

GRAON · VANUATU EDITION

Protect Our *Land*

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

Custom land · nakamal · CLMO · Land Ombudsman · leases up
to 75 years
with Vanuatu contacts for help

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BEFORE YOU BEGIN

Halo

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

In Vanuatu, custom land belongs to its **custom owners**, and since 2013 the **nakamal** decides who they are. But a lease can run for up to **75 years**, long enough to outlive everyone who signs it.

This guide explains how custom land and leases work in Vanuatu, 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).
- ◆ **Working in Australia or New Zealand?** Read Section 2 and the note for family abroad at the back.
- ◆ **Print it, share it, read it aloud** at your nakamal or family meeting.

BISLAMA

Halo

hello

BISLAMA

Tankyu tumas

thank you very much

BISLAMA

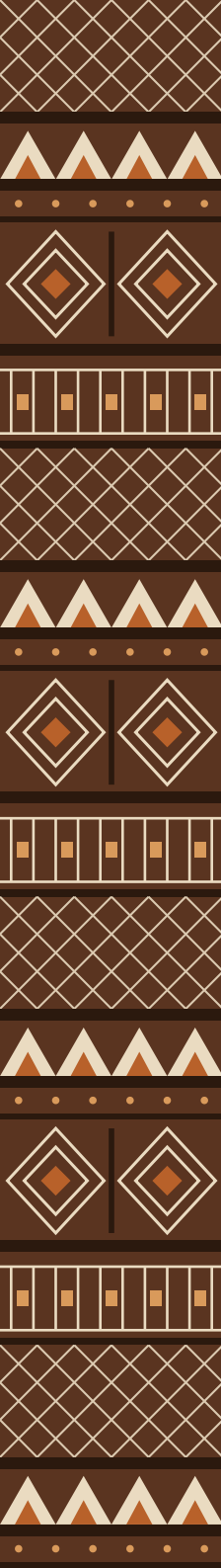
Nakamal

meeting place of
custom owners

Please note: General information, not legal advice. Talk to the Customary Land Management Office, the Public Solicitor or a lawyer before signing. Laws, fees and contacts change. Always check with the official office.

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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.

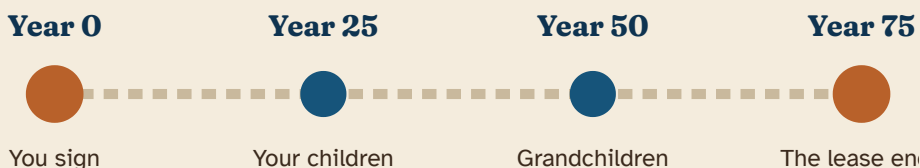
“We do not inherit the land from our ancestors; we hold it for our grandchildren.”

A saying shared across many cultures

WHY IT MATTERS

A 75-year lease is about three to four generations

In Vanuatu, a lease can't be longer than **75 years**, counting extensions. That is long enough that the people who get the land back may be your great-grandchildren.



Money today, land tomorrow

Some offers pay a large sum now. Ask what the land will be worth to your family in 25, 50 and 75 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 custom owners, in the nakamal had a real say, including women, young people and members in Australia & NZ? Record it in writing.

7 Independent advice

Get advice from someone who works **only for your family**: the CLMO, the Public Solicitor, 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 Australia & NZ (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 Bislama or your language, and take your time.

4 Check with the CLMO

Ask the CLMO what decisions are recorded for the land (Section 3).

5 Get your own legal help

A lawyer who works only for your family (or the Public Solicitor).

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

Papers only in English or French

With no explanation in Bislama 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 Vanuatu

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

Not all custom owners agreed

The law requires **all custom owners** to agree by consensus to a negotiator's certificate and to the lease.

Over 75 years

No lease may be longer than **75 years**, including extensions.

Owners not decided by the nakamal

Custom owners are decided by the **nakamal**. Be careful of anyone who claims to own the land without that decision.

Rushing past the nakamal

If the nakamal doesn't decide within **30 days**, the matter goes to the custom area land tribunal. Don't let anyone skip the process.

A recorded interest you didn't know about

Decisions recorded by the CLMO are binding and **can't be appealed**. Review is only for wrong composition, wrong process or fraud. Stay involved.

