

FENUA • TUVALU EDITION

Protect Our *Land*

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

Native land • island Lands Courts • Lands Code • leases need
approval
with Tuvalu contacts for help

Blake Soifua • Projects Possible

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BEFORE YOU BEGIN

Talofa

Our land holds our families, our graves and our stories. On our small islands, every piece of land matters, and it is meant to go to the generations who come after.

In Tuvalu, native land can't be sold, given or leased to someone who isn't a native, except as the law allows. Every lease must be **approved and registered**. But a long lease can still outlive everyone who signs it.

This guide explains how land and leases work in Tuvalu, 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 26).
- ◆ **Living in Aotearoa, Fiji 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.

TUVALUAN

Talofa

greetings

TUVALUAN

Fakafetai lasi

thank you

TUVALUAN

Kaupule

island council

Please note: General information, not legal advice. Talk to your island Lands Court, the People's Lawyer or a lawyer before signing. Laws, fees and contacts change. Always check with the official office.

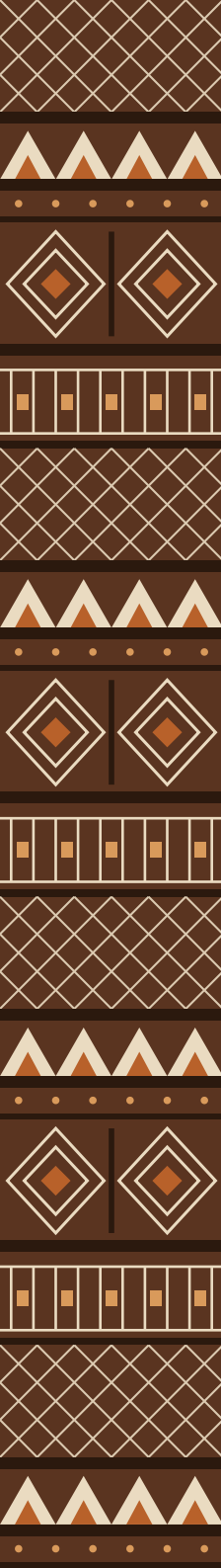
Contents

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 Tuvalu	16
	Native land	17
	The island Lands Courts	18
	Approving leases	19

3	Where to go for help	20
	Tuvalu contacts	21

+	Keep it safe & tools	22
	Your family land folder	22
	Our Land Record (fill in)	25
	Lease Check (print)	26
	For family in NZ, Fiji & Australia	27
	Sources	29



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 99-year lease is about four generations

In Tuvalu, a lease longer than **99 years** needs the Minister's approval. If a lease is signed today for 99 years, the people who get the land back may be your great-great-grandchildren. Most of the people in the room when it is signed will never see it end.



Money today, land tomorrow

Some offers pay a large sum now. Ask what the land will be worth to your family in 20, 50 and 99 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 family, with the elders had a real say, including women, young people and members in NZ, Fiji & Australia? Record it in writing.

7 Independent advice

Get advice from someone who works **only for your family**: your island Lands Court, the People's Lawyer, 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, Fiji & 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 Tuvaluan, and take your time.

4 Check with your island Lands Court

Ask the island Lands Court what approvals are needed (Section 3).

5 Get your own legal help

A lawyer who works only for your family (or the People’s Lawyer).

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 22).

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 elder, one relative or one ‘representative’ before the family has agreed.

Papers only in English

With no explanation in Tuvaluan 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 Tuvalu

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

A lease that isn't registered

No lease of native land is **valid** until it has been approved and registered.

A lease to a non-native without the Minister

Leases other than short “native leases” need the **Minister's approval**, after the island Lands Court confirms key facts.

Leaving the family short of land

Before approval, the Court checks that the lessor will be left with **enough land to support the family**.

Over 99 years or 10 acres

Leases longer than **99 years** or larger than **10 acres** need the Minister's approval.

Unfair terms

The Minister must be satisfied the terms are not manifestly to the disadvantage of either side.

