

TRIBAL LAND ACT  
(Cap 32:02)

TRIBAL LAND (AMENDMENT OF SCHEDULE) ORDER, 1994  
(Published on 15th July, 1994)

IN EXERCISE of the powers conferred by section 3(5) of the Tribal Land Act, the Minister of Local Government, Lands and Housing hereby makes the following Order —

Citation           1. This Order may be cited as the Tribal Land (Amendment of Schedule) Order, 1994.

Amendment  
of First  
Schedule  
Cap. 32:02       2. The First Schedule to the Tribal Land Act is amended in respect of every land board, the name or title of which is specified in the first column thereof, by substituting for all the entries in the third column opposite thereto the following new entry —

“1. The membership of each land board shall be, and shall be elected or appointed as follows —

(a) 5 members selected and appointed in accordance with the procedure described in paragraph 3, who shall hold office for 4 years, but who shall be eligible for re-selection and re-appointment;

(b) 5 members appointed by the Minister of Local Government, Lands and Housing, who shall hold office for 3 years, but who shall be eligible for re-appointment.

2. In addition to the members appointed or elected in accordance with paragraph 1, there shall be —

(c) 1 member, representing the Ministry of Agriculture; and

(d) 1 member, representing the Ministry of Commerce and Industry.

3. The procedure for the election of members of land boards for the purpose of paragraph 1(a) shall be as follows —

(a) people within the jurisdiction of each subordinate land board within a land board area shall assemble in the *kgotla* on a given day for the purpose of selecting the names of 20 candidates residing within the jurisdiction of such subordinate land board, and who do not hold any political elective office, which names will then be forwarded to the appropriate Land Board Selection Committee at the district headquarters;

(b) where the area of jurisdiction of a subordinate land board is large, groups of villages may be permitted to forward names of candidates, provided that the total number of candidates selected for the whole subordinate land board area does not exceed 20;

(c) in the case of land boards which do not have subordinate land boards within their area of jurisdiction, people within the jurisdiction will either meet at the principal *kgotla* if the area of the land board so allows and select 20 candidates residing within the area, or the villages within the jurisdiction will be divided into groups, and will select a total of 20 candidates residing within their area, and the names of such candidates will be forwarded to the Land Board Selection Committee concerned;

- (d) during the selection of candidates the Chief, Sub-Chief or the Tribal Authority, as applicable, or his representative, shall preside, assisted or guided by senior Government officers within the area;
- (e) from the lists of candidates submitted, the Land Board Selection Committee shall select the most eligible members from whom the Minister shall, for the purposes of paragraph 1(a), make appointments to the land board and subordinate land boards concerned, and in doing so shall endeavour to ensure that, so far as possible, relevant subordinate land board areas are represented on the main land boards concerned, and that all relevant parts of subordinate land board areas are represented on the subordinate land boards concerned;
- (f) in making appointments preference shall be given to persons of or over the age of 21 years and in good physical condition, and who hold at least Junior Certificates, though other candidates with special qualifications may also be considered;
- (g) Land Board Selection Committees shall be comprised of the Council Secretary of the District Council concerned, the Land Board Secretary of the area concerned, the Chief or Sub-Chief of the area concerned, the appropriate District Commissioner (who shall be the chairman) and a member appointed by the Minister.”

MADE this 8th day of July, 1994.

C.J. BUTALE,  
*Minister of Local Government, Lands  
and Housing.*