



FOLLOW-UP REPORT OF THE AUDITOR-GENERAL ON PERFORMANCE AUDIT STUDY ON  
THE

# UTILISATION OF GOVERNMENT QUARTERS – MINISTRY OF WORKS AND TRANSPORT

FOR THE FINANCIAL YEARS 2009, 2010 AND 2011

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REPUBLIC OF NAMIBIA



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**TO THE HONOURABLE SPEAKER OF THE NATIONAL ASSEMBLY**

I have the honour to submit herewith my follow-up performance audit report of the Utilisation of Government Quarters in the Ministry of Works and Transport for financial years 2009, 2010 & 2011 in terms of Article 127(2) of the Namibian Constitution. The report is transmitted to the Honourable Minister of Finance in terms of Section 27(1) of the State Finance Act, 1991, (Act 31 of 1991) to be laid upon the Table of the National Assembly in terms of Section 27(4) of the Act.

**WINDHOEK, February 2012**

**JUNIAS ETUNA KANDJEKE  
AUDITOR-GENERAL**

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## **ABBREVIATIONS**

AG	AUDITOR-GENERAL
BM	BURGERSAKE EN MANNEKRAG – CIVIC AFFAIRS AND HUMAN RESOURCES
DOW	DEPARTMENT OF WORKS
GRN	GOVERNMENT OF THE REPUBLIC OF NAMIBIA
HO	HEAD OFFICE
MoWT	MINISTRY OF WORKS AND TRANSPORT
O/M/A's	OFFICES/MINISTRIES/AGENCIES
OAG	OFFICE OF THE AUDITOR-GENERAL
PAC	PUBLIC ACCOUNTS COMMITTEE
PS	PERMANENT SECRETARY
RO	REGIONAL OFFICE
K	FUNCTIONAL BUILDINGS
FAM	FIXED ASSET MANAGEMENT

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## EXECUTIVE SUMMARY

I am authorised to carry out performance audits in terms of Section 26 (1)(b)(iv) of the State Finance Act, (Act 31 of 1991) which reads as follows: The Auditor-General “may investigate whether any moneys in question have been expended in an efficient, effective and economic manner.” Performance auditing may be defined as examining whether government ministries are “*doing the right thing*” and utilising the resources “*in the right and least expensive way*”.

This report is based on the *Utilisation of Government Quarters* in the Ministry of Works and Transport. The Housing Sub-Division, within the Fixed Asset Management Division within the Ministry of Works and Transport, that provides official accommodation to the civil servants.

An initial report was done and published in November 2001 highlighting the problems that are being experienced with the management and utilisation of the government quarters. It led to a lot of abuse by tenants, private people and even local authorities, leading to a loss of revenue and property for Government. The Parliamentary Standing Committee on Public Accounts (PAC) then undertook fieldwork to collect information on the findings in the report and then drafted their own report, which was produced in June 2006. This follow-up report was a direct instruction from the PAC and identified issues that need to be followed-up. These issues also include issues spreading forth from the initial report from the Office of the Auditor-General.

Here are specific findings, conclusions and recommendations from this follow-up report.

### **Findings:**

- Lease agreements are not signed and distributed to the tenants when they are allocated with a quarter, leading to abuse of the quarters.
- The allocation policy is not being enforced.
- The housing committee members in all the regions are appointed on the same procedures.
- Inspections of government quarters are not done on a regular basis. No inspection reports are submitted and the officials that are inspecting the quarters do not have identification cards.
- Records of the government quarters are not updated on a regular basis and the fixed asset register does not include all the properties in the regions.
- There are no meetings that are held with Human Resource Practitioners from the Line Ministries in order to assist with the updating of the records of the government quarters.
- There are quarters that are not easily identifiable and that do not have BM numbers.
- The new monthly tariffs for rent have been implemented, but not all the occupants of government quarters pay rent.
- The Department of Works did not liaise with the Ministry of Justice and the Attorney-General to obtain court orders and legal power to evict illegal tenants.
- The alienation scheme has been implemented in all the regions, except for the Kavango region.
- The follow-up audit of the Office of the Auditor-General has been done, but very few of the recommendations from the initial report and the report produced by the Public Accounts Committee have been implemented.
- There are a lot of unresolved issues with regards to the ownership and management of government quarters that exists across the regions.

The Ministry's comments on the above findings are as follows:

- “Bullet 1:** *Most tenants are not willing to sign lease agreements as the flats are in a dilapidated and poor condition. There are many tenants who have signed lease agreements and with inspections to take place within this month remaining tenants in Windhoek will be served with a lease agreement that will be compulsory to fill in.*
- Bullet 2:** *The key deposit system was brought in to curb the passing of keys and illegal occupation. This matter is again being reviewed and an increase for the key deposit is being proposed.*
- Bullet 4:** *Inspections are not regular but they are done. Reports of all inspections are submitted with the keys when tenants have vacated or enter a Government quarter and identity cards for staff members in Windhoek have been issued.*
- Bullet 6:** *There are not regular meetings but we have been communicating through circulars where the Ministry also requested line Ministries to nominate a contact person from the Human Resource Division of each Ministry to be the focal point for housing matter.*
- Bullet 7:** *We also agree in part to the statement, but there is no co-ordination from line Ministries with new buildings being built. To the old system of generating BM no's and K no's cannot be traced. The Ministry is aware.*
- Bullet 8:** *Yes, there are instances of non-payment of rent, but most staff members are paying rent. When it is discovered that rental payments are not being deducted we re-send the advices.*
- Bullet 9:** *We have been informed that we cannot be given the legal mandate to evict illegal occupants. We have to make use of the Government Attorney's whose office is mandated to deal with legal issues.*
- Bullet 10:** *The alienation scheme has been implemented in all the regions including Okavango Region since last year already.*

### **Conclusions:**

- The audit concluded that the rules and regulations are included in the lease agreements. However, the lease agreements are not enforced and lease agreements between government and occupants are not signed.
- No new procedures for allocation have been developed. However, the existing procedures for allocation are not adhered to. Maintenance of quarters is not being done regularly to avoid high costs on renovations.
- Housing committees exist in the regions and at Head Office and the procedures for nominations and appointment of the members are the same in all the regions.
- There is a lack of inspections, since there is no provision on the staff establishment for inspectors at the housing sub-division.
- Records of official quarters and functional buildings are not being updated. Record keeping is poor and in some cases it does not exist. There have been efforts made to update the fixed asset register, but not all the properties are recorded. This may lead to misuse and even loss of government property.
- There are no meetings between the Human Resource Practitioners of the Line Ministries and the Housing Sub-division and therefore there is a lack of co-ordination between the two parties resulting in poor administration of government quarters.
- Quarters in all the regions are not numbered to make them more identifiable, which may lead to loss of government properties since private people, civil servants and even local authorities claim that the properties belong to them.
- The Department of Works is aware of properties where the ownership is not confirmed, but they are not solving these ownership problems.
- Monthly tariffs were reviewed and new tariffs have been implemented, however the collection of rent is inefficient.
- The audit concludes that, the MoWT did not approach the Attorney-General in order to obtain legal power to evict illegal occupants.

- The alienation scheme has started in most of the regions as it was recommended.
- No change or very little change has taken place in the general administration and utilisation of government quarters, because 70% of the recommendations of the AG and PAC reports were not implemented.

