |          |     |        | -  | -    | -  | -     |  |
| KALANIVVALU | Lapaha                   | 201 | 90.2     | 310 | 2087.7 |    |      |    |       |  |
|             | Hamula                   | 42  | 9.26     | 92  | 679.4  |    |      |    |       |  |
|             | Toloa                    | -   | -        | 42  | 328.68 | 2  |      | -  | -     |  |
| LAVAKA      | Pea                      | 199 | 49.57    | 150 | 450.23 | 12 | 16.9 | 12 | 212.8 |  |
| LAUAKI      | Talajo'ou                | 94  | 28.06    | 62  | 413.7  | 1  | 8    | 2  | 8.64  |  |



## FINAL REPORT ON INFORMATION REQUEST FROM THE ROYAL LAND COMMISSION

|                       |  |     |       |     |        |     |   |       |    |        |     |
|-----------------------|--|-----|-------|-----|--------|-----|---|-------|----|--------|-----|
|                       | <i>Haufofau Vava'u</i>                         |     |       |     |        |     |   | -     | -  | -      | -   |
| <b>MA'ATU</b>         | <b><i>Vaihoa, Hihifo<br/>Niuatoputapu.</i></b> |     |       |     |        |     |   | 6     |    | 12     |     |
|                       |  |     |       |     |        |     |   |       |    |        |     |
| <b>NIUKAPU</b>        | <b><i>Fangale'ounga<br/>Ha'apai</i></b>        |     |       |     | 52     | 259 |   | -     | -  | 6      | 3.4 |
|                       |  |     |       |     |        |     |   |       |    |        |     |
| <b>NUKU</b>           | <b><i>Kolonga</i></b>                          | 234 | 52.3  | 310 | 1440.1 |     | 8 | 176.1 | 17 | 111.85 |     |
|                       |  |     |       |     |        |     |   |       |    |        |     |
| <b>TUNGI</b>          | <b><i>Kauvai</i></b>                           |     |       |     |        |     |   |       |    |        |     |
|                       |  |     |       |     |        |     |   |       |    |        |     |
|                       | <b><i>Fua'amotu</i></b>                        | 126 | 39.53 | 260 | 1654.6 |     |   |       |    |        |     |
|                       |  |     |       |     |        |     |   |       |    |        |     |
|                       | <b><i>Navutoka</i></b>                         | 85  | 22    | 101 | 736.6  |     |   |       |    |        |     |
|                       |  |     |       |     |        |     |   |       |    |        |     |
| <b>TU'IPELEHAKE</b>   | <b><i>Pelehake</i></b>                         | 122 | 25.81 | 182 | 890.3  |     |   |       |    |        |     |
|                       |  |     |       |     |        |     |   |       |    |        |     |
|                       | <b><i>Ha'atalafale<br/>Vava'u</i></b>          |     |       |     |        |     |   |       |    |        |     |
|                       |  |     |       |     |        |     |   |       |    |        |     |
|                       | <b><i>Ha'atalafale<br/>Ha'apai</i></b>         |     |       |     |        |     | 3 | .6    | 6  | 2.6    |     |
|                       |  |     |       |     |        |     |   |       |    |        |     |
| <b>TU'IIHA'ATEIHO</b> | <b><i>Tungua</i></b>                           |     |       |     |        |     | 1 | .08   | 5  | 5      |     |

