



New land rights for Urban Poor

Thu, 17 Nov, 2011 | **Author:** Augetto Graig – Windhoek
<http://www.namibiansun.com/content/national-news/new-land-rights-for-urban-poor>

Lands and Resettlement Minister Alpheus !Naruseb has introduced into Parliament a bill seeking for the provision of affordable land for the majority of Namibia's urban poor.

If enacted, the bill would create two classes of land ownership in towns and villages around the country.

The bold move to address the escalating demand for land drew the support of the powerful Shack Dweller's Association, which headed a march to parliament in support of the motion on Tuesday.

The Flexible Land Tenure bill, as it is referred to, was introduced by the Ministry of Lands and Resettlement on November 9, in a bid to address the persistent land imbalances which have left a majority of urban poor residents without access to land.

The new classes of land, as per the allocation of the bill are the Starter Title Rights and Land Hold Title Rights, which are to be registered with the Registrar of Deeds, along with the current land ownership deed types.

The Starter Title provides the holder with the right to live on a piece of land without fear of being evicted, unless provided with an alternative piece of land.

Starter Titles are to be registered in respect of an erf-block of up to 100 households. A local authority, private sector developer, community organisation or NGO may own such a block, the bill states. If 75% of holders in a Start Title Rights block-erf consent it could be upgraded to a Land Hold Rights erf.

The Land Hold Title on the other hand, provides almost all the rights entailed in the freehold title under the common law - but without the complications of full individual ownership. The plot can be sold, transferred and otherwise disposed of as well as mortgaged.

These simpler and cheaper forms of gaining ownership rights over land will be presided over by appointed land registrars.

Before either of these schemes becomes applicable, a feasibility study would be required, to determine the scheme's conforming to geological, environmental and existing planning requirements.