The Ministry's comments on bullets 4 and 8 above are reflected below:

**“Bullet 4:** *The duty of inspections is part of the Job descriptions of the Housing Subdivision's staff members.*

**Bullet 8:** *In the past the “Permission to occupy” or “P.T.O.” as it is known was given to tenants or lessee's to take occupation of land and build structures, etc.. This P.T.O. permission was given to the tenants to make use of the land but the land still belonged to Government. The structures, if anywhere owned by the person holding the P.T.O., the P.T.O. also meant that if Government was to sell the land, the holder of the P.T.O. had the right to purchase first, but if the land was needed by Government that the tenant would have to relocate and be compensated.”*

### **Recommendations:**

- Lease agreements which include the rules and regulations should be signed before occupying a quarter. The rules and regulations as to how the quarter should be maintained should be explained to the occupants and enforced by the MoWT.
- It is once again recommended that a new allocation policy should be developed and that the existing procedures for allocation should be strictly enforced as a matter of urgency.
- Inspection of government quarters should be conducted regularly. Inspectors should be provided with identification cards and inspection reports should be compiled quarterly and submitted to the Head Office.
- Records of official quarters in the regions should be updated every month as was prescribed by the PAC report. The fixed asset register should also be maintained and all property should be recorded.
- Regular meetings should be held with Line Ministries in order to update the records and better utilise and manage the administration of government quarters.
- Quarters should be numbered in all regions to make them more identifiable.
- The Ministry of Works and Transport should make sure that all occupants are paying rent.
- The Department of Works should resolve the cases where ownership of properties has not been cleared between the government, local authorities and individuals as a matter of urgency.
- The Department of Works should once again approach the Office of the Attorney-General to obtain court orders and to be given possibly legal power to evict illegal occupants.
- The Department of Works should once again compare their housing records in the regions with those, which appear on the accounts received from local authorities for property taxes and basic service charges. In addition, the DOW should approach the Deed's Office to resolve the ownership problems.
- The Department of Works should ensure that all property belonging to government are registered in the name of Government.

According to the comments received from the Ministry regarding Bullets 4 and 10 the Ministry responded as follow:

**Bullet 4:** *The MWT has contracted the IDC consulting company to update and record all the property that is owned by Government. This exercise will only be completed in 2013 whereby Division: FAM will be able to report on all fixed property owned by Government.'*

**Bullet 10:** *We verify what we received from the Local Authorities if not clear we call them or go with them for verifications."*

# CHAPTER 1

## 1. INTRODUCTION

### 1.1 HISTORICAL BACKGROUND OF HOUSING

A performance audit main study on the Government Housing within the Ministry of Works and Transport (MoWT) was completed during November 2001 and tabled in Parliament during February 2002. The Auditor-General is mandated by Section 26 (1) (b) (iv) of the State Finance Act, (Act 31 of 1991) that reads as follows: The Auditor-General “may investigate whether any moneys in question have been expended in an efficient, effective and economic manner.”

The Parliamentary Standing Committee on Public Accounts (PAC) then undertook fieldwork during March 2006 to collect information and confirm the findings in the Auditor-General’s Report and drafted their own report which identified issues that needed to be followed up. Hence, the Office of the Auditor-General (OAG) conducted a follow-up to evaluate whether the required changes have been implemented as recommended in the “Utilization of Government Quarters” report. The issues that were dealt with include findings spreading forth from the initial report of the Office of the Auditor-General as well as issues identified by the PAC which were incorporated in their report. These findings and the evidence, conclusions and recommendations thereof, are presented in the subsequent chapters.

The housing sub-division which is located within the MoWT is responsible for providing official accommodation to civil servants and to control, manage and allocate official quarters in line with chapter H of the Public Service Regulations made under the Government Service Act of 1995 (Act 13 of 1995) chapter Dvii/1 of the Public Service Staff Code, also regulates the provision and allocation of official quarters. As such, the sub-division controls occupancy and manages the allocation of quarters on merit basis as per the recommendations of the Central Housing Committee, Regional and Sub-Regional Committees. It also ensures that rental charges, both nominal and economical, as determined by the MoWT are paid by the tenant timeously to the State so that income is generated from such fixed properties. The MoWT should also ensure that maintenance of such properties takes place, when necessary, in order to upkeep these valuable properties.

### 1.2 DESIGN OF THE FOLLOW-UP STUDY ON HOUSING

#### 1.2.1 TIME AND GEOGRAPHICAL LIMITS

The time-period under review was for three financial years from 2008/09, 2009/10 and 2010/11.

The team visited the following regions with the various towns depicted in brackets:

- a) Caprivi (Katima Mulilo);
- b) Kavango (Rundu);
- c) Oshana/Omusati (Ondangwa, Ongwediva, Oshakati and Ruacana);
- d) Otjozondjupa (Otjiwarongo, Okakarara and Grootfontein);
- e) Karas (Keetmanshoop, Bethanien and Tses);
- f) Hardap (Mariental, Berseba and Maltahöhe); and
- g) Khomas (Windhoek).

## **1.2.2 METHODS OF DATA COLLECTION**

The following methods were used for the collection of information:

### **1.2.2.1 Interviews**

In order for the audit team to ascertain whether there has been an improvement in the management and the utilisation of government quarters, a total of thirty two (32) interviews were conducted with selected stakeholders involved in this process. The interviewees are among others: (Attached please find a detailed list, Annexure H of the officials that were interviewed.)

- Housing Clerks(6);
- Housing Committee Members(2);
- Personnel Officers from Line Ministries(14);
- Occupants of the official/government quarters(6);
- Clerks: Alienation Scheme Division;
- Deputy Director: Maintenance;
- Deputy Director: Fixed Asset Management Division; and
- Senior Works Inspector.

### **1.2.2.2 Documents**

The following main documents were collected and reviewed:

- Records of government quarters;
- Housing files of the government quarters;
- Records of tenants living in government quarters;
- A list of the number of quarters together with the names of occupants for visited local authorities;
- Monthly tariffs of rent;
- A list of houses that were alienated through the alienation scheme;
- Asset registers; and
- Inspection reports.

### **1.2.2.3 Observations**

The audit team made 90 observations at the visited local authorities and other official buildings within the regions, to determine the legality of the occupants, condition of the quarters and to confirm the completeness of the asset registers. The observations were carried out at the following locations:

- a) Caprivi (KatimaMulilo);
- b) Kavango (Rundu);
- c) Oshana/Omusati (Ondangwa, Ongwediva, Oshakati and Ruacana);
- d) Otjozondjupa (Otjiwarongo, Okakarara and Grootfontein);
- e) Karas (Keetmanshoop, Bethanien and Tses);
- f) Hardap (Mariental, Berseba and Maltahöhe); and
- g) Khomas (Windhoek).

## CHAPTER 2

### 2. FINDINGS

This chapter of the report reflects the findings on the progress that was made in the utilisation and management of government quarters, based on the recommendations that were made in the report of the AG of November 2001 as well as the recommendations that were made in the report of the PAC of March 2006.

#### 2.1. Lease agreements

##### 2.1.1 According to the recommendations of the AG, the lease agreement to be signed by the occupants before occupying a quarter should include the rules and regulations of the quarters. Occupants who do not follow the rules and regulations should be evicted

The audit found that the lease agreements that should be signed by the occupants before occupying a quarter, includes the rules and regulations that stipulate the responsibilities of the lessee(occupant), outlining the responsibility of the occupant and that of the MoWT(lessor).

However, it was found that not all tenants have signed the lease agreements as required. Out of 781 files selected, 748(96%) did not have lease agreements. The few (4%) lease agreements that were found, were not signed. This has resulted in tenants not knowing what is expected from them and what they should and should not be doing when occupying government quarters. As a result, occupants did not know which repairs they were supposed to carry out themselves and which ones were to be carried out by the Maintenance Directorate of the MoWT.

The rent amount to be deducted from the salary is also stipulated in the lease agreements and the absence of this agreement lead to the non-payment of rent. Also refer to paragraph 2.9.1. on page 14.

The audit found that there are occupants who are currently contravening the rules of the occupation of the government quarters by conducting profitable trade in or on the premises of official accommodation. According to the rules, where an officer or member of his/her family contravenes such rule, the Department of Works may deprive such officer of this accommodation. The MoWT was supposed to implement the rules, however the audit further found that there are occupants that are not following the rules and regulations, but were not evicted. This can be seen in the figures 1 and 2 below.



