

FONUA • NIUE EDITION

Protect Our *Land*

A free guide for Niuean families at home and abroad: before you lease Niuean land, and how to keep it in the family

Niuean land • Mangafaoa • Leveki • Land Division • leases up to 60 years
with Niue contacts for help

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BEFORE YOU BEGIN

Fakaalofa lahi atu

Our land holds our families, our graves and our stories. It came to us from our ancestors, and it is meant to go to the generations who come after.

In Niue, Niuean land is held by the **Mangafaoa**, the family descended from a common ancestor, and the law says it can't be sold. But a lease of up to **60 years** outlives most people who sign it, and most of our families now live in Aotearoa and Australia.

This guide explains how land and leases work in Niue, what to check before anyone signs, the red flags, and where to get help.

How to use this guide

- ◆ **Short on time?** Read “Someone offered us a lease” (page 7) and use the one-page **Lease Check** (page 27).
- ◆ **Living in Auckland or Australia?** Read Section 2 and the note for family abroad at the back.
- ◆ **Print it, share it, read it aloud** at your family meeting.

NIUEAN	NIUEAN	NIUEAN
Fakaalofa lahi atu	Fakaaue	Mangafaoa
hello	thank you	the land-owning family

Please note: General information, not legal advice. Talk to the Department of Justice, Lands & Survey or a lawyer before signing. Laws, fees and contacts change. Always check with the official office.

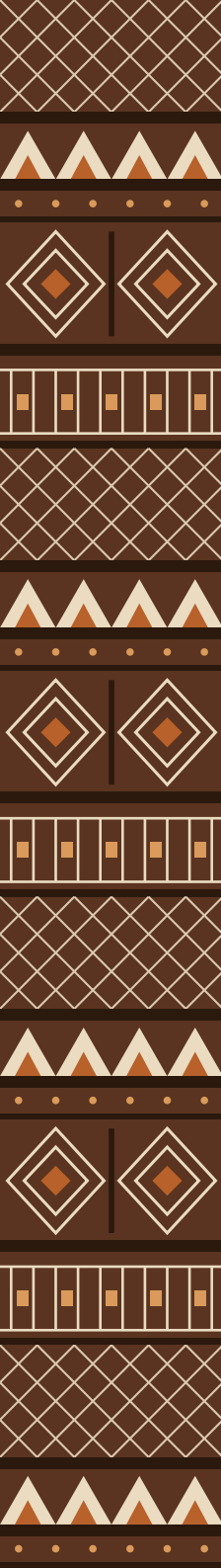
Contents

1	Before you sign	4
	Why it matters & the checklist	5
	Someone offered us a lease: what now?	7
	Red flags & questions to ask	8
	How fixed rent shrinks	11
	Glossary & fairer leases	12

2	How land works in Niue	16
	Niuean land & the Mangafaoa	17
	The Leveki Mangafaoa	18
	Leases of Niuean land	19
	The Land Division	20

3	Where to go for help	21
	Niue contacts	22

+	Keep it safe & tools	23
	Your family land folder	23
	Our Land Record (fill in)	26
	Lease Check (print)	27
	For family in NZ & Australia	28
	Sources	30



1

Before you sign a long lease

A lease is a promise that lasts longer than most of us will. It is worth slowing down for.

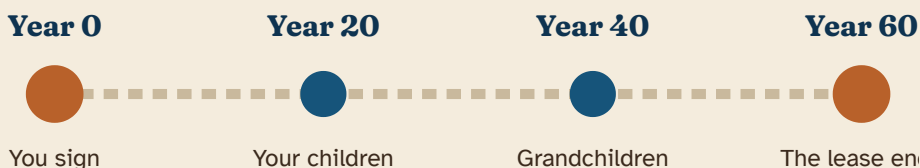
“We do not inherit the land from our ancestors; we hold it for our grandchildren.”

A saying shared across many cultures

WHY IT MATTERS

A 60-year lease is about three generations

In Niue, a lease of Niuean land can't be longer than **60 years**, counting renewals. That is long enough that the people who get the land back may be your grandchildren or great-grandchildren.



Money today, land tomorrow

Some offers pay a large sum now. Ask what the land will be worth to your family in 20, 40 and 60 years, not only this year.

The land may come back changed

Buildings, cleared forest, fill, or pollution can stay after a lease ends. The lease should say who fixes what.

The investor can change

Unless the lease stops it, the lease can be sold or passed on to people you have never met.

Families grow

A family of 20 today may be 200 later. Think about where your children will live, farm and be buried.

