

Flexible Land Tenure System

1

Upgradable Land Tenure System Under the Flexible Land Tenure System

Presentation to the 2nd National Land Conference
Participants

By: Gabriel Iindombo

Deputy Director, Land Boards Tenure & Advice
Ministry of Land Reform



Presentation Outline

2

- Introduction
- Objectives of FLTS
- Benefits of FLTS
- Pilot Local Authorities
- Key Stakeholders involved in FLTS
- Process Flow on Establishing a FLTS Scheme
- Types of Land Rights under the FLTS
- Conclusion



Introduction

- Flexible Land Tenure System, is a Scheme established under the Flexible Land Tenure Act (Act No. 4 of 2012)
- Aiming at providing affordable security of tenure to informal settlement settlers
- The FLTS is targeting people who live in the informal settlement/low income people
- Provision of a parallel tenure registration system
- FLTS Scheme can only be established on land within the local authority (*Municipalities, Towns, Settlements, Village Councils*)
- MLR overseeing the implementation of FLTS Scheme
- Other stakeholders are MURD, Local Authorities, Land Rights Office, GIZ & Beneficiaries
- Beneficiaries Association



The Objectives of the FLTS

4

- to creates *alternative* new forms of titles i.e. *Starter Titles* and *Land Hold Titles*, that can be upgraded to Freehold Titles
- to provide *security of title* for persons who live in the informal settlements or who are provided with low income housing
- to empower the persons concerned *economically* by means of these rights.



Benefits of FLTS

- Provide security of title for persons who live in the informal settlements in perpetuity (offers titles to immovable properties)
- Titles are cheaper to register (GRN pay for surveying & registration costs)
- Provide legal documentary proof of land ownership
- Beneficiaries will invest in their land without fear of being evicted
- Titles can allow erection of dwelling on a blockerf
- Titles are transferrable from one person to other
- Titles are inheritable (lease the property)
- Titles may be used as collateral (land hold title)
- Titles can be upgraded till freehold
- Reduction of boundary disputes due to internal measurement (land hold plan)