Consent you doubt

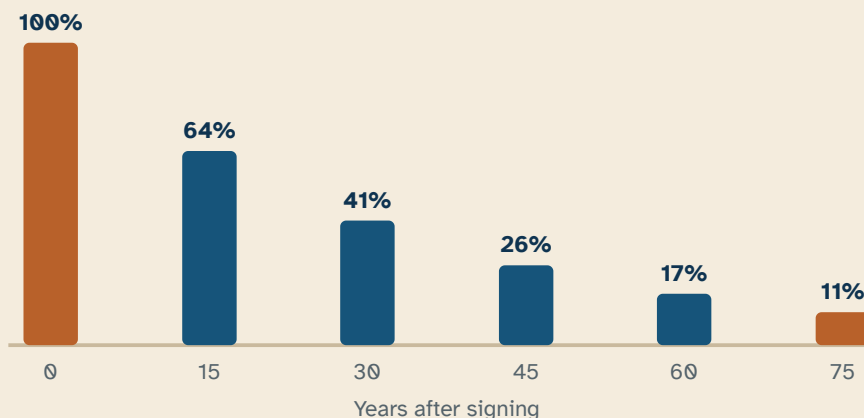
If you think proper consent wasn't obtained, you can ask the **Land Ombudsman** to investigate.

Sources: Land Leases Act s 32 (FAOLEX van88905); Custom Land Management Act No. 33 of 2013 ss 17, 21; Land Reform (Amendment) Act No. 31 of 2013; clmo.gov.vu.

AN ILLUSTRATION, NOT A PREDICTION

How a fixed rent shrinks over 75 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

26%

after 45 years

11%

after 75 years: about one-ninth

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 custom owners). 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

Registering a lease under the Land Leases Act after consent.

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 CLMO 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 75 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 (nakamal) are a strength here.

Who must agree?

In Vanuatu, the nakamal decides who the custom owners are, and all of them must agree to a lease.

Include everyone

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

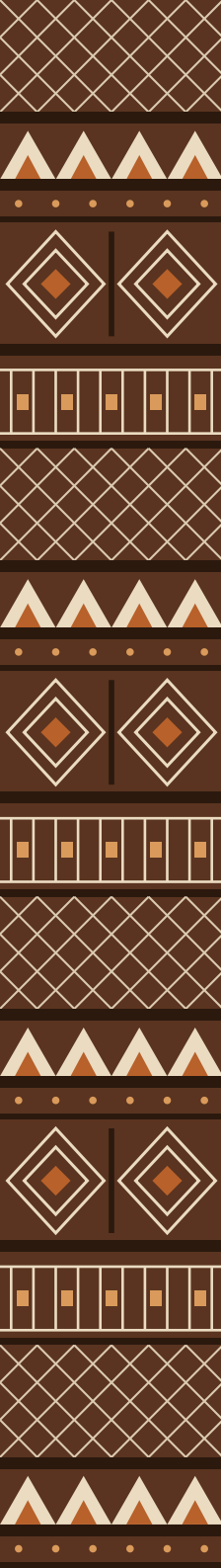
Agree how rent will be shared or used (school fees, a church, a family fund) before the money comes.

Use an interpreter

Ask for it to be explained in Bislama or your language, and take your time.

It's okay to say no

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

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2

How land works in Vanuatu

Custom land, the nakamal, the Customary Land Management Office, leases and the Land Ombudsman.

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.

Custom land & the nakamal

Graon

75 yrs

max lease

All

custom owners must agree

30 days

for the nakamal to decide

- ◆ Since the **Custom Land Management Act 2013**, custom owners are decided by the **nakamal**, the meeting place of the custom owners.
- ◆ The nakamal has local names: **Farea** (Efate), **Gamal** (Malekula), **Naumel** (Motalava) and **Jaranmoli** (Santo).
- ◆ If the nakamal doesn't decide within **30 days**, the **custom area land tribunal** takes over.

Kastom first: the law puts land decisions back in the hands of custom owners meeting in the nakamal. Be there, and bring your family's knowledge.

Sources: Custom Land Management Act No. 33 of 2013, s 2 and ss 17, 21 (clmo.gov.vu PDF).

RECORDS

The Customary Land Management Office

CLMO

- ◆ The **CLMO** records the decisions of the nakamal and the land tribunals.
- ◆ It issues the **green certificate**, the certificate of recorded interest.
- ◆ Recorded interests are **binding and can't be appealed**.
- ◆ The Island Court (Land) can review a decision only for incorrect composition, improper process or fraud.

Why it matters: because recorded decisions are final, the time to speak is **during** the nakamal or tribunal, not after.

Sources: clmo.gov.vu, functions of the CLMO (Oct 2026).