This is not about fear. A **fair** lease can be a blessing. The goal is to understand the deal fully, decide together, and get it in writing.

Eight things to check before you sign

1 Who gets the land back, and in what state?

The lease should say the land returns to your family, and in what condition: cleared of rubbish, chemicals and dangerous buildings.

2 Buildings and improvements at the end

Who owns houses, hotels, roads or crops when the lease ends? Do you have to pay for them? Can the investor remove them, or must they leave them?

3 Selling or subletting without you

Can the investor **assign** (sell) the lease or **sublease** it to someone else? Ask for a clause that needs your written consent first.

4 Rent reviews and inflation

Fixed rent loses value every year. Ask for rent reviews every few years, linked to market value or the cost of living.

5 Premium or yearly rent?

A **premium** is a one-off payment at the start. **Annual rent** keeps coming. Know how much of each, and who receives them.

6 The whole family agrees

Has the whole Mangafaoa, with the Leveki had a real say, including women, young people and members in NZ & Australia? Record it in writing.

7 Independent advice

Get advice from someone who works **only for your family**: the Department of Justice, Lands & Survey, or your own lawyer. Not the investor's lawyer.

8 Everything in writing, copies kept

Promises made out loud are not in the lease. Get the full lease in writing and signed, with a copy for the family. Keep copies in more than one safe place.

Someone offered us a lease: what now?

1 Don't sign on the spot

A fair offer will still be there next week. Say: “Thank you. Our family needs time to talk and get advice.”

2 Gather the family

Call a proper meeting of all owners or their representatives. Include elders, women, youth and family in NZ & Australia (by video call). Write down who came and what was agreed.

3 Get a copy to keep

Ask for the full draft lease, maps and plans, in writing. Ask for it to be explained in Niuean, and take your time.

4 Check with the Department of Justice, Lands & Survey

Ask the Department of Justice what Court approvals are needed (Section 3).

5 Get your own legal help

A lawyer who works only for your family.

6 Compare offers

Ask what similar land earns. Look at other options too: farming, a homestay, a shorter lease or a joint venture.

7 Negotiate

Every clause can be discussed: the term, rent reviews, jobs for family, return of the land. Ask for changes in writing.

8 Sign only when you are sure

Everyone who must sign has read it or had it explained. Keep a signed copy in your family land folder (page 23).

WATCH OUT

Red flags

If you see one of these, stop and get advice before you go any further.

Pressure to sign fast

“Sign today or the deal is gone.”

Real partners give you time to get advice.

Cash upfront to one person

Money or gifts given to one Leveki, one relative or one ‘representative’ before the family has agreed.

Papers only in English

With no explanation in Niuean for elders who need it. Everyone signing should understand every page.

No copy left with you

If they take the papers away after you sign, you have no proof of what you agreed. Always keep a copy.

Middlemen and ‘fixers’

Someone says they represent the family but is paid by the investor. Ask who pays them.

Promises not in the lease

“Of course we’ll hire your sons.” If a promise matters, it must be written into the lease.

If you feel pressured, you can simply say: “We will not sign anything until the whole family has met and a lawyer has checked it.” That is your right.

Questions to ask the investor

Write down the answers, the date, and who answered. A good partner will answer clearly.

- 1 Who exactly are you? Can we see your company registration?
- 2 What will you build or grow, and on how much of the land?
- 3 Why do you need this many years?
- 4 How much is the rent, how often is it paid, and when will it go up?
- 5 Is there a premium? Who receives it?
- 6 Who can you sell or sublease the lease to? Will you need our written consent?
- 7 What happens to the buildings when the lease ends?
- 8 How will you protect water, reefs, forest, graves and sacred places?
- 9 How many jobs and training places for our family, in writing?
- 10 What happens if you stop paying or leave?
- 11 Will you pay for our independent legal advice?
- 12 Can we see a lease you made with another family, and speak to them?

Red flags in Niue

If you see one of these, slow down, talk as a family, and get your own advice.

A lease the Court hasn't confirmed

Every lease of Niuean land must be **confirmed by the Court**. Until then, don't treat it as done.

Over 60 years

No lease of Niuean land may be longer than **60 years** including renewals, unless Cabinet approved it first for forestry or commercial buildings.

"Selling" the land

Niuean land can't be sold. The only dealings allowed are a transfer to the Crown, a lease, or a security, each confirmed by the Court.

Selling timber or crops

Selling timber, minerals or long-term crops counts as an alienation and needs the same approval.

