



LAND ACCESS AND MANAGEMENT ON PITCAIRN

FREQUENTLY ASKED QUESTIONS

The Land Reform Act of 2006 states that all land now belongs to the Crown, and all historical landmarks prior to this date are now no longer valid. So what does this mean to a Pitcairn resident who would like to apply for land? Following are some frequently asked questions and answers which may help. Further clarification may be sought by reading the Land Ordinances online.

1. How do I apply for land?

Applications are available at the Land Management Office. You will be asked to fill out details such as your name and contact details and category of land requested. On the second page, you will need to draw out the requested land clearly showing boundary markers and add measurements that indicate size and clear indication of what you want to lease.

2. What type of land categories are there?

There are many types of land which can be applied for, and each varies in length of time the leases are valid for.

Commercial – 20 years

Garden – 5 years

Orchard – Life of forest

House – Life of the applicant/s

Plantation – 20 years

Forestry – Life of forest

Garden, Commercial and Plantation land may be reapplied for through Land Court once the lease expires if required.

3. When do I put my boundary markers in?

You may mark out the four boundary points for the proposed land you want to lease as soon as you apply for the land. Clearly placed boundary pegs/markers will make it easier to process your application.

4. Can I clear the land I have applied for prior to obtaining Land Court approval?

No - in accordance with the Land Tenure Reform Ordinance under the Laws of Pitcairn, Henderson, Ducie and Oeno Islands you must have Land Court approval.

Upon filling out your land application form, and drawing out your boundary, you are required by law to only clear by way of using a machete (tarb) the boundary markers.

The Land Management Officer will then be able to visit the proposed site, use the GPS to mark each boundary marker and then confirm measurements. The Land Management officer will then confer with you to clarify any problems that may hold up the land application – i.e., other nearby land leases nearby that may clash with your application, land requests that may exceed requirements, or encroach on government land. Land can only be cleared once the Land Court has met and approved the request for lease.

5. Can I immediately work the land that I have applied for prior to Land Court approval?

No - in accordance with the Land Tenure Reform Ordinance under the Laws of Pitcairn, Henderson, Ducie and Oeno Islands you must have Land Court approval.

6. How long will it take for my application to be processed?

Once the Land Management officer has your application and he/she will then approach the Department of Bio-security to complete an EIA (Environmental Impact Analysis). This will ensure flora and fauna and the island itself will not be harmed by any work on the land you are wishing to apply for. If the EIA is accepted by DOB, your application will go up on the Pitcairn Island Noticeboard for no less than thirty (30) days. This gives any other lease holder or resident the opportunity to dispute your application, and advise the LMO of their grounds



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for argument against your lease. If no disputes are lodged, the application will then proceed to Land Court for a decision.

7. **I am a Pitcairn citizen with the right of abode, but I live overseas. Can I apply for land?**
Pitcairn citizens with the right of abode may only apply for land if they are permanently resident on Pitcairn Island. Land applications cannot be considered from Pitcairn Islanders living overseas.

Pitcairn citizens with the right of abode but living overseas may apply for land on a temporary basis if they fully intend to relocate to Pitcairn on a permanent basis within a 12 month period. Any land reserved in this way will default to the GPI if the applicant fails to permanently relocate to Pitcairn within that period. The land application will then be processed as per normal protocol and subject to the normal non-refundable fees.

8. **I'm a newly arrived migrant to Pitcairn. Can I apply for land?**

If you have proof of settlement and have resided for six months on Pitcairn – yes. Currently applicants must be a resident, have resided for longer than two years and intend to live/work on the land, however, to accommodate new migrants there is land available upon certain conditions.

Land applications forms are available at the Land Management Office. You will be guided through filling out this form if required by the Land Management Officer. Instead of going to Land Court first, the Island Council will decide upon your land request on a prescribed set of criterion. If Council approves, they will ask you to sign a “Land Use Agreement Contract” and hold your approved title until completion of the migrants two year Settlement/Permanent Residency requirement period. Once you have gained Permanent Residency status, full title will be handed over to you.

9. **What happens if my request for land is denied?**

You will receive written notification if your request for leased land has been denied with clarification why this has occurred. You may liaise with the Land Management Office to query and/or reapply.

10. **What obligations do I have now I have leased this land?**

Simply, your obligation is that the land you have leased needs to have its boundary markers visible, and to be kept tidy and well maintained during the period of your lease. Also, it is important to note that the land may only be used for the purpose originally stated.

11. **Can I build on my leased land?**

If you have applied for House Land, and you have received approval from Land Court, yes, building may proceed immediately. All other leased land will require a written request from the lease holder explaining the reason for structure to be erected on a lease other than House Land. This will be forwarded to Council for approval.

12. **What happens when my lease expires?**

This will happen more often with Garden land leases, i.e. after the five year term expires. The Land Management Office will advise you of an upcoming expiry date for your lease. You will have a certain amount of time to reply if you still require the land lease to be active. After this time if no indication is received from the leaseholder, the land will automatically go back to the Crown without any further notification.

13. **What do I do if I want to surrender land before the expiry of the lease?**

Simply visit the Land Management Office and fill out a Land Surrender form. You will be required to enter details such as your name, contact and lease details. The lease details will then be removed from your lease holdings and the land will revert back to the Crown.

14. **What happens if I want the surrendered land back?**

Simply reapply.



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15. I received my land title, and cleared my land ready for use, and now I have unwanted top soil left over. What do I do with it?

Approach the Department head for Roads, or Operations Manager. They may have a need for the excess and will happily remove it for you.