**Figure 1(a):** A garage rented out in Windhoek



**Figure 1(b):** Inside the same garage



**Figure 2:** A garage turned into a tuck shop in Katima Mulilo

The audit found that there are some of the functional buildings in the regions that are being rented out to private individuals. These private individuals signed lease agreements for a stipulated period to rent government property. However, according to a report that was submitted to the Head Office from the Hardap Regional Office, there are a number of these properties being leased that either do not have a lease agreement or has a lease agreement that has expired. These properties are in Gibeon, Aranos, Kries and Rehoboth in the Hardap Region and attached to this report as *Annexure D*. There were also properties in Berseba in the Karas Region which the auditors have observed are in a dilapidated condition bad shape, because it was unoccupied since the lease agreements expired. There are more of these cases in other regions, but the auditors were not provided with this information. The auditors could not determine if the tenants continued to pay rent or whether the tenants stopped paying rent after the lease expired. The Department of Works takes long to renew the lease agreements as some expired more than a year ago. This could result in government losing revenue due to non-payment of rent.

*The Ministry commented that it acknowledges the problem of expired or non-existent lease agreements but much has been done in order to curb the problem. Recent and current ongoing inspections by the subdivision lease and letting contract administration is rectifying these issues. The mentioned properties in Annexure D have been inspected and lease agreements are being compiled for the current tenants.*

## **2.2 Maintenance policy**

### **2.2.1 The recommendation of the Auditor-General stated that maintenance policy should be explained to all occupants during allocation process**

According to interviews, there is no Maintenance Policy, but the document that is being referred to is the *Rules for the occupation of official accommodation* attached to this report as *Annexure B*. This document clearly outlines the inspection of official quarters and the responsibilities of the lessee/tenant. Furthermore, there is information on the responsibilities of both parties, in the lease agreements. In some cases the rules are also explained to the tenant. The absence of lease agreements is one of the reasons why tenants are misusing the government property.

### **2.2.2 The recommendation of the Auditor-General stated that maintenance of quarters should be done regularly to avoid high costs on renovations**

During the audit it was observed that the maintenance of the quarters is not being done on a regular basis and there is a need for renovation on some of the quarters. The interviews pointed out that the

maintenance budget is too small to renovate the houses during a particular financial year. According to interviews, on average only 5 out of 400 quarters can be renovated in a given financial year, representing roughly 1.25% of the total quarters. Therefore, the government quarters are in a bad state in most of the regions.

Many of the quarters are in dire need of repairs, whether they are assigned quarters or pool houses. Some of the quarters are no longer fit for human occupation. In most of the government quarters ceilings are falling, pipes are leaking, kitchen cupboards are broken, toilet pots and bath tubs are broken and leaking, doors are damaged and windows are broken. See Figure 3, 4, and 5 below. The auditors found that occupants reported damages to the maintenance directorate, but no response was received.



**Figure 3:** A broken bath tub inside a government quarter in Grootfontein



**Figure 5:** A broken/blocked toilet inside a government quarter in Grootfontein



**Figure 6:** A quarter in a poor state because of lack of maintenance and repairs in Ruacana

According to interviews, maintenance is only done on request, since the demand is too high. Many times maintenance is not done, even if it is requested, either because of a lack of funds or a lack of manpower. The audit team also noticed that the assigned quarters for the Ministries of *Education, Agriculture, Water and Forestry and Justice* are in a better state as they are renovated from time to time. These renovations are paid by the line Ministries as maintenance of assigned quarters are the responsibility of the line Ministries as was pointed out by the MoWT in a circular sent to all O/M/A's.

*According to the comments received from the Ministry, they would like to mention that houses that are or have been offered to tenants cannot be renovated or repaired as it will be sold voetstoets.*

### **2.3 Allocation of official/Government quarters**

**The AG recommended that, the housing sub-division should develop criteria, which will enable them to allocate official quarters on an equal basis and according to the laid-down procedures**

The audit found that there are allocation procedures which guide the Housing Sub-division to allocate official quarters on an equal basis. These rules are spelled out in a document entitled: ***Procedures for the allocation of official quarters*** and is attached to this report as ***Annexure A***. However, this document has not been dated and since it was also attached to the previous AG's report, this document is neither new. The audit team has found no evidence that new criteria have been developed to equitably allocate official quarters to civil servants.

*The Ministry's comments are that there has not been a need to change the allocation process. The only changes that has occurred, is that normal applications are no longer considered. Only staff members who are officially transferred by their line Ministry and has been staying in GRN houses and foreigners whose contract stipulate that housing be provided for them and this process is overseen by the Internal Housing Committee of the MoWT. Other special cases of assignments or medical reasons are also reviewed at the Committee meetings.*

*Housing Committees do exist, but not all have minutes and why committees do not meet regular to discuss applications. The Ministry will liaise with the Chief Regional Officer to hear why and copies of appointed HC members will be given to CRO.*

### **2.4 Housing committees**

**The AG recommended that procedures of nominating the housing committees in all the regions should be the same**

There are procedures for nominating housing committees as attached to this report as ***Annexure C*** which was in existence since the previous report from the AG in 2001. According to information collected through interviews and documents, it is being applied throughout all the regions. This document clearly outlines who should serve on the committee and when the committee should meet. An acknowledgement is also sent to nominated persons in the form of a written letter from the PS of MoWT, to confirm that such an appointment has been made. However, according to interviews, housing committees either do not exist or when it does exist, meetings are not held often as indicated by the lack of minutes. For the housing committees in the various ministries, it is only the one for Ministry of Education and the Ministry of Agriculture that works and it only meets when the need arises, meaning when there are applications and when allocations have to be made. The audit team further gathered from interviews and documents analysed that the need for the housing committees has diminished in the last couple of years since there are no more government quarters available for allocation. In addition, the alienation scheme has also focused on the selling of the government quarters according to Cabinet instruction.

## **2.5 Inspection of Government Quarters**

**The AG and the PAC recommended that inspectors should have a special inspection card and should do inspections on a regular basis and produce quarterly reports**

The audit found that there are no inspectors that are carrying out the work of inspecting government quarters. According to interviews, routine inspections were supposed to be conducted, but currently inspections are only done when occupants complain about the state of the government quarter or when it is brought to the attention of the Housing Division that there are either illegal activities being run in a quarter or that there are illegal occupants in a government quarter. Inspections are also only carried out when a government quarter is being vacated and a new tenant moves in. Normally an evacuation form is being completed and whoever does the inspection should indicate whether the quarter is in a good condition and then sign this form as proof.

However, the audit also found that no regular inspections are done as recommended and no quarterly reports are produced. According to the audit, there is no position on the structure of the Fixed Asset Management Division either at Head Office or in the regions, which are earmarked for an inspector. The officials that are used to carry out inspections are normally the housing clerks. Inspections are normally only carried out in cases when a tenant vacated a quarter and a new tenant is allocated with the quarter. These inspections by the housing clerks are normally conducted with the help of the civil works inspector from the Maintenance Division. However, the team has also found that this is not consistently done. These officials do not have special cards to identify themselves during inspections as was recommended by the PAC and the Auditor-General.

## **2.6 Records of official quarters and the fixed asset register**

**2.6.1 The recommendation of the AG and the PAC, is that the records of official/government quarters should be updated every month. Furthermore, a comprehensive asset register should be compiled**

The records of official quarters are not being updated regularly. This has been confirmed through interviews and also documents that were analysed.

In 2008 there was a special undertaking in all the regions when the Head Office gave instructions that all the Government functional buildings in all the regions should be recorded. In the regions that the audit team visited, there is evidence of some fixed asset registers that were updated. The audit team verified the registers that were found in the various regions. The content of the fixed asset registers differ from region to region in terms of the content and detail of the properties. The audit team also found that there were still properties not listed on the various registers. According to interviews that were conducted, the housing clerks were not given training on how to compile the asset register and this might be one of the reasons why there are differences between the asset registers that were compiled.