The Leveki acting alone

The Leveki Mangafaoa must consult the family, including members in NZ & Australia, and follow custom. The Court can remove a Leveki who doesn't.

No pay for improvements

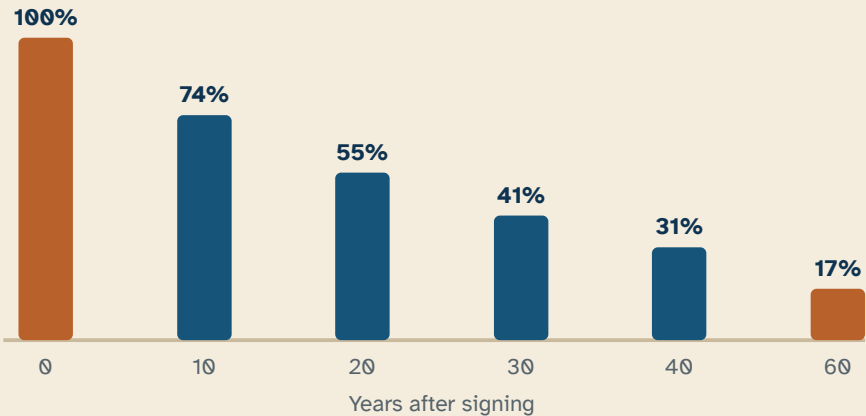
At the end of a lease, the lessee gets **no compensation** for improvements. Make sure everyone understands this.

Sources: Niue Land Act 1969 ss 14–17, 22, 29 (FAOLEX niu35505).

AN ILLUSTRATION, NOT A PREDICTION

How a fixed rent shrinks over 60 years

Imagine a lease where the rent is **fixed** and never goes up, while prices rise **3% a year**. The bars show what that same rent can buy, as a **percentage of what it buys today**.



74%

after 10 years

41%

after 30 years

17%

after 60 years: about one-sixth

What helps: rent reviews every 3 to 5 years, linked to the market value of the land or the cost of living; a share of income from the business; and a shorter term with an option to renew.

How we worked it out: 100% divided by 1.03 for each year. Real inflation goes up and down, and is sometimes higher than 3%. This simple example only shows the idea.

Glossary: lease words in plain English

Lease

A written agreement that lets someone use your land for a set time, in return for rent. The land stays yours.

Term

How long the lease lasts, for example 30 years.

Premium

A one-off sum paid at the start of a lease, separate from yearly rent.

Rent review

A set time when the rent is checked and changed, for example every 5 years.

Assignment

When the tenant sells or hands the whole lease to someone else.

Consent

Formal permission, best given in writing.

Lessor / Lessee

Lessor: the side giving the lease (the Mangafaoa, through the Leveki).

Lessee: the side getting it (the tenant or investor).

Renewal / option to renew

A right to extend the lease when it ends. Check who has the choice, and on what rent.

Annual rent

Money paid every year for the use of the land.

Inflation

Prices rising over time, so the same money buys less each year.

Sublease

When the tenant rents out part or all of the land to another person.

Covenant / clause

A promise or rule written into the lease, such as “keep the land clean”.

Glossary (continued)

Improvements

Things added to the land: houses, buildings, roads, fences, trees and crops.

Default / breach

When one side breaks a promise in the lease, such as not paying rent.

Customary land

Land held by families, clans or villages under custom, not bought and sold.

Registration

Having a lease confirmed by the Court and recorded.

Mortgage

Using a lease or land as security for a loan. If the loan is not repaid, the bank may take the lease.

Independent advice

Advice from someone who works only for you, with no link to the investor.

Reversion / surrender

When the land goes back to the owners at the end, or early by agreement.

Forfeiture / termination

Ending the lease early because of a serious breach, following the steps in the lease.

Freehold

Land owned outright that can be bought and sold.

Survey plan

An official map showing the exact borders and size of the land.

Joint venture

When owners and an investor run a business together and share the profits.

Witness

A person who watches you sign and signs too. Ideally, someone the family trusts.

Don't understand a word in your lease? Circle it and ask the Department of Justice, Lands & Survey or a lawyer to explain it. There is no shame in asking. The people who wrote it should be able to explain it simply.

Ask for a fairer lease

1 Shorter terms

Say 20 to 30 years with an option to renew on new terms, instead of the full 60 years at once.

2 Regular rent reviews

Every 3 to 5 years, linked to market value or the cost of living.

3 A share of the income

A small percentage of turnover or profit, as well as the base rent.

