

Appeals to Land Tribunal

Overview

Those wishing to appeal a decision of the Minister of Land Management, Water and Sanitation Services, a Main Land Board or Planning Authority may apply to the Land Tribunal offices located in Gaborone, Maun, Francistown and Palapye. While the decisions made by the Land Tribunal are final and legally binding, the process has been designed to be less formal and easier to access than the general Court system. The Land Tribunal also hears applications from the Main Land Boards, Minister of Land Management, Water and Sanitation Services and Planning authorities for the enforcement of their decisions.

Who is eligible?

Any person or business that has been directly affected by the decision of a Main Land Board, Planning Authority or the Minister of Land Management, Water and Sanitation Services may make application for an appeal to the Land Tribunal. Applicants must demonstrate that they are directly affected by the decision they are appealing by providing a copy of the letter addressed to them from the Main Land Board or Planning Authority that contains the resolution in question.

How do I get this service?

To file an appeal with the Land Tribunal, follow the steps listed below;

LAND BOARD APPEALS AND PLANNING APPEALS

- Notice and grounds of appeal.
- The notice of appeal should contain Appellant(s) and the Respondent(s) full names, postal and Physical addresses and contacts.
- Provide a list of witnesses that you intend to call (if any)

What supporting documents are required?

LAND BOARD APPEALS

- Land Board Resolution letter that is being challenged.
- Certified copy of Certificate of Customary Land Grant, Lease agreement or Tittle Deed (If any is available).
- A sketch plan depicting the area in dispute.
- Copy of valid National Identity card (Omang) or Passport for Non-citizens
- A letter of authority to represent should be attached. This is required if a person who is appearing before the Land Tribunal is not appearing as a party to the matter or an Attorney but merely assigned to represent one of the parties.

- If an appeal is filed on behalf of a deceased's Estate, a letter of authority from family members as well as letter of confirmation of relationship from Bogosi or District Commissioner and certified copy of death certificate should be attached.
- Resolution letter from Board of Directors authorizing representation should be attached, (if the Appellant is a Syndicate, an Association, Club Society, Company, a Trust, Church etc.)
- A certified copy of Certificate of Incorporation (for companies) and a Certificate of Registration (if the Appellant is a Syndicate, an Association, Club Society, Company, a Trust, Church etc.)
- A copy of Constitution (if the Appellant is a Syndicate, an Association, Club society, Company, a Trust, Church etc.)
- A certified copy of Certificate of Registration from Registrar of Societies, (if the Appellant is a Syndicate, an Association, Club society, Company, a Trust, Church etc.)

PLANNING APPEALS

- Planning authority (City/Town/District Council) resolution letter that is being challenged.
- Certified copy of Certificate of Customary Land Grant, Lease agreement or Tittle Deed (If any is available).
- A copy of drawings that were submitted to the Planning Authority in support of the application.
- Copy of neighborhood consultation forms (if any)
- Confirmation of authority to represent,
- A letter of authority to represent should be attached, if a person who is appearing before the Land Tribunal is not appearing as a party to the matter or an Attorney but merely assigned to represent one of the parties.
- If an appeal is filed on behalf of a deceased's Estate, a letter of authority from family members as well as letter of confirmation of relationship from Bogosi or District Commissioner and certified copy of death certificate should be attached.
- Resolution letter from Board of Directors authorizing representation should be attached, (if the Appellant is a syndicate, an Association, Club, Society, Company, a Trust, Church etc.).
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- A copy of Constitution (if the Appellant is a Syndicate, an Association, Club, Society, Company, a Trust, Church etc.)
- A certified copy of Certificate of Registration from Registrar of Societies, (if the Appellant is a Syndicate, an Association, Club, Society, Company, a Trust, Church etc.)
- Copy of National Identity card (Omang) or Passport for Non citizens).

NB: All documents submitted to the Land Tribunal should always be in triplicate. • All the parties to the appeal should be served with copies after filing with the land tribunal

How long will this service take?

After all documentation has been filed with the Land Tribunal, appeals against decisions of land Boards will be completed within 12 months.

How much does it cost?

BWP10.00 for registering an appeal.

Where can I obtain this service?

For more information, please contact the offices listed below, 07:30 to 12:45 and 13:45 to 16:30, Monday to Friday, except public holidays. Alternatively, you may wish to consult the Ministry of Land Management Water and Sanitation Services.

Gaborone Division

P/Bag 00211

Plot 21 Corner of Khama Crescent and Queens Road

Tel: 3903388

Fax: 3904711

Palapye Division

P.O Box 10318

Pota Post

Plot 1707, Unit 4

Lotsane Complex (Shashane Mall)

Tel: 4920263/4920265

Fax: 4920262

Francistown

P/Bag F146