Transfer without approval

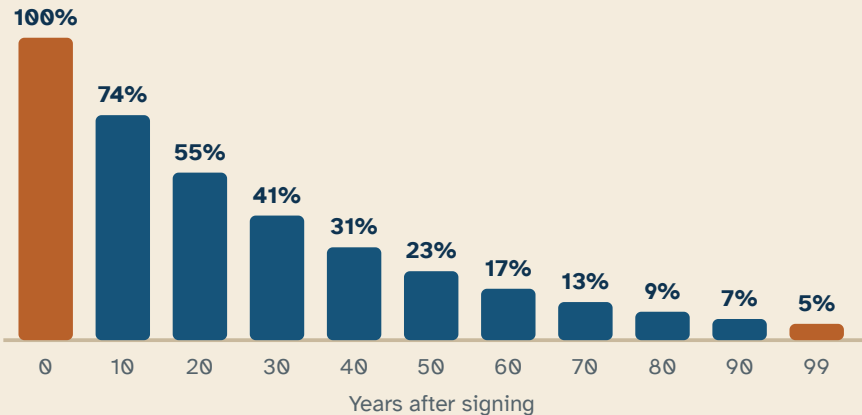
A lease can't be transferred without approval: the Minister for most leases, the island Court for native leases.

Sources: Native Lands Act (Cap. 46.20, 2008 Rev. Ed.) ss 5, 30–35 (FAOLEX tuv99659).

AN ILLUSTRATION, NOT A PREDICTION

How a fixed rent shrinks over 99 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

23%

after 50 years

5%

after 99 years: about
one-twentieth

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 landowning family). 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

Entering an approved lease in the Leases Register.

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 your island Lands Court 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 99 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 Tuvalu, every lease must be approved and registered, and the Court checks the family keeps enough land.

Include everyone

Women, young people, people with disabilities and family in NZ, Fiji & 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

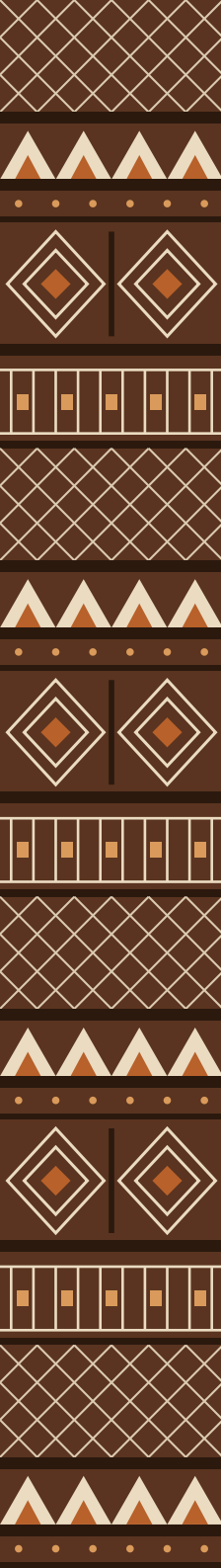
Agree how rent will be shared or used (school fees, a church, a family fund) before the money comes.

Use an interpreter

Ask for it to be explained in Tuvaluan, 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 Tuvaluan motifs. The motifs include a diamond lattice, a row of triangles, a row of dots, and a row of squares, all in white and orange on a dark brown background.

2

How land works in Tuvalu

Native land, the island Lands Courts, the Lands Code, and how leases are approved.

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.

Native land & who can hold it

Fenua

21 yrs

max “native lease”

99 yrs

longer needs Minister

Court

on every island

- ◆ Native land can’t be alienated, by sale, gift, lease or otherwise, to a person who isn’t a native, except as the Act provides.
- ◆ This doesn’t stop alienation to the Crown, a Kaupule, or a registered co-operative society.
- ◆ Everyone who owns or is eligible to own native land comes under the island Lands Court.

Lands Code and custom: the Court decides land cases by the Lands Code, or where it doesn’t apply, by local customary law, together with the island’s cadastral survey maps.

Sources: Native Lands Act ss 5, 11, 12 (FAOLEX tuv99659).

DISPUTES

The island Lands Courts

Fakamasinoga

- ◆ There is a **Lands Court** in each Kaupule area, with at least 6 members.
- ◆ It hears cases about land, boundaries, transfers of title and disputes over possession and use of native land.
- ◆ Appeals go first to the **Lands Courts Appeals Panel**, heard by 3 or more members.