4 Jobs and training, in writing

Set numbers of jobs, apprenticeships or supply contracts for the family.

5 Consent for any transfer

No assignment or sublease without the owners' written consent.

6 Return the land well

A plan and a bond (money held back) to clean up and restore the land.

7 Protect sacred places

Graves, churches, springs, reefs and tapu sites stay out of the lease.

8 Joint ventures

Owners put in the land as their share of a business and receive a share of the profits and a say in decisions. Get expert advice.

Deciding together

Land decisions belong to the family, not to one person. Our customs of talking together (family meeting) are a strength here.

Who must agree?

In Niue, the Leveki must consult the Mangafaoa, including members in NZ & Australia, and every lease must be confirmed by the Court.

Include everyone

Women, young people, people with disabilities and family in NZ & Australia are owners too. Make sure they can speak and be heard.

Write it down

Keep minutes: the date, who was there, what was offered, what was decided, and who will act. Have them signed.

Share the benefits fairly

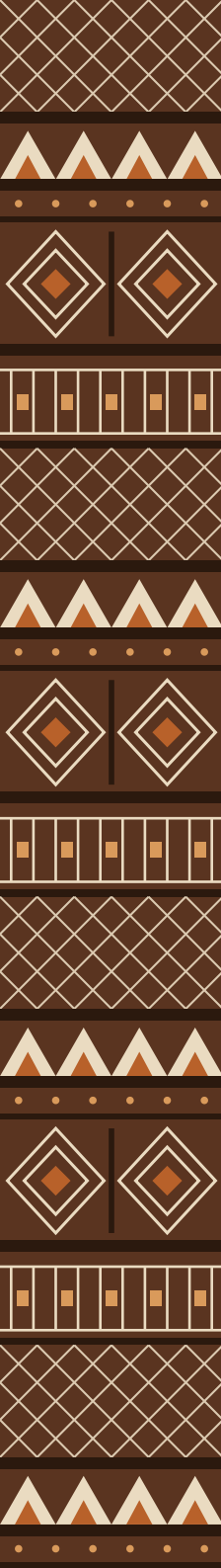
Agree how rent will be shared or used (school fees, a church, a family fund) before the money comes.

Use an interpreter

Ask for it to be explained in Niuean, and take your time.

It's okay to say no

“No”, “not yet” or “only for a shorter time” are all respectful answers.

A decorative vertical border on the left side of the page, featuring a repeating pattern of traditional Niuean motifs. These include diamond shapes, triangles, and squares in white and orange on a dark brown background.

2

How land works in Niue

Niuean land, the Mangafaoa, the Leveki, leases and the Land Division of the High Court.

Every fact here comes from an official or legal source, listed on the page and at the back. Where we could not verify something, we say so or leave it out.

Niuean land & the Mangafaoa

Fonua

60 yrs

max lease

Court

confirms every lease

No sale

of Niuean land

- ◆ **Niuean land** is land vested in the Crown but held by Niueans according to custom.
- ◆ The Court decides who owns Niuean land **according to Niuean custom**. It does this by declaring the **Mangafaoa**, the family who own it, by reference to a common ancestor.
- ◆ Claimants can be asked for evidence such as genealogies, cultivations and burial places.
- ◆ Interests in Niuean land can't be taken to pay debts.

Protected by the Constitution: Bills affecting Niuean land go through special procedures under Article 33 of the Niue Constitution.

Sources: Niue Constitution Art 33 (gov.nu); Niue Land Act 1969 ss 10–12, 18 (FAOLEX niu35505).

The Leveki Mangafaoa

Leveki

- ◆ The **Leveki Mangafaoa** administers the land for the family. The Court appoints the Leveki when a majority of the Mangafaoa apply, **whether they live in Niue or elsewhere**.
- ◆ The Leveki must **consult the members**, including those living overseas, and act according to custom and fairness.
- ◆ Members who are away can make **written representations**. Living away from Niue doesn't cancel your place in the family.
- ◆ The Court can **remove a Leveki** who acts against custom or equity.

Family tip: keep the family's contact list up to date, so the Leveki can reach everyone, at home and abroad.

Sources: Niue Land Act 1969 ss 14–16 (FAOLEX niu35505).

Leases of Niuean land

Lisi

- ◆ Niuean land can't be alienated except by: a **transfer to the Crown**, a **lease**, or a **security**.
- ◆ Each of these must be **confirmed by the Court**.
- ◆ Selling timber, minerals or crops counts as alienation, except crops that mature within 2 years.
- ◆ Maximum term: **60 years** including renewals, unless Cabinet gives prior approval for forestry or commercial or industrial buildings.
- ◆ The lessee gets **no compensation** for improvements when the lease ends.

The Niue Amendment Act (No 2) 1968 also says Niuean land can't be alienated except as the law provides.

Sources: Niue Land Act 1969 ss 17, 22, 29; Niue Amendment Act (No 2) 1968 s 24 (FAOLEX).

DISPUTES

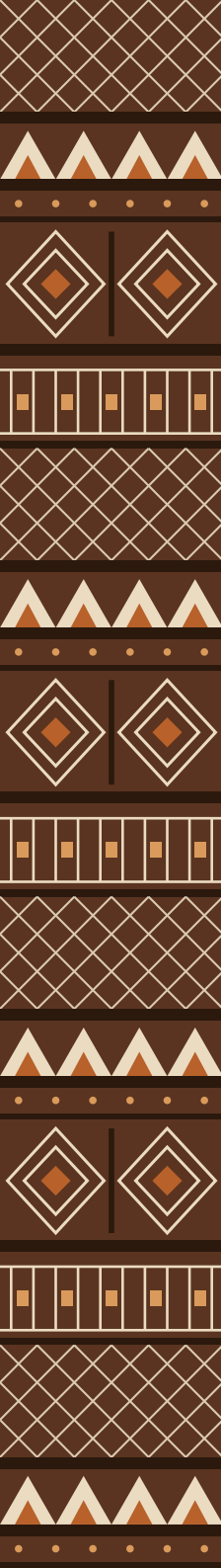
The Land Division of the High Court

Fakafiliaga

- ◆ The Niue Constitution sets up a **Land Division** of the High Court, with the jurisdiction and powers of the former Land Court of Niue.
- ◆ It decides ownership, appoints and removes Leveki, and confirms leases.
- ◆ Court sittings are held at the Niue Public Service Building at Fonuakula, Alofi, starting at 9am. Court and land updates are published in the Gazette on gov.nu.

Watch the notices: check the Gazette section of gov.nu, especially if family live overseas.

Sources: Niue Constitution (gov.nu); gov.nu notice board, Department of Justice, Lands, Survey & Community Services (Oct 2026).

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3

Where to go for help

The most important part of this guide: “I need help with X, so go to Y.”

Contacts were checked on each organisation’s own website in October 2026. Where we could not confirm a detail, it is marked **unconfirmed**. If a number doesn’t work, ask at the office or try again later.

Niue

I NEED HELP WITH

**Land Court,
land records,
survey**

Department of Justice, Lands, Survey & Community Services

Fonuakula, Alofi · +683 4127 · Darren.Tohovaka@gov.nu
(Secretary of Justice) · gov.nu/agencies

I NEED HELP WITH

**Government
legal matters**

Crown Law & Regulatory Authority

Solicitor General · +683 4228 ·
Justin.Kamupala@gov.nu · gov.nu/agencies · Advises
the Government; it is not your lawyer.

I NEED HELP WITH

**Anything else
in Government**

Office of the Secretary to Government

+683 4308 · Niue.SecGov@gov.nu · gov.nu/contact

I NEED HELP WITH

**Your own
lawyer or free
legal help**

Not found

We could not find a legal aid service for Niue on an official site. Ask the Department of Justice who can advise you.

Before you call: have the land name, village, the Mangafaoa, the Leveki and any lease offer ready. Niue is in a different time zone from Aotearoa.

Your family land folder

If the papers are lost, the family can lose its proof. Keep one folder for each piece of land.

1 The lease

Every page, signed, plus any changes (variations) and renewals.

2 Title or land record

Registration certificate, land register extract or Court and survey reference numbers.

3 Survey map

The official plan showing borders and size.

4 Rent receipts

Every payment: date, amount and who received it.

5 Family / clan agreements

Meeting minutes, consent forms and agreements on sharing rent.

6 Official letters

All letters and emails to and from the Department of Justice, the Court or the investor.

7 Owner IDs & family tree

A list of owners and heirs, with ID copies and contact details.

8 Photos of the land

Dated photos of boundaries, buildings and the land's condition at the start.

Prove your family's connection *Magafaoa*

Land cases in Niue come down to custom and proof: who your ancestor is, and how your family used the land.

1 • Genealogy

Write down the family line back to the common ancestor of the Mangafaoa.

2 • Land use

Note cultivations, houses and burial places, and who used them.

3 • Court papers

Keep copies of every Court order, Leveki appointment and lease.