Leasing custom land

Lis

- ◆ All custom owners must consent, by consensus, to a **negotiator's certificate** and to the **lease**.
- ◆ Maximum term: **75 years** including extensions.
- ◆ The Minister can extend shorter leases up to 75 years, and 75-year leases can be renewed. Ask how any renewal will be agreed.

Family tip: write down who agreed, when and where, and keep a copy of every certificate.

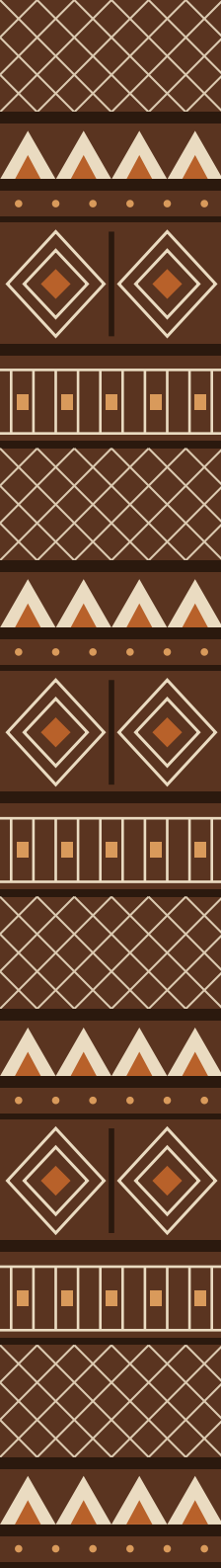
Sources: Land Leases Act ss 32, 32B, 32C (FAOLEX van88905); Land Reform (Amendment) Act No. 31 of 2013.

The Land Ombudsman & the Ombudsman

Ombudsman

- ◆ The **Land Ombudsman** office was set up by Act No. 31 of 2013. You can ask it to investigate whether proper consent was obtained for a lease.
- ◆ The **Ombudsman of Vanuatu** takes complaints about government bodies. Complaints can be made by form, phone, email or in person.
- ◆ The **Public Solicitor** gives legal help to people who can't afford a lawyer.

Sources: mjcs.gov.vu, Land Ombudsman; ombudsman.gov.vu; pso.gov.vu (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.

Vanuatu

I NEED HELP WITH

Custom owners, green certificates, records

Customary Land Management Office (CLMO)

+678 27297 · CLMOVila@vanuatu.gov.vu · Mon–Fri
8am–5pm · clmo.gov.vu

I NEED HELP WITH

Lease consent problems

Land Ombudsman

See mjcs.gov.vu · Phone and email **not found on an official site; unconfirmed.**

I NEED HELP WITH

Complaints about government

Office of the Ombudsman

Port Vila (678) 27200 · Luganville (678) 36364 ·
ombudsman@vanuatu.gov.vu · ombudsman.gov.vu

I NEED HELP WITH

Free legal help

Office of the Public Solicitor

Emile Mercet Street, Port Vila · (+678) 33160 or 23450
· PSO-Admin@vanuatu.gov.vu · psso.gov.vu

Before you call: have the land name, island, nakamal, any certificate and the lease offer ready.

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 CLMO and lease 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 CLMO, the Land Ombudsman, 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 *Kastom*

Custom land decisions come down to knowledge: your family line, your boundaries and your story.

1 • Family line

Write down the family line and how it connects to the land.

2 • Boundaries

Note boundary marks, gardens, graves and sacred places.

3 • Certificates

Keep every green certificate, tribunal decision and lease.

4 • Nakamal records

Keep notes of nakamal meetings, 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: Custom Land Management Act 2013; clmo.gov.vu.

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_Custom-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, village, land name

Custom owners / nakamal

CLMO or lease 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)

CLMO 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 **the CLMO**.
- ☐ 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 CLMO or a lawyer before signing.

A note for the diaspora

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

You are an owner too

Stay in touch with your nakamal. Decisions recorded by the CLMO are final, so make sure your family is heard. 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 or French well, help elders understand. 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

Tankyu tumas

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



Follow
[@projectspossible](https://twitter.com/projectspossible)

Blake Soifua · Projects Possible

General information, not legal advice. Talk to the CLMO 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

Custom Land Management Act No. 33 of 2013 (clmo.gov.vu); Land Leases Act ss 32–32C (FAOLEX [van88905](https://faolex.fao.org/docrep/018/x0890v.htm)); Land Reform (Amendment) Act No. 31 of 2013.

Words

vanuatu.travel, Bislama and travel tips.

Help contacts

clmo.gov.vu; mjcs.gov.vu; ombudsman.gov.vu; pso.gov.vu (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.