FLTS Piloting Areas

City of Windhoek

- Onyika,
- Havana,
- Freedomland A & B

Oshakati Town Council

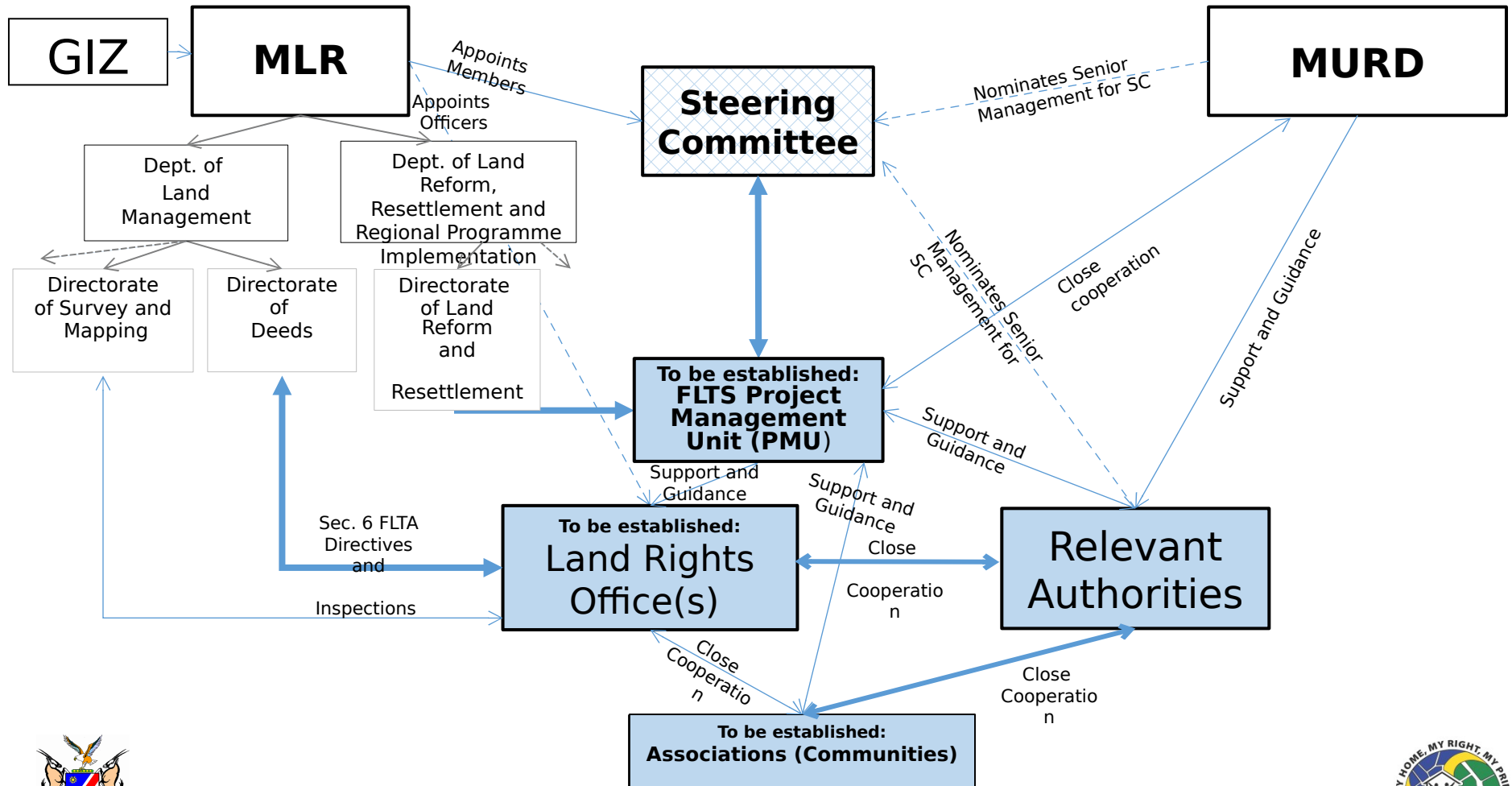
- Onawa area

Municipality of Gobabis

- Freedom Square



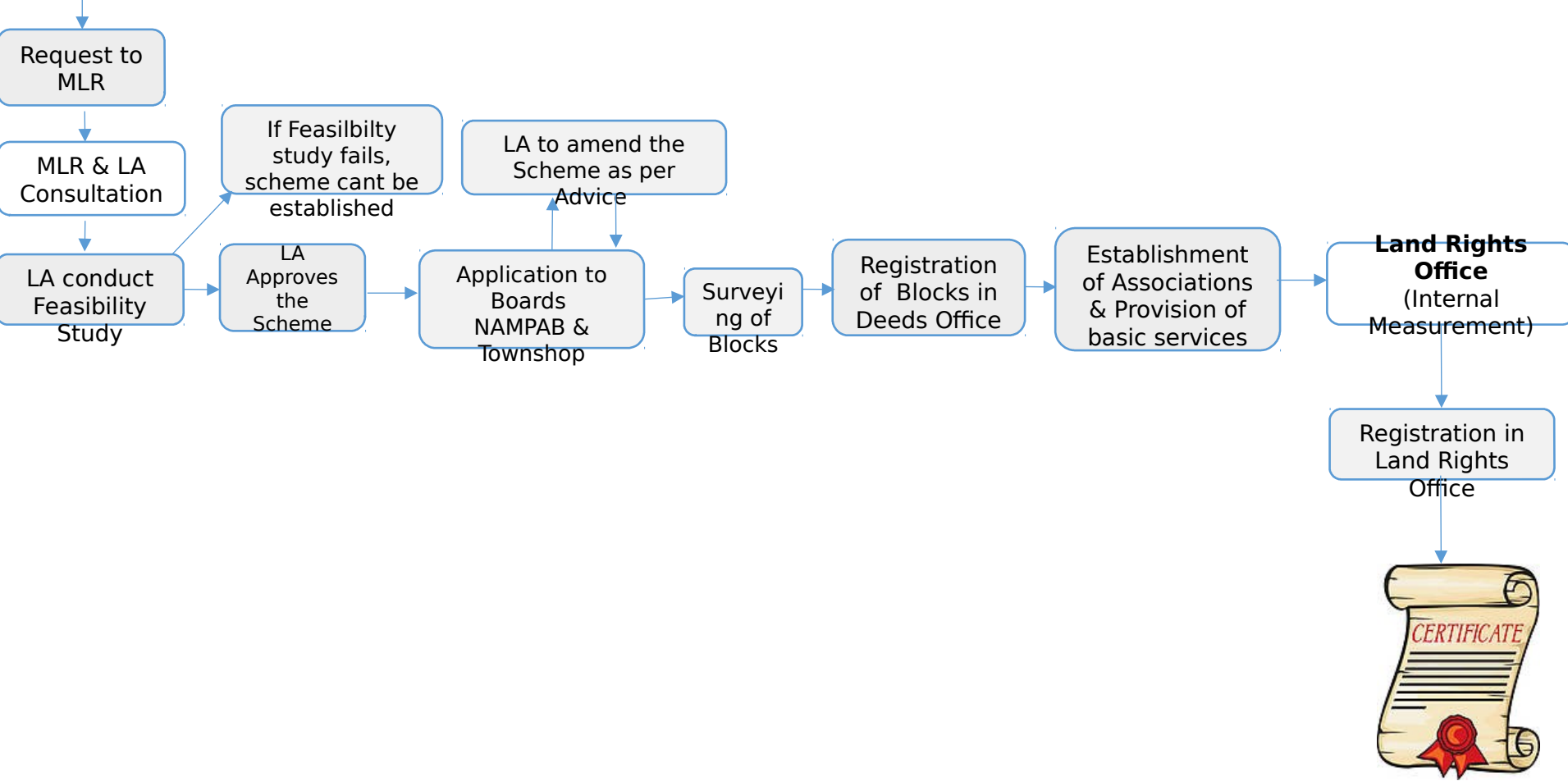