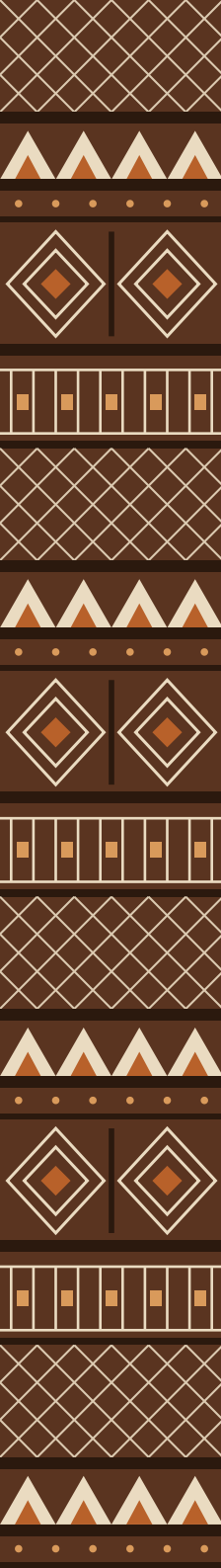
Survey maps matter: the cadastral survey maps drawn from 1981 to 1988 are used by the Court. Know where your family's land sits on them.

Sources: Native Lands Act ss 6, 9, 10, 12.

Approving and registering leases *Lisi*

- ◆ A **native lease** is a lease to a native for up to **21 years** and up to **5 acres**. The island Lands Court approves it if the land belongs to the lessor, the terms are fair to both sides, and the family keeps enough land.
- ◆ Any other lease needs the **Minister's approval**, after the island Court confirms the land belongs to the lessor, the Lands Code allows it, and the family keeps enough land.
- ◆ Leases over **99 years** or **10 acres** need the Minister's approval.
- ◆ Approved leases are entered in the **Leases Register**.

Sources: Native Lands Act ss 2, 30–35.

A decorative vertical border on the left side of the page, featuring a series of repeating geometric patterns in white and orange on a dark brown background. The patterns include diamonds, triangles, and squares.

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.

Tuvalu

I NEED HELP WITH

Land cases, native leases

Your island Lands Court

Ask at your Kaupule office. We found no published contacts for the Lands Courts; **unconfirmed**.

I NEED HELP WITH

Leases needing the Minister

Ministry for Natural Resources Development

Vaiaiku, Funafuti • +688 20760 (listed by the UN Logistics Cluster, July 2026; **not confirmed on an official Tuvalu site**)

I NEED HELP WITH

Government legal matters

Office of the Attorney General (Office of the Prime Minister)

Vaiaiku, Funafuti • +688 20843 • opmhq@gov.tv (listed by the UN Logistics Cluster; **unconfirmed**)

I NEED HELP WITH

Free legal help

Office of the People's Lawyer

Funafuti. Gives legal advice and assistance (Government of Tuvalu referral guide, 2026). Phone and email **not published; unconfirmed**.

I NEED HELP WITH

Laws online

Tuvalu legislation

tuvalu-legislation.tv • the Native Lands Act is also on FAOLEX (fao.org)

The main government website, gov.tv: **website not working right now (Oct 2026)**.

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 Lands Court and lease register 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 Lands Court, the Ministry, the Kaupule 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 *Gafa*

Land cases come down to the Lands Code, custom, and the survey maps. Proof of your family line and land is what counts.

1 • Family line

Write down your family line and how each piece of land came to you.

2 • Survey maps

Find your land on the island cadastral survey maps.

3 • Court papers

Keep copies of every Lands Court decision and registered lease.

4 • Family meetings

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: Native Lands Act ss 12, 31–32.

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_Native-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

Island, land name

Family / owners

Lease register no.

Size (hectares / acres)

Survey plan number

The lease

Lessee (tenant) name

Their contact

Start date

End date

Rent amount & how often

Rent review dates

Premium paid? To whom?

Who receives the rent

Our people

Folder keeper 1 (home)

Folder keeper 2 (overseas)

Lands Court contact

Lawyer / legal aid contact

Where the originals are kept

Notes

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 **your island Lands Court**.
- ☐ 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 your island Lands Court or a lawyer before signing.

A note for the diaspora

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

You are an owner too

Living away does not end your family's land rights. Stay in touch with your island. 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 Tuvaluan. 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

Fakafetai lasi

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.



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General information, not legal advice. Talk to your island Lands Court 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

Native Lands Act (Cap. 46.20, 2008 Revised Edition) ss 2, 5–12, 30–35 (FAOLEX tuv99659).

Words

Massey University, Pacific greetings and phrases.

Help contacts

Government of Tuvalu, We Care referral guide (gender.gov.tv, 2026); UN Logistics Cluster, Tuvalu Government Contact List (July 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.