In relation to the updating of the records of the government quarters, it was found that these records are also not updated since the evidence indicated that the names of occupants on the lists provided by the Head Office do not correspond to the lists provided by the Regional Offices or to the name of the current occupant. According to documents analyzed, the audit found that two hundred and eighty four (284) out of seven hundred and sixty three (763), meaning 37% of names of occupants in the files are registered as current occupants which do not correspond with the names of occupants on the lists provided by Head Office. According to observations conducted, some of the quarters that were physically verified, did not appear on any of the computerized registers, meaning that they were not recorded.

The audit also found that some of the houses that have been sold through the alienation scheme are still appearing on the list of the government quarters provided by the Head Office but not indicating that the quarters was sold. According to interviews, records are not regularly updated, because the information from the line ministries and from the various regional offices is not always sent to Head Office. Even if the information is sent to Head Office, it is not always updated. Regional offices have updated records, but not for the government quarters outside the major towns in the regions. Poor record-keeping at the housing sub-division might lead to tenants not paying rent and revenue will not be collected.

The housing section has a BM file for each government quarter in all towns. The record of previous and current occupants such as application forms, allocation forms, lease agreements, inspection reports, evacuation letters and deduction advices or pay slips are being kept in their respective files. However, the audit found that some of the regional offices have BM files while others do not have. The audit also found that some quarters have a BM file, but do not have all the records on the file. Files contain old records or have no records.

A total of 127 out of 781 files (16%) from all regions visited were observed not to have information of current occupants. This has resulted in auditors not knowing who the current tenants of the quarters are and they could also not determine if the tenants are paying rent or not. The lack of recording of properties has resulted in some being in the hands of the private individuals. According to a letter that was sent to the Head Office from the Regional Office in Mariental, dated 16 November 2009, a list of all the government property in the region was drawn-up, especially in Gibeon for these properties to be registered. However, when the audit team visited the Village of Gibeon in March 2011, these properties were still not registered. The response from MoWT is that they are waiting for the Village Council and the Ministry of Regional and Local Government and Housing and Rural Development to arrange for the transfer and registration of properties.

*The Ministry commented that Housing clerks are not responsible to compile the Asset Register but should however maintain them in their regions.*

*The Housing subdivision was requested not to remove sold houses from the list of properties but to just indicate that the properties are sold.*

*Housing Committees do exist, but not all have minutes and why committees do not meet regular to discuss applications. The Ministry will liaise with the Chief Regional Officer to hear why and copies of appointed HC members will be given to CRO.*

## **2.6.2 The AG recommended that the Department of Works should compare their housing records with those, which appears on the accounts received from local authorities for property taxes and basic services charges**

According to documentary analyses and observations, DOW is not comparing the housing records with those that appear on the accounts received from local authorities for property taxes and basic service charges. Currently the Department of Works is paying for rates and taxes on properties that are being claimed to be or that are in the hands of private individuals. The audit also found that DOW has been paying rates and taxes on properties (houses) that were occupied by private individuals before and after independence of which the ownership could not be verified.

Due to a lack of proper records and documents, the auditors found that there are disputes of ownership of properties between the government and various local authorities. According to observations that were made by the auditors and invoices that were analysed, there are cases where the local authorities claim that they own the land and that the building or the structure belongs to government and vice versa. A list of these properties of which the ownership are not confirmed is attached to this report as Annexure E.

According to the fax that was sent to the auditors from the regional representative of the DOW in the Oshana Region dated, 05 December 2011, there are some government properties that are assigned to the Ministry of Safety and Security in Ondangwa which are occupied by two private individuals. According to interviews conducted, the regional office does not know how this happened that private individuals are occupying the property, but the government is paying rates and taxes on these properties.

Figure 6 below, shows the block of flats in the white box, between two blocks of flats belonging to the government, which is being occupied by a local businessman in Ondangwa.



**Figure 6:** A block of flats which is claimed to be owned by a private individual in Ondangwa



**Figure 8:** A private bar built on the government premise (police flat) in Ondangwa

In Figure 7, a private bar, in the black box, is built on government premises in Ondangwa that also belongs to the Ministry of Safety and Security. According to the regional representative, the structure belongs to government and the private individual bought the property from the Ondangwa Town Council and then made additions to it. The regional representative also informed the auditors that after informing the private individual that it is government property, the said individual wanted to be reimbursed for the additions that he made to the initial structure.

The audit also found that there are a number of properties (houses and functional buildings) that appear on the asset register to be government properties, but are currently occupied by private persons and claiming to have owned those properties. These properties were mostly found in Ondangwa, Oshakati, Ruacana and Gibeon. Attached to this document as *Annexure E*, is a list of the property that the auditors found of which the ownership are not confirmed.

**2.6.3 The PAC recommended that the Ministry should consider a comprehensive survey and the renewal of the contract of the consultants should be considered, because they have already done the groundwork and can only continue where they left**

The auditors found that the comprehensive survey was not completed, and the consultants' (IDC) have been re-appointed. (See Annexure F)

**2.6.4 Fourthly, the recommendation, states that the Ministry should make the above mentioned decisions regarding the survey/census based on the fact that the value of the properties under discussion runs into billions of dollars and spending some money on the correction of the current situation might be in the interest of the State**

The audit found that an initiative has been taken and that the loss of money and property should be lessened, but as been mentioned before, this is only the beginning of the process of properly managing the government quarters. The rules in terms of payment still need to be enforced for government not to lose money.

**2.6.5 The last part of the recommendation states that the Accounting Officer urgently updates and compiles a reliable fixed asset register. The committee will monitor progress made after June 2006**

As has been mentioned earlier, steps have been taken to update and compile a fixed asset register. There has been progress made in this regard. The Housing Officials in the various regions have been instructed to update the list of the government properties in the region and this was carried out and sent to the Head Office. The Head Office used this information to update their asset register. However, the audit team could not find any evidence that this progress has been monitored by the PAC.

**2.7 Meetings with Line Ministries**

**According to the recommendation of the AG, the housing sub-division should meet regularly with personnel officers of Ministries/Agencies/Offices(O/M/A's). The aim of these meetings should enable both parties to update their records**

According to interviews, there are no meetings held with Personnel Offices of O/M/A's. Since they are the ones that are responsible for their staff, the recommendation was made to enhance the cooperation between the occupants from Line Ministries and that of the Ministry of Works. If this is done, their records would be regularly updated, quarters will be properly used and government will receive the money that is owed through rent. The Department of Works through interviews have indicated that the Line Ministries do not co-operate by providing updated records of the tenants that are occupying the government quarters from their Ministries to the MoWT, Housing Sub-Division. The only proof that was provided by DOW to this effect, were two circulars that were sent to all O/M/A's during February and May of 2008 informing them of regularly giving feedback to DOW of the occupants of the government quarters and their status and the importance of informing the occupants of such quarters not to do any illegal activities in those quarters and therefore no minutes of meetings.

*The Ministry commented that meetings are not held regularly but contact persons have been identified from Line Ministries. The Ministry can provide the circulars dated 2010/2011 as to how Line Ministries are not adhering to requests by this Ministry.*

## **2.8 Numbering of quarters and BM Numbers**

### **According to the recommendation by the AG, quarters should be numbered in all regions to make them more identifiable**

According to observations that were carried out during the audit in different towns that were visited, it was found that not all the quarters are numbered and they are not easily identifiable. From a total of 90 quarters that were observed in all regions, 55(61%) of the quarters did not have BM numbers.

*The Ministry commented that the Ministry in conjunction with Silnam consultants are trying to introduce a system that will again generate new BM No's for new buildings being built.*

## **2.9 Monthly tariffs for rent and deduction of rent**

### **2.9.1 According to the recommendation by the AG, the monthly tariffs of rent should be reviewed**

According to documentary reviews, the audit found that the monthly tariffs have been reviewed and the new tariffs have been implemented as from 01 July 2007. The monthly tariffs of rent were adjusted to the following:

- from 2% of the monthly salary for one room/bachelor flat to 4%;
- from 4% of the monthly salary of an occupant two and three room house/flat to 6%; and
- from 6% of monthly salary for four and more room house/flat to 8%.

