



*Republic of Namibia*

## ***Ministry of Urban and Rural Development***

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### **OFFICE OF THE MINISTER**

#### **1. Public Toilets – banks and shops**

This is an issue for Local Authorities by-laws. They are expected to stipulate public toilets to be a requirement for places where members of the public converge in big numbers. Building places for such buildings ideally should not be approved without provision for these amenities.

But I understand the concern of the Hon. Members. I will consider this issue when we are going to make regulations in terms of the Act; to make it mandatory for all Local Authorities to ensure provision for toilets at all public places

#### **2. Designated areas for Venders**

Again this is an issue that should be regulated by local authorities. There are designated areas for venders such as at open markets.

#### **3. Right to a minimum piece of land for Namibians**

The purpose of the amendment has to do with enabling all Namibians to have a piece of land. That is why we giving priority to first time buyers and designating areas for the low income groups of our people.

I think in this manner this concern is properly taken care of.

#### **4. Relocation compensation Policy**

The issue of compensation is dealt with through a compensation policy of Cabinet. There is currently a committee of technocrats tasked to revise this policy in accordance with the concerns received from local authorities, regional councils and individuals including our own experience in implementing this policy.

One of the issues raised by the stakeholders is that the rates at which people are compensated are too low. The committee has done its preliminary work. It is only

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going to consult the regional council and local authorities before it produce its final report and recommendation for the consideration of Cabinet.

**5. Definition vulnerable person**

The definition is properly taken care of. The means test is the defining factor.

The individual first has to be below the average household income before other considerations.

The minister shall determine the income that is below the average household income and declare individuals or groups that fall into this category as vulnerable.

**6. Period of office local councillors**

We have change the period of office of Local Authority councils that has taken care of the Honourable members concern the new amendments reached as follow:

“a member of the local authority council shall hold office as such a member”

(a) From the date the member took office and assumes duties.

(b) Until the date proceeding the date on which the new member is due to take the oath of office and assume duties.

**7. Persons with disabilities**

I can only agree more with the Hon. Member on this recommendation. We will refer to this category of our people as people with disabilities as opposed to people living with disabilities.

**8. Penalties for violation of the Act**

I just need to indicate to the Hon. Members that contraventions are not the same therefore the penalties can also not be the same. So the penalties are proportionate to the contraventions.

**9. Designated zones in local authority areas constitutional**

The designation of areas for low income groups is constitutional. We have the constitutional mandate to introduce laws to advance people who were previously disadvantaged.

The purpose of this amendment is to allow our people who were disadvantaged by the apartheid laws to acquire land. They have been balkanised into home lands and made to leave on communal land (the so called state land) and denied the right to own immovable properties throughout the colonial years.

**10. Number of properties one can acquire in a given local authority**

This is catered for by the requirement that you have to be a first time buyer in a given local authority before a council can favourable considers your application for land.

The first time buyer is also properly define in the amendment.

#### **11. Foreigners to acquire properties in open zones.**

This requirement is done away with as we have gone back to the Cabinet decision that dictates that foreigners must not be allowed to acquire land in Namibia and that they may only lease.

#### **13. Issues of the Local Authority Reform.**

It is true that the Reform deals with all challenges facing Local Authorities (LAs) such as

- Basic requirement for councillors
- Part time Councillors vs full time Councillors
- Councillors juggling between civil servants work and council responsibilities
- The establishment of the local government service commission

These are all issues that are thoroughly analysed in the Local Authority Reform Paper which will soon be tabled in Cabinet. Once this document is approved by Cabinet there will be a legislation process that will result in comprehensive amendments of the Local Authorities Act.

This House will therefore debate these issues at that point

#### **14. Properties registered in close cooperation (CCs)**

This is also taken care of by the requirement in the amendments that the Close Cooperation must be 51% Namibian owned and must be registered in Namibia to qualify as a Namibian Company.