Key Stakeholders



Process of Establishing FLTS Scheme

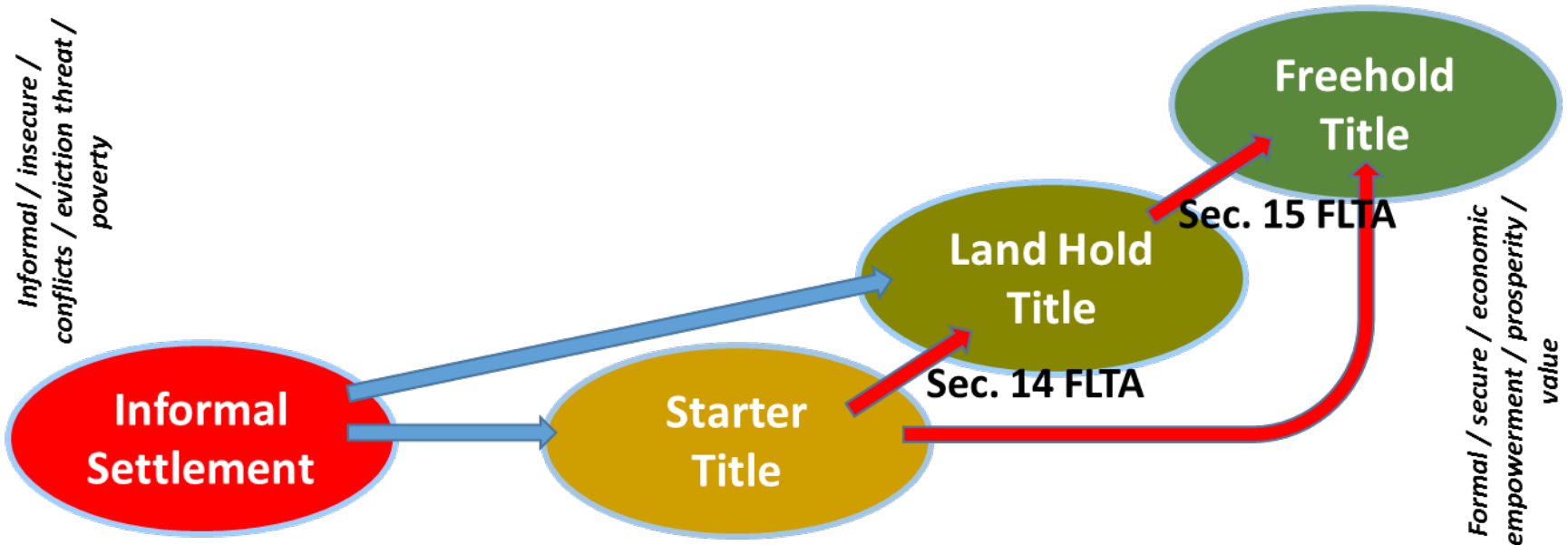
Application to establish a Scheme

- Owner of the piece of land
- Local Authority (LA)
- Group of people who reside on the piece of land



Upgrade of Schemes

Landless	<i>Tenure Rights</i>	Ownership
Illegal	Tolerated	<i>Type of Tenure</i>
		Group-based Right
		Individual Right
Unsafe	<i>Security of Tenure</i>	Safe



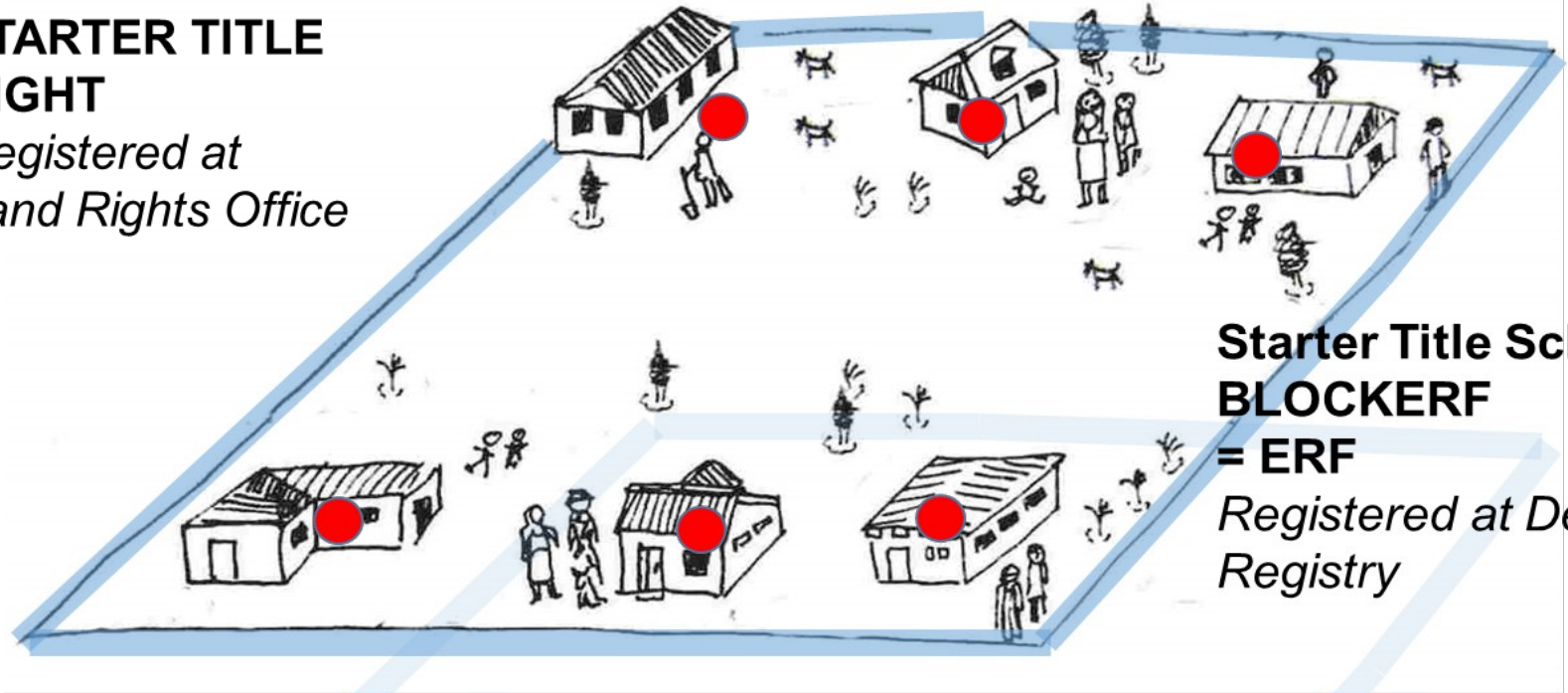
None	Contracts	<i>Documentary Proof</i>	Certificates of Title Right	Deed
None		<i>Official Registration</i>	Land Rights Office	Deeds Registry
Poor		<i>Provision of Services</i>		Good



Exemplary of a Starter Title Right

10

STARTER TITLE RIGHT
Registered at Land Rights Office



**Starter Title Scheme
BLOCKERF
= ERF**
*Registered at Deeds
Registry*

- **Starter Title rights:** Gives a holder rights over a dwelling at a specified location within the Blockerf
- Land Rights cannot be used as a security for credit

