

National REDD+ Awareness Raising Workshop

Incorporated Land Groups Registration

Presented by

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Grand Papua Hotel

PORT MORESBY

OUTLINE

1. What is ILG
2. Background
3. Purpose
4. Amended ILG Act 2009
5. Qualification of Clan based ILG
6. Requirements of ILG Registration
7. Post Registration
8. Re-Registration
9. ILG Database Features

WHAT IS ILG?

- Organized customary group given legal recognition to their corporate nature under the ILG Act.
- Corporate vehicle used for wealth creation.
- Recognized as a Corporation whereby it has perpetual succession and may sue and be sued in its corporate name.

BACKGROUND

- The fundamental reason of having an ILG concept was to register customary land.
- Several pieces of legislations have been passed and other efforts were made to register customary land.
 - Native Plantation Ordinance 1918 *of British Papua*
 - Native Plantation Ordinance of 1925 *of German New Guinea*
 - *Native Land Registration Ordinance 1952*

Inception of ILG – *con't*

- Land Law Reform (1963 – 1964)
- Rowton S. Simpson Report 1968
- The Commission Of Inquiry into Land Matters (CILM) 1973

Commission of Inquiry into Land Matters

From the (CILM) , recommended that registration of Land as Group Titles

1. ILG Act 1974
2. Business Groups Act 1974
3. Land Dispute Settlement Act 1975

PURPOSE

Purpose of the ILG is to encourage;

1. Greater participation by local people in the national economy by the use of their customary land,
2. Better usage of customary land,
3. Greater certainty of customary lease title
4. Better and more effectual settlement of certain disputes,

Purpose of ILG *con't*

5. Legal recognition of the corporate status of certain customary and similar groups and the conferring on them, as corporations of power to acquire , hold, dispose of and manage land and of ancillary power; and
6. Self - resolution of disputes within such groups.

Other use of ILG today

- Vehicle for benefit sharing by resource developers
(eg: forestry , mining, gas, oil and agricultural sectors)

ILG (Amended) Act 2009 and Reform

- Restrict multiple incorporation of Land Groups for selfish gains,
- Strict requirements eg. Birth certificate and standardise sketch maps
- Prudent & controlled administrative processes created to register ILGs which involves wards, LLGs, Districts, Provinces and the National DLPP for transparency.

Cont'd

- Proper Code of conduct of ILG executives and breach of the code warrant severe penalties, eg. 6 yrs imprisonment or K5,000 fine.
- Post registration to monitor ILGs to submit annual returns to ILG office.
- Software designed to capture ILG data electronically, *(in progress)*.
- Incorporate GIS into the ILG database *(negotiation)*

Qualification of Clan base ILGs

Clan

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graph TD; Clan[Clan] --- Mankind[Mankind]; Clan --- Properties[Properties]; Clan --- Customs[Customs/Rituals];
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Mankind

Warriors
Chiefs
Man
women

Properties

Mountains
Rivers
land
Swamp
Mangroves
Burial sites
Boundary marks
Sacred sites

Customs/Rituals

Signs
Symbols
Magics
Spirits
Platforms
Haus boys
Songs
Myths legends

REQUIREMENTS OF ILG REGISTRATION

- Form 1 - Application..
- Form 2 - Record of Meeting Decision .
- Form 3 - Certification on Adoption of Constitution
- Form 4 - List of Members (Accompanied by Birth Certificates)

Requirements *Cont'd*

- Form 5 - List of Properties
- A Land Group Constitution
- Proper sketch Map

POST REGISTRATION

INCORPORATED LAND GROUPS

- a) After 3 months from incorporation, the ILG is required to convene their first AGM and submit to ILG Office;
 - i. Meeting resolutions
 - ii. Bank Account Details
 - iii. Lists of Assets
 - iv. Proposed Business Plan (if any)

RE-REGISTER

- As at 1 March 2012 until February 28 2017 any previous existing ILG will cease as Incorporated Land Group.
- Therefore all existing ILGs registered under the ILG Act 1974 must Re-register in full compliance with the amended law.

ILG Database

- Female Rep only shows females for the particular ILG.
- A recognised clan in a village can only be registered in one ILG. That is the system will not allow this clan to register in another ILG.
- With the clan restriction above, a person can only be a member of one ILG. A person can only be in one or more ILGs if he/she has another birth certificate with a different birth certificate number.

ILG Registration for Carbon emission

- ILG registration can be a vehicle to distribute carbon emission incentive to our people.
- Using the current ILG process is more transparent for our people and according to our customs.

END OF PRESENTATION

Thank you