**FINAL REPORT ON INFORMATION REQUEST FROM THE ROYAL LAND COMMISSION**

|                      |                                 |     |        |     |        |    |      |    |    |       |
|----------------------|---------------------------------|-----|--------|-----|--------|----|------|----|----|-------|
|                      | <i>Matuku</i>                   |     |        |     |        |    | 0    | 0  | 2  | 3.25  |
|                      | <i>Ha'ateiho</i>                | 374 | 101.35 | 162 | 1136.3 |    |      |    |    |       |
|                      | <i>Ha'ateiho Ha'apai</i>        |     |        |     |        | 1  |      |    | 1  |       |
|                      | <i>Ha'ateiho Vava'u</i>         |     |        |     |        | -  | -    | -  | -  | -     |
| <b>TU'IHA'ANGANA</b> | <i>Ha'ano, Pukotala, Maitoa</i> |     |        |     |        | 2  |      |    | 13 |       |
| <b>TU'ILAKEPA</b>    | <i>Talasiu</i>                  | 33  | 8.7    | 34  | 180.02 | 2  | 8.9  | 6  | 6  | 5.4   |
|                      | <i>Ofu/Okoa</i>                 |     |        |     |        | 1  | 7.2  | 2  | 2  | 1.05  |
|                      | <i>Vasivasi</i>                 |     |        |     |        |    |      |    |    |       |
| <b>TU'IAFITU</b>     | <i>Makave Vava'u</i>            | 62  | 17.7   |     |        | 16 | 23.9 | 6  | 6  | 1.62  |
|                      | <i>Holopeka Ha'apai</i>         |     |        | 15  | 88.3   | -  | -    | 3  | 3  |       |
|                      | <i>Fonoifua</i>                 |     |        |     |        |    |      |    |    |       |
| <b>TU'IVAKANO</b>    | <i>Nukunuku</i>                 | 399 | 103.92 | 175 | 1206.7 | 18 | 5.08 | 19 | 19 | 320.5 |
|                      | <i>Vaatu'u</i>                  | 91  | 22.1   | 104 | 794.3  | 3  |      | 6  | 6  | 11.4  |
|                      | <i>Matahau</i>                  | 94  | 25.9   | 73  | 571.34 | 1  | 3.5  | 3  | 3  | 4.7   |
|                      | <i>Matafonua</i>                | 47  | 12.7   | 33  | 240.2  | 1  | 8.45 | 5  | 5  | 1.9   |

## FINAL REPORT ON INFORMATION REQUEST FROM THE ROYAL LAND COMMISSION

|                   |   |     |       |     |         |  |    |      |    |      |
|-------------------|---|-----|-------|-----|---------|--|----|------|----|------|
| <b>TANGIPA</b>    | <i>Mahinafekita/Angi<br/>hoa Niuatoputapu</i> |     |       |     |         |  | -  | -    | 8  |      |
| <b>TUITA</b>      | <i>'Utungake Vava'u</i>                       |     |       |     |         |  | 4  | 3.6  | 3  | 0.9  |
|                   | <i>Ha'afakahenga<br/>Ha'apai</i>              |     |       |     |         |  | 1  | 1    | -  | -    |
|                   | <i>Futu Niuafo'ou</i>                         |     |       |     |         |  | 2  |      | -  | -    |
| <b>TU'UHETOKA</b> | <i>Ha'afeva Ha'apai</i>                       |     |       |     |         |  | 7  | 4.7  | 10 | 8.4  |
| <b>TUPOUTO'A</b>  | <i>'Utulau</i>                                | 65  | 16.44 | 124 | 248.97  |  | 3  |      | 2  |      |
|                   | <i>Nomuka/Nomukeiki</i>                       |     |       |     |         |  | 4  |      | 6  |      |
|                   | <i>Lofanga</i>                                |     |       |     |         |  | 1  |      | -  | -    |
|                   | <i>Taa Vava'u</i>                             | 36  | 1.4   |     |         |  | 1  |      | 1  |      |
|                   | <i>Niniva</i>                                 |     |       |     |         |  | -  | -    | -  | -    |
| <b>VAEA</b>       | <i>Houma Tongatapu</i>                        | 244 | 49.29 | 201 | 1156.92 |  | 12 | 11.2 | 15 | 29.9 |
| <b>VAHA'I</b>     | <i>Fo'ui</i>                                  | 76  | 18.3  | 59  | 351.2   |  |    |      |    |      |
|                   | <i>Ta'anea Vava'u</i>                         | 92  | 5.2   |     |         |  | 0  | 0    | 6  | 0.4  |

## FINAL REPORT ON INFORMATION REQUEST FROM THE ROYAL LAND COMMISSION

|            |                           |    |       |    |        |   |      |    |        |
|------------|---------------------------|----|-------|----|--------|---|------|----|--------|
| VE'EHALA   | Fahefa                    | 99 | 21.6  | 63 | 486.32 | 3 | 24.9 | 6  | 2.16   |
|            | Pangai 'Eua               |    |       |    |        | 6 | 488  | 0  | 0      |
| VEIKUNE    | Longoteme                 | 92 | 21.82 | 85 | 471.22 |   |      |    |        |
|            | 'Oneata                   |    |       |    |        | - | -    | -  | -      |
|            | Kanatea                   | -  | -     | 12 | 76.26  | 1 |      | -  | -      |
|            | Pale'a/Lolopipi<br>Vava'u |    |       |    |        | - | -    | -  | -      |
|            | Longomapu                 | 23 | 6.6   |    |        | 3 | 10.7 | 12 | 117.85 |
|            | Kolotahi/Ha'akoka         |    |       |    |        | 1 | 0.4  | 0  | 0      |
| 'ULUKALALA | Tu'anuku Vava'u           | 78 | 8.97  |    |        | 2 |      | 4  |        |