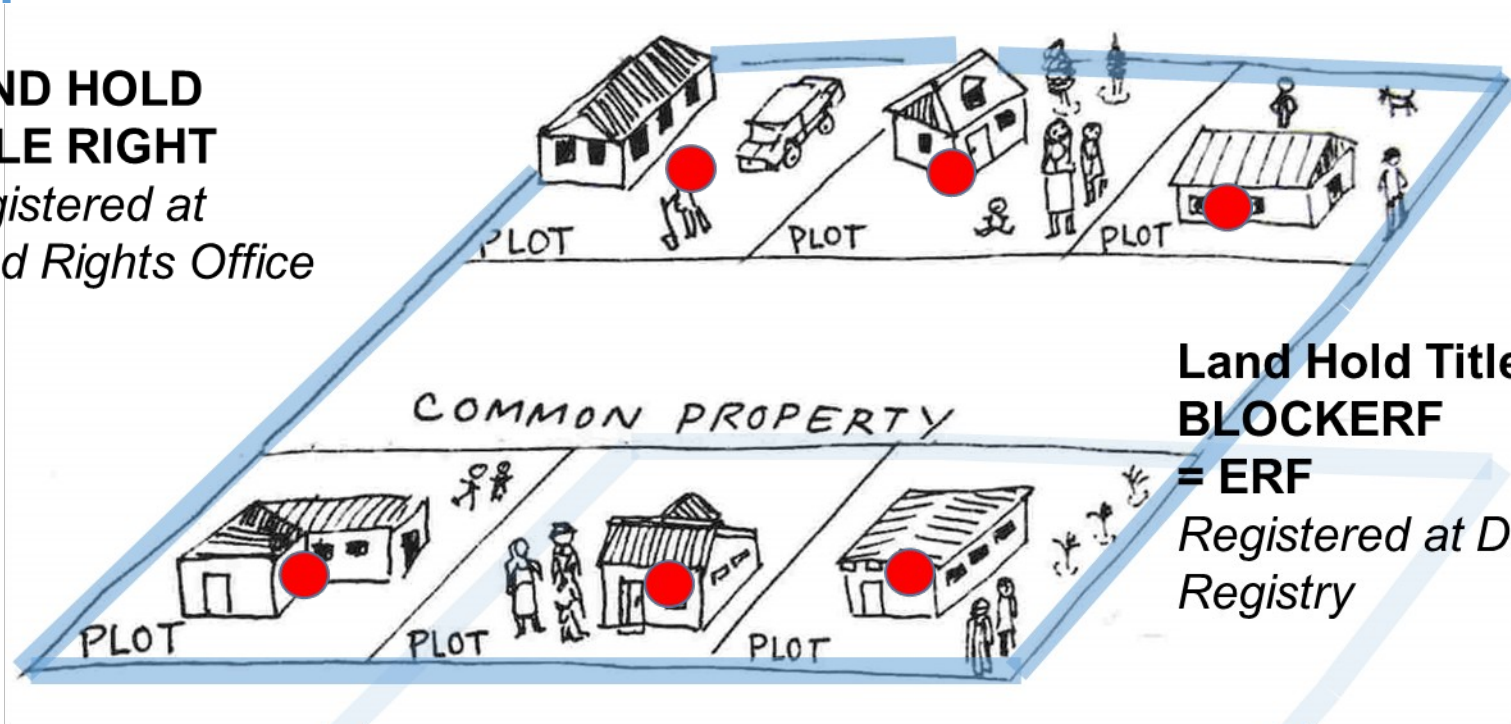
ERF
*Registered at
Deeds Registry*



Exemplary of a Land Hold Title Right

11

**LAND HOLD
TITLE RIGHT**
*Registered at
Land Rights Office*



**Land Hold Title Scheme
BLOCKERF
= ERF**
*Registered at Deeds
Registry*

- **Land Hold Title Rights:** Gives the holder the same rights over the piece of land within the blockerf as the owner of freehold
- Land rights held under a land hold title can be used as a security for credit.

ERF
*Registered at
Deeds Registry*



Conclusion

This pilot phase is the first experience in Namibia

- FLTS is only targeting people living in the informal settlement
- The titles under FLTS are legal and supported by law
- The titles are been registered in a legal registration system (Land Rights Office)
- Titles are transferred, inherited and can be used a security for loans (Land Hold Titles)





I thank you for your attention