However, the audit found that, there are occupants that are not paying rent. At the time of the audit, auditors found latest payslips in the files that do not reflect any rent being deducted. A total of 621 files out of 781 were audited in all visited regions and the auditors did not have proof of payments made for renting a government quarter. The non-payment of rent can also be caused by poor record keeping of government quarters. There is also no evidence found in the files that letters of demand were sent to occupants.

*The Ministry commented that currently there is a request that has been drafted to Treasury for the Permanent Secretary of MoWT's signature to increase the tariffs for rental.*

*It is difficult for his Ministry to get the payroll of all the tenants of official accommodation. There was a system that provided a printout of all staff members paying rent, to reconcile payments but that system was replaced and the new system could not do that function.*

*Silnam consultant are currently in the process of trying to develop a program that would be able to reconcile rental deductions form every staff member.*

### **2.9.2 The recommendation of the PAC, states that the Ministry of Works and Transport and the Ministry of Finance should develop mechanisms to reconcile the occupancy status of quarters and the payment of rent thereof**

According to information that was obtained through interviews, no reconciliation of occupancy status and rent payment has been done. The audit team also did not find any evidence either through letters written by MoWT to the Ministry of Finance or any correspondence that this recommendation was effected. That is also why the problem of occupants occupying quarters for years, without paying rent or only started paying rent recently, still exists.

The MoWT informed the auditors that a system to reconcile occupancy status has been acquired from Silnam and it is still in the process of finalization. However, no proof was provided to this effect.

MoWT also informed the auditors that updating of this information will still involve the Finance and Human Resources Divisions of O/M/A's and therefore it is not the sole responsibility of MoWT.

## **2.10 Legal power and the eviction of illegal tenants**

**According to the recommendation of the AG, the Department of Works should approach the Ministry of Justice and the Attorney-General to obtain court orders and the legal power to evict illegal occupants**

According to the audit, there is no evidence that indicates that the DOW has approached the Ministry of Justice and Office of the Attorney-General for them to be given legal power to evict illegal occupants. According to documental review and observations, the auditors found that illegal occupants exist within government quarters. Furthermore, the interviews conducted and documents reviewed indicate that illegal occupants still occupy government premises, even after letters have been written by the DOW to such illegal occupants.

## **2.11 The alienation scheme**

**The recommendation from the report of the Standing Committee on Public Accounts stipulated that the Ministry should continue with the alienation program as directed by Cabinet**

The auditors found that the program for the alienation scheme is going on as per Cabinet directive. The DOW is facing difficulties in selling some of the quarters since there are unresolved matters whereby the DOW and the various local authorities as to who the rightful owners are.

The alienation scheme was implemented in all the regions, except for the Kavango Region, where no government quarters in Rundu has been sold. According to interviews conducted, the delay in the quarters identified for alienation, was caused by the measurements of the size of quarters that are not corresponding with the measurements of the Town Council. At the time of the audit, no solution has been found to this problem.

Schedule 5 of the Constitution of the Republic of Namibia is very clear on the ownership of its properties which formerly vested in the Government of the Territory of South West Africa, or in any Representative Authorities Proclamation, 1980 (Proclamation AG 8 of 1980) or in the Government of Rehoboth, or in any other body, statutory or otherwise. The said Councils were engaged in meetings and discussions where the Ministry explained Government's position on the unresolved ownership of the disputed properties. This explanation is an ongoing issue/matter. (See Annexure G showing details of offers made to tenants, deeds of sales concluded and Government houses sold.)

## **2.12 FOLLOW-UP AUDIT AND THE CONSIDERATION AND IMPLEMENTATION OF RECOMMENDATIONS FROM THE INITIAL AUDIT REPORT DONE BY THE OFFICE OF THE AUDITOR-GENERAL**

**2.12.1 The recommendation further stated that the Accounting Officer/Permanent Secretaries seriously consider reports of the Auditor-General once it has been finalised and give feedback to the Auditor-General and the PAC within a period of six months on how the recommendations of the Auditor-General have been effected.**

No evidence could be found that feedback regarding the implementation of recommendations by the Accounting Officer was given to the Auditor-general and the PAC. The Auditor-General has carried out the follow-up audit and the findings of the follow-up audit is been covered in this report.

**2.12.2 Another recommendation was that the Ministry urgently introduces new strategies to improve on the current administration, management and maintenance of fixed assets (immovable properties) of government including all vital information needed with regards to general acceptable standards of fixed asset management. The Ministry should within the next three months submit a strategic plan to the committee how it intends to solve this weakness in the ministry.**

The Ministry has introduced the Alienation scheme. No evidence with regards to the implementation of new strategies were found and no evidence for submitting the strategic plan to the PAC was found.

**2.12.3 Furthermore, another recommendation was that the Accounting Officer should give regular feedback to the committee on progress made with regard to the improvements made on the management of fixed assets (immovable properties) of the government.**

No evidence in this regard was found.

**2.12.4 It was recommended that the Accounting Officer implement recommendations of the Auditor-General after consultation and to report to the committee how the recommendations of the Auditor-General have been implemented.**

Based on the findings contained in this report, the audit concludes that only 30% of the recommendations were implemented.

## CHAPTER 3

### CONCLUSIONS

#### General conclusion

Based on the findings, the audit concludes that only 30% of the recommendations from the first report in 2001 and the PAC report in 2006 has been implemented. This is the reason why many of the challenges still exist.

The fact that there is poor administration of government quarters result in government losing resources in terms of the misuse and dilapidation of government quarters.

In general, the audit team has found that there are many challenges hampering the proper utilisation and management of the government quarters by the housing sub-division. Many of the findings to this extent are highlighted in this report. In that respect, there are no new initiatives that have been introduced strategically and holistically by the Ministry of Works, meaning that they are still facing more or less the same challenges as before the two reports were completed.

#### Specific conclusions

1. The audit concluded that the rules and regulations are included in the lease agreements. However, the lease agreements are not enforced and lease agreements between government and occupants are not signed.
2. No new procedures for allocation have been developed. However, the existing procedures for allocation are not adhered to. Maintenance of quarters is not being done regularly to avoid high costs on renovations.
3. Housing committees exist in the regions and at Head Office and the procedures for nominations and appointment of the members are the same in all the regions.
4. There is a lack of inspections, since there is no provision on the staff establishment for inspectors at the housing sub-division.
5. Records of official quarters and functional buildings are not being updated. Record keeping is poor and in some cases it does not exist. There have been efforts made to update the fixed asset register, but not all the properties are recorded. This may lead to misuse and even loss of government property.
6. There are no meetings between the Human Resource Practitioners of the Line Ministries and the Housing Sub-division and therefore there is a lack of co-ordination between the two parties resulting in poor administration of government quarters.
7. Quarters in all the regions are not numbered to make them more identifiable, which may lead to loss of government properties since private people, civil servants and even local authorities claim that the properties belong to them.
8. The Department of Works is aware of properties where ownership are not confirmed, but they are not solving these matters.
9. Monthly tariffs were reviewed and new tariffs have been implemented, however the collection of rent is inefficient.

- 10.** The audit concludes that, the MoWT did not approach the Attorney-General in order to obtain legal power to evict illegal occupants.
- 11.** The alienation scheme has started in most of the regions as it was recommended.
- 12.** No change or very little change has taken place in the general administration and utilisation of government quarters, because 70% of the recommendations of the AG and PAC reports were not implemented.

## CHAPTER 4

### RECOMMENDATIONS

#### General recommendations

The Ministry of Works and Transport should implement all recommendations made in the Auditor-General's report (2001) and the PAC report (2006).