4 • Family decisions

Keep notes of family meetings about land, with names and dates.

Write it down now, while elders can still tell the story: names, lines, boundaries, graves and the history of each piece of land.

Sources: Niue Land Act 1969 ss 11–12, 14.

Scan it, store it, share it

1 • Scan with your phone

Use a free scanning app, the “Scan documents” option in iPhone Notes, or the scan button in the Google Drive app. Scan every page, flat and in good light.

2 • Store it privately

Keep a private shared folder in Google Drive or iCloud. Share it only with trusted family, never publicly.

3 • Name files clearly

Year-month-day, then land, then document: **2026-10-15_Niuean-Land_Lease-signed.pdf**

4 • Two or more keepers

Give access to at least two trusted people, one at home and one overseas, so the papers survive any one loss.

Originals: keep them dry in a sealed waterproof bag, in a cyclone-safe and flood-safe place, off the floor. Make copies before lending papers to anyone.

Key dates tracker

Date	Land / lease	What happens
Start date		
Rent review 1		
Rent review 2		
Renewal deadline		
End date		

FILL IN & KEEP

Our Land Record

Name of land / plot

Mangafaoa / common ancestor / Leveki

Size (hectares / acres)

Village, land name

Court or survey no.

Survey plan number

The lease

Lessee (tenant) name

Start date

Rent amount & how often

Premium paid? To whom?

Their contact

End date

Rent review dates

Who receives the rent

Our people

Folder keeper 1 (home)

Justice, Lands & Survey contact

Where the originals are kept

Notes

Folder keeper 2 (overseas)

Lawyer / legal aid contact

Lease Check

Tick every box **before** anyone signs. If you can't tick one, stop and ask for help (Section 3).

- ☐ We have **not** been rushed. We took time to think and talk.
- ☐ The **whole family** (all owners or their representatives) has met and agreed, and it is written down.
- ☐ We have a **full written copy** of the lease, in a language we understand.
- ☐ We checked with **the Department of Justice, Lands & Survey**.
- ☐ We got **independent legal advice** (not the investor's lawyer).
- ☐ We know **how long** the lease is, and when it ends or can be renewed.
- ☐ The rent has **reviews** at least every 3 to 5 years.
- ☐ We know about any **premium**, and who receives the money.
- ☐ The tenant **cannot sell or sublease** without our written consent.
- ☐ It says what happens to **buildings** and the **land's condition** at the end.
- ☐ **Sacred places**, graves and water are protected.
- ☐ Promises (jobs, roads, school fees) are **written in the lease**.
- ☐ We will **keep copies** in our land folder, held by two or more people.

General information, not legal advice. Talk to the Department of Justice, Lands & Survey or a lawyer before signing.

A note for the diaspora

Whether you are in Auckland, Brisbane, Auckland or Australia, you can protect home land from far away.

You are an owner too

The law lets members living outside Niue apply to appoint a Leveki and make written representations. Stay in touch. Stay in touch and stay informed.

Join by video

Ask for family meetings by video call, so you can hear and speak. Ask for minutes.

Help read the papers

If you read English well, help elders understand, in Niuean. But leave the decisions to the family.

Fund advice, not pressure

Offer to pay for independent legal advice or a valuation, rather than pushing for one choice.

Be a buyer

Buy family products, and help with online sales, shipping and marketing abroad.

Be a keeper

Hold a copy of the land folder safely overseas.

THANK YOU

Fakaaue

Our land is not only something we own. It is who we are. Take your time, talk together, ask questions, and choose what is best for the generations still to come.

This guide is free. Please **print it, share it, and read it aloud** at your family, church and village meetings.



Free planning tools
pasifikaplanning.com



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General information, not legal advice. Talk to the Department of Justice, Lands & Survey or a lawyer before signing. Information was checked in October 2026, but laws and contacts change. Please confirm with the official office.

Sources & notes

Land law

Niue Land Act 1969 ss 10–18, 22, 29; Niue Amendment Act (No 2) 1968 s 24 (FAOLEX niu35505).

Constitution

Niue Constitution, Art 33 and the Land Division of the High Court (gov.nu PDF).

Words

niueisland.com, Essential Niuean words.

Help contacts

gov.nu/agencies; gov.nu/contact; gov.nu notice board (checked Oct 2026).

Websites and contact details were checked in October 2026. Where an official site did not list a contact, it is marked unconfirmed. The rent example is an illustration only. Points we could not verify from an official source are marked or left out. Free to share; please don't sell it.