



MEMORANDUM

New System and Delay of Processing of Transactions at the Lands and Deeds Registry

15th June 2023

**MULENGA MUNDASHI
LEGAL PRACTITIONERS**

www.mmlp.co.zm

Processing of Transactions at the Lands and Deeds Registry

1. As you may be aware, on or around 15 May 2023, the Ministry of Lands and Natural Resources ("MLNR") issued a public notice that it would not be processing services that involve change of ownership or mortgage transactions until further notice. However, the MLNR is processing transactions such as caveats, court orders/judgments and miscellaneous transactions, although practically the implementation of the latter transactions has been hindered considerably by administrative lapses.
2. The reason for this notice is that the MLNR is currently in the process of transitioning from the Zambia Integrated Land Management Information System ("ZILMIS") to the Zambia Integrated Land Administration System ("ZILAS"), which is a system of recording, retaining, and processing land transactions at the MLNR.
3. We have come to understand that ZILAS will be implemented at the MLNR's Head Office in Lusaka (Mulungushi House) as well as in all provincial offices. ZILAS consists of three separate systems: the Lands Information System, the Lands and Deeds Information System, and the Survey Information System.
4. The migration from ZILMIS to ZILAS is still in progress. We understand that the new system will most likely be stable by the end of this month, June 2023.
5. With the introduction of the new system, there are new steps to follow before documents can be accepted for registration or transacted at the Lands and Deeds Registry:
 - (a) Anyone wishing to deal with any land interests, such as filing securities or caveats, payment of ground rents, must first apply for digital clearance and obtain a digital clearance certificate;
 - (b) Once clearance is obtained, the person can upload the relevant deeds for registration on the ZILAS and pay the required fees;
 - (c) After the online application is submitted, the applicant will receive an approval for their application;
 - (d) Upon receiving the approval mentioned in (c) above, the applicant must submit a physical copy of the title for inclusion of memorials, along with the case number associated with the transaction; and
 - (e) Finally, the applicant can collect the processed, engrossed hard copy of the title.

New System and Delay of Processing of Transactions at the Lands and Deeds Registry in Zambia

6. It is essential to emphasize that all property owners in Zambia must verify their titles under the new system, ZILAS, to ensure their details are captured accurately. Although this information is not officially confirmed, our understanding is that due to the implementation of ZILAS, property owners will be prohibited from conducting any transactions related to their properties, including payment of ground rents, until their respective titles are verified.
7. We have received information that the MLNR is facing a shortage of adequately trained staff, which has resulted in the inability to provide specific processing timelines. However, they are actively addressing this issue by providing training to additional case officers to enhance the efficiency of application processing. It is important to be aware of this practical challenge, as it directly affects the duration of processing any applications, including the digital clearance process of the titles.

Disclaimer:

The information provided in this article is intended for general informational purposes only and does not constitute legal advice. Transmission or receipt of the information contained in this article does not create a lawyer-client relationship. Readers should not act upon this information without seeking professional counsel.

• Chipili Salati:
csalati@mmlp.co.zm

• Oscar Hasalama
oscar@mmlp.co.zm

• Noel Nkhoma Jr
noel@mmlp.co.zm

Alternatively, you may call any of the following numbers: Tel: +260 211 254248/50.