#### Specific recommendations

1. Lease agreements which include the rules and regulations should be signed before occupying a quarter. The rules and regulations as to how the quarter should be maintained should be explained to the occupants and enforced by the MoWT.
2. It is once again recommended that a new allocation policy should be developed and that the existing procedures for allocation should be strictly enforced as a matter of urgency.
3. Inspection of government quarters should be conducted regularly. Inspectors should be provided with identification cards and inspection reports should be compiled quarterly and submitted to the Head Office.
4. Records of official quarters should be updated every month as was prescribed by the PAC report. The fixed asset register should also be maintained and all property should be recorded.
5. Regular meetings should be held with Line Ministries in order to update the records and better utilise and manage the administration of government quarters.
6. Quarters should be numbered in all regions to make them more identifiable.
7. The Ministry of Works and Transport should make sure that all occupants are paying rent.
8. The Department of Works should resolve the matters regarding the ownership of properties between the government, local authorities and individuals as a matter of urgency.
9. The Department of Works should once again approach the Office of the Attorney-General to obtain court orders and to be given legal power to evict illegal occupants.
10. The Department of Works should once again compare their housing records with those, which appear on the accounts received from local authorities for property taxes and basic service charges. In addition, the DOW should approach the Deed's Office to resolve the unresolved matters ownership.
11. The Department of Works should ensure that all property belonging to government are registered in the name of government.

## 1.

**1. PROCEDURES FOR THE ALLOCATION OF OFFICIAL QUARTERS****1.1 FOREWORD**

- (i) It should be noted that each Housing Committee Member that official accommodation is not a condition of service to any civil servant staff member, but a privilege that is granted whenever available and whenever possible. Thus application for official accommodation does not guarantee an automatic allocation of an official quarter. Each case is dealt with separately and on the basis of its merits accommodation might be granted or not.

**1.2 STAFF MEMBER**

- (i) Means any person employed by the Government of the Republic of Namibia under the Public Service Act, the Judges Act, Namibian Police Act, Namibia Defence Force Act as well as Political Office Bearers.

**1.3 DEFINITION**

- (i) Single male/female without dependants qualify for single quarters – one room which can be used as bedroom and lounge with a kitchen, toilet and bathroom or shower.
- (ii) Single and married male/female with dependants qualify for family quarters – two or more bedrooms with separate lounge, kitchen, toilet and bathroom.

**1.4 ALLOCATION OF OFFICIAL QUARTERS****(a) Single male/female staff members with dependants :**

- (i) Normally the divorced wife, is the one granted custody of the children, thus entitled to have official quarters transferred into her name.
- (ii) The applicant should obtain a court order from the Children's Court that the children are placed under his/her care to qualify for family quarters.
- (iii) The Housing Office must ensure that birth certificates or dependants are attached when applications are submitted.

**(b) Staff members who participated in the Public Service Housing Scheme :**

- (i) If a staff member participated in the Public Housing Scheme, he/she will not qualify for official accommodation as stated in PSM Circular No. 24 of 96 dated 23 July 1996 from the Office of the Prime Minister.

2.

- (ii) Where a staff member has participated in the Public Service Housing Scheme and is officially transferred by his/her Office/Ministry/Agency to another town and his/her family remains in the owned house he/she only qualifies for single quarters at the new duty station.
- (iii) Where a staff member is officially transferred to another town by his/her Office/Ministry/Agency without applying for a post (promotional) his/her application is preference. Where a staff member applies for a post and he/she is transferred he/she qualifies to be placed on the normal waiting list for official quarters.
- (iv) If a staff member is transferred back to his/her duty station where he/she has bought her/his house under the Public Service Housing Scheme he/she does not qualify for official quarters. He/she can re-apply for a second loan.
- (v) If a staff member is stationed in one town he/she buys a house under the Public Service Housing Scheme in another town where his/her family is staying he/she does not qualify for official accommodation at his/her duty station.

1.5 Allocation of official quarters on the preferential basis :

- (a) Foreign Consultants/Advisor of whom an Agreement is concluded between the Government of Namibia and his/her Government :
  - (i) If such consultant is appointed, the Ministry employing him/her, should consult the Department of Works by providing the Housing Committee with an application form, a letter of motivation and a copy of the Agreement.
  - (ii) The user Ministry should also assist the consultant with accommodation if the Department of Works is not able to provide suitable accommodation to the consultant.
  - (iii) Application for official accommodation for foreign consultants/advisors receive preferential treatment by the Housing Committee if stated in the contracts/agreement that official accommodation must be provided.
- (b) Foreign employees under the terms and conditions of the Public Service Act, 1995 (Agreement between foreigner with the Government of Namibia) :
  - (i) Applications from Foreign employees have to be handled like any other applicants i.e. consideration must be done on merit.

### 3.

(c) Official transfer from one town to another and exchange transfers :

- (i) Transfers which occur on Government expense and time are handled on a preferential basis by the Housing Committee. Information such as a letter of transfer approved by the Permanent Secretary of the user Ministry has to accompany the application for official accommodation. The transfer letter must clearly state if the applicant applied for an advertised post or if the Ministry transferred the staff member.

(d) An exchange transfer by the Ministry from one town to another :

- (i) The staff member involved must provide both Housing Offices with the required family and accommodation size.
- (ii) All transfers that occur cannot be treated on a preferential basis.

1.6 Retainment of official quarters while on study leave :

(a) Unpaid study leave :

- (i) A staff member may retain his/her official quarters while he/she is on unpaid study leave exceeding thirty (30) days but more than six (6) months, provided that arrangements for paying the rent is made with the Housing Office. The staff member remains liable for his/her obligation with regard to the official quarters.
- (ii) If the spouse is also a staff member, the official quarters can be transferred into the name of the spouse.
- (iii) The staff member, in the case of single official quarters, must obtain permission from the Housing Office for someone to look after the official quarters in his/her absence.
- (iv) If the study leave is longer than six (6) months the occupants must vacate and re-apply upon completion of his/her studies.

(b) Paid Study Leave :

- (i) The official quarters may only be retained for six (6) months whereafter the occupant must vacate and re-apply upon completion of his/her studies, except where the spouse remains in occupation of the official quarters.

(c) Bursary holders :

- (i) Bursary holders do not qualify for official quarters on a preferential basis as the terms and conditions of the Bursaries do not oblige the Government to provide official quarters upon completion of their studies.

## **RULES FOR THE OCCUPATION OF OFFICIAL ACCOMMODATION**

1. The occupation of official accommodation is a privilege and not a right. It is also not part of the remuneration package. The Housing Committee grants official accommodation where and whenever state-owned accommodation becomes available.

### **RENTAL**

2. Official accommodation is provided at approved rental as determined from time to time by the Public Service Commission. The tenant shall ensure that rent is being deducted from his/her monthly earnings, 4% of monthly salary for family quarters and 2% of the monthly salary for single quarters.

### **SANITATION WATER AND THE SUPPLY OF ELECTRICITY**

3. The Department of Works bears all the costs of sanitation, but does not pay for the removal of refuse. The tenant is responsible for the payment of water and electricity connections, consumption and refuse removal.

### **SUBLETTING, TRANSFER OF LEASE ECT.**

4. An occupant of official accommodation is not allowed to:
  - 4.1 Sublet wholly or partly transfer to another person his/her privilege without the previously obtained approval of the Head: Department of Works.
  - 4.2 Accommodate lodgers in an official dwelling either permanently or temporarily. Only unmarried own children still dependant on the occupant and other dependants of whom the Head: Department of Works bears knowledge may be accommodated.
  - 4.3 Conduct a profitable trade in or on the premises of official accommodation without prior approval from the Minister of Works, Transport and Communication. This rule is also applicable to the care of children against remuneration (if such children are not members of the occupier's household),hair dressing, etc. Where an officer or any rmember of his/her family contravenes such rule, the Head': Department of Works may deprive such officer/employee/teacher of this accommodation.

### **5. VACATION OF ACCOMMODATION**

- 5.1 The lease of official housing can be cancelled on the grounds of the occupier's:
  - 5.1.1 transfer to another station;
  - 5.1.2 resignation;
  - 5.1.3 retirement;
  - 5.1.4 discharge;
  - 5.1.5 eviction;
  - 5.1.6 relinquishment of dwelling;
  - 5.1.7 departmental order; or
  - 5.1.8 death of the officer/employee/teacher
  - 5.1.9 study leave exceeding six (6) months.

- 5.2 The tenant has to give written notice to the Housing' Committee of the date of vacation as soon as possible. .
- 5.3 On the *death* 'of tenant his/her widow/widower and other dependants shall be entitled to occupy the official accommodation free of charge up to the end of the calendar month following on that in which he/she died. They will do so subject to these rules. They must vacate the quarters after the grace period of one (1) month elapsed.

**6. CLEARANCE CERTIFICATE: VACATION OF OFFICIAL ACCOMMODATION**

When returning the keys, the vacating tenant must bring a long a completed Clearance Certificate signed and stamped by their Personnel Office as well as by a Municipal Official. The Certificate must be accompanied by proof of payment of the municipal account which must have been paid a day before the date of vacation or on the date of vacation.

Proof of payment of the municipal account done two or more days before vacation will not be accepted.

Proof of rental payments as well rent in arrears must accompany the certificate.

**7. CHANGE OF MARITAL STATUS OR SIZE OF FAMILY**

- 7.1 When any change in the tenant's marital status or family size occurs, he/she must notify the Secretary of the Housing Committee in writing
- 7.2 Official accommodation is as far as possible provided according to an officer's/employee's/teacher's family size. If the circumstances or family size of the official/employee/teacher change to such an extent that the Head : Department of Works seems review of his/her case desirable, the .. Head: Department of Works reserves the right to review the suitability of the officer's/employee's/teacher's existing' accommodation and . make available such other accommodation as he may deem suitable under the circumstances.

**INSPECTION OF OFFICIAL HOUSING**

- 8. Before a tenant vacates the dwelling, a Representative of the Works Department will inspect the accommodation and premises to establish and assess possible damage for which the tenant may be liable. See rule 9.2.
- 9.
- 9.1 Apart from fair wear and tear, the tenant shall keep the accommodation in good order. Where the tenant or his/her family damages the property through recklessness or negligence, he/she shall arrange for the necessary repairs or replacement at his/her expense and to the satisfaction of the Works Department. The Department may do the necessary repair work against payment.
- 9.2 On occupation of official housing, the incoming tenant must satisfy himself/herself that everything is in order. If there is' anything out of order he/she must notify the office concerned at the Department of Works immediately in writing. If there is no representative of the Department, the Chairman of the Housing Committee must be notified.
- 9.3 The tenant shall be responsible for any damage on the quarter including the following :
- 9.3.1 The replacement of panes in doors and windows that were broken by him/her or his/her family.

- 9.3.2 The safe custody of all keys received by him/her.
- 9.3.3 The cleaning of chimneys.
- 9.3.4 The replacement of broken electric light shades.
- 9.3.5 Any damage to electric wiring of the housing caused by private electrical appliances.
- 9.4 The tenant will be held responsible for any damages as per State Finance Act, Section 11.
- 9.5 The Department of Works will attend to emergency repairs relating to burst water pipes and electrical faults.
- 9.6 **MUNICIPAL SERVICES**

The tenant is responsible for the settlement of municipal services such as water, electricity and refuse accounts. Such accounts are settled at the local authority or at offices of any such supplier of those services. -.

## 10. **URGENT REPAIRS**

- 10.1 Urgent repairs to leaking roofs, blocked sewerage pipes, short circuits, or other electrical defects, excluding private appliances, can immediately be applied for telephonically to the local representative of the Department of Works.
- 10.2 Less urgent work must be applied for in writing to the relevant office of the Department of Works for consideration.

## 11. **ALTERATIONS TO OFFICIAL ACCOMMODATION**

- 11.1 No alterations may be made to any official accommodation without prior written approval from the Head: Department of Works.
- 11.2 Any permanent additions or fixtures to official accommodation by the occupiers thereof, remain the property of the State. No compensation shall be payable therefore, and such addition or fixtures may not be removed when the occupant vacates.

## **CARE OF GROUNDS AROUND HOUSES**

- 12.1 The tenant shall maintain trees, fences and shrubs on the premises, and prune all branches that may damage the dwelling or overhead cables.
- 12.2 No living trees 'or shrubs may be removed without the written permission of the Head: Department of Works, tenant of new houses are expected to plant trees and shrubs. In Mariental nothing may be planted within four meters of the foundation of buildings. It is prohibited to secure climbing plants against walls. If any plant or tree, in the opinion of the Department, constitutes a threat to structures on any premises, the occupier will be required to remove it.
- 12.3 Drainage furrows shall be kept clear and the tenant shall remove leaves and other garden refuse. The yard shall be kept tidy. Should it come to the attention of the Department that tenants are not complying with this rule, the Department of Works will do the work and the tenant will then be held liable for the expense entailed.

### 13. **SPECIAL CONDITIONS FOR FLATS AND SINGLE QUARTERS**

- 13.1 No dogs, cats or other pets may be kept.
- 13.2 Laundry shall be washed only in the communal laundry or in the flat itself. It must be hung out to dry only on the communal laundry lines. Laundry may not be dried on the balconies of flats.
- 13.3 No radio aerials or TV antennas may be erected outside the building.
- 13.4 Sweepings from the flats must be thrown in the communal rubbish bins. No rubbish shall be thrown through the windows or over the balconies.
- 13.5 Refuse from flats must be placed in communal refuse bins and may not be left outside flats on passages or stairs.
- 13.6 No rubbish, tea leaves or coffee grounds shall be put into sinks.
- 13.7 No obstruction may be caused on passages or stairs.
- 13.8 New occupants of flats must report to the caretaker within 48 hours of occupation. Caretakers are also to be notified when flats are to be vacated.

### 14. **GENERAL**

- 14.1 No tenant shall erect any lean-to, garage or other buildings on state property without the previously obtained written permission of the Head : Department' of Works.
- 14.2 If any tenant wishes to install a water heater, fixed air-conditioner, gas appliance, netting or other fixture he/she shall first obtain written permission thereto from the Head: Department of Works. If such object is subsequently removed, the Lessee shall repair any damage caused by it.
- 14.3 No pot plants may be placed on verandah/passage/walls/banisters, window sills or balcony walls (in flats). The use of polish on window sills is strictly forbidden.
- 14.4 Tenants must not in any way disturb their neighbours by rowdy behaviour, by the keeping of dogs or other animals that make a noise or by any other nuisances. Radios, hi-fi apparatus, TV sets and other electrical appliances, especially in flats, may only be used with consideration to the convenience of neighbours.
- 14.5 The Head: Department of Works or any officer/employee/teacher may, at his/her discretion, bring any contravention of these rules to the attention of the Secretary of the Housing Committee. The Committee may instruct the tenant concerned to give an acceptable explanation within a prescribed period. Where the contravention is proved, the Housing Committee may take steps against the tenant, cancel his/her lease without further notice and fix a time and date on which such tenant shall vacate the state property. An aggrieved tenant may appeal against the decisions of the Housing Committee to the Head : Department of Works, whose decision shall be final.
- 14.6 The Department of Works does not protect a tenant against any damage caused by fire or any other damage that he/she may suffer during occupation of the official accommodation. All official correspondence must be addressed to the Permanent Secretary.

## **HOUSING COMMITTEES**

### **TERMS OF REFERENCE**

#### **OBJECTIVE**

1. The objective of a Housing Committee is to assist the Department of Works to evaluate categorize and consider applications for housing in the towns and regions over which the particular Housing Committee has jurisdiction. '

#### **APPOINTMENT OF MEMBERS**

2. The appointment as a member of the Committee takes place through a letter addressed via the Permanent Secretary of the Ministry of Works, Transport and Communication to the appointee. It can also be done through nomination by the heads of Government Departments in the regions to our Works Regional Representative who is the Chairperson of the Housing Committee. The nominated names will be send to the Ministry of Works, Transport and Communication Head Quarter for the Permanent Secretary's approval.

#### **SEKUNDI**

3. The Committee functions with sekundi for appointment members. Sekundi are to be nominated from the Ministry which has a representative on the Committee.

### **TERMS OF REFERENCE**

- 4.1 A member serves on the Committee for two (2) years, which can be renewable if necessary.
- 4.2 In the case of resignation, retirement, death, disability, discharged from service, transferred or promoted etc., a new member should be appointed by the Permanent Secretary to complete the term of office thereafter.
5. The service of the members of the Committee should be terminated if he/she is absent from the meeting for three (3) consecutive time without apology.

#### **VACANCIES**

6. Vacancies are filled in accordance with procedures laid down in paragraph 3. The sekundus becomes the member where a vacancy should occur and new sekundi are appointed as laid down in paragraph 4.

#### **REMUNERATION**

7. Members serve in their official capacity of the Committee and receive no remuneration. Time spent on Committee duty is considered as official duty.

#### **QUORUM**

8. At least half of the members present form a quorum at meetings. If the meeting fails to form a quorum the chairperson at his/her discretion will co-opt from available official, any official(s) and such co-opted member(s) is regarded for the purpose of the meeting in question as a full member(s).

## **VOTING**

9. The Chairperson shall at all times try to achieve consensus, and avoid matters being taken to a vote.
10. Each member who attends a meeting (including a co-opted member(s), in accordance with paragraph 9) has only one vote which he must cast in person.
11. In the event of cast for and against being equal, the chairman has a casting vote.

## **MEETINGS: PLACE, DATE AND TIME**

12. Meetings take place at a venue as agreed upon by the Committee.
13. The Committee will meet as required by demand and circumstances, on a date and time agreed upon in the preceding meeting or arranged by telephone by the Chairperson with members, but at least once per month.

## **ABSENCE OF CHAIRPERSON**

14. When the Chairperson-
  - (a) with advance notice is unable to attend a meeting for the duration of an entire session, a member of the Committee will be chosen by the Committee as an Acting Chairperson.
  - (b) is absent during a short interruption in the meeting, the most senior member after the Chairperson acts on behalf of the Chairperson.

## **SECRETARIAT**

15. A Housing Clerk appointed by the Department of Works serves as the Committee Secretary and thus duties is part and parcel of his/her official functions. In the case where the secretary is not a Housing

## **CONFIDENTIALITY**

16. The deliberations of the meeting are confidential.

## **AGENDA AND MINUTES**

17. The agenda (next meeting). and minutes <previous meeting) must be in writing. Copies thereof with photo-copies of applications, representations, waiting-list, etc. must be distributed among members a few days in advance.
18. The minutes of the previous meeting must be approved at the following meeting with or without amendments by the Committee and be signed by the Chairperson and Committee Secretary in the presence of members.

## **OPERATIONAL FIELD**

19. The Committee reviews applications for the official quarters in accordance with the evaluation/recommendation and approval of the Housing Committee.

20. Under no circumstances should Committee members represent Ministries to which they belong and under no circumstances can they promote the housing needs of a specific individual of a Ministry or of official/employees in service of a specific Ministry.

## **REGULATIONS**

21. Applications for official quarters are considered in terms of the Government Service Act, 1980 (Act No 2 of 1980), the Regulations (Chapter H thereof), the Government Service Code (Chapter D VII/I thereof) and Housing policy as applicable from time to time.

## **DELEGATION**

22. The Minister - Ministry of Works, Transport and Communication has the prerogative right to-
- (a) request proposals from the Committee with respect to any matter pertaining to official housing; and
  - (b) approve special housing applications and allocate official quarters without seeking advice from a Committee.

## LEASE AGREEMENTS

<b>PROPERTY</b>	<b>PLACE</b>	<b>LEASE AGREEMENT</b>	<b>STATUS</b>
1. Gibeon Winkel and Bottle Store	Gibeon	Expired lease	Occupied
2. Gibeon General Dealers	Gibeon	Expired lease	Occupied
3. Seboa Stores	Gibeon	Expired lease	Occupied
4. Old Flatz	Gibeon	No lease agreement	Occupied
5. Flat	Gibeon	Expired lease	Occupied
6. Shop & Restaurant	Gibeon	Expired lease	Occupied
7. Filling Station Shop	Gibeon	No lease agreement	Occupied
8. Saamstaan Project	Gibeon	Expired lease	Unoccupied
9. Second-hand Furniture	Gibeon	No lease agreement	Occupied
10. BM 19/01	Gibeon	No lease agreement	Occupied
11. Old Prison Building	Gibeon	No lease agreement	Unoccupied
12. Spellmeyer Hostel	Gibeon	No lease agreement	Occupied
13. Webery and House	Gibeon	Expired lease	Occupied
14. Blue Palace	Gibeon	No lease agreement	Occupied
15. Rudy's Bargain Shop	Gibeon	No lease agreement	Occupied
16. Women's Action for Development(WAD)	Gibeon	No lease agreement	Unoccupied
17. Vrolike Finkies Kindergarden	Gibeon	No lease agreement	Occupied
18. Fill The Gap Healing Centre	Aranos	Expired lease	Occupied
19. Kriess Shop	Kries	No lease agreement	Occupied
20. St. Mary's Hospital	Rehoboth	Expired lease	Occupied

## LIST OF HOUSES WHICH OWNERSHIP IS NOT CONFIRMED:

<b>No.</b>	<b><u>Ondangwa:</u> <u>Erf Number</u></b>	<b><u>Oshakati:</u> <u>Erf number</u></b>	<b><u>Ruacana:</u> <u>Erf Number</u></b>
1.	1532	855	224
2.	1544	756	226
3.	1393	406	206
4.	1605	405	34
5.	1477	404	9
6.	363	403	
7.	480	402	
8.	346	401	
9.		400	
10.		420	

Revised 20/05/2008



## MINISTRY OF WORKS AND TRANSPORT

DEPARTMENT OF WORKS

NOMINATION FOR APPOINTMENT OF CONSULTANTS  
FOR A CAPITAL CONSTRUCTION PROJECT

App. No: 07-28/10

FORM No. 0.2

	FINANCIAL YEAR	2009/2010
PROJECT: CONTINUATION OF PROPERTY ASSESSMENT STUDY (PAS) FOR AN RELIABLE ASSET REGISTER AND INFORMATION MANAGEMENT SYSTEM PROJECT NO: 2004-04 NPC CODE: 2085	MINISTRY: MINISTRY OF WORKS AND TRANSPORT  DEPT.: DEPARTMENT OF WORKS, DIVISION FIXED ASSET MANAGEMENT	

## FUNDS ALLOCATED

	2009/2010	CONTINUATION	TOTAL	TOTAL PROJECT VALUE
Capital:	-	-	-	±NS 3 000 000.00
Fees:	1 000 000.00	2 000 000.00	3 000 000.00	DONOR FUNDS
Total:	1 000 000.00	2 000 000.00	3 000 000.00	GOVT. FUNDS X

## DESCRIPTION OF SERVICE

FIELD SURVEY AND CONSULTANCY SERVICES TOWARDS THE DEVELOPMENT OF AN RELIABLE ASSET REGISTER (DATA BASE)

ARCHITECT/ PRINCIPAL AGENT	QUANTITY SURVEYOR	ELECTRICAL / MECHANICAL ENGINEER	STRUCTURAL/ CIVIL ENGINEER	OTHER
IDC	-	-	-	-

## FEES: HOURLY TARIFFS

- Nominated Consultants Must Indicate Acceptance Or Rejection Of This Appointment on the attached form Within Seven (7) Calendar Days Of Receipt Of This Nomination and return to DOW.
- All The Nominated Consultants Will Be Required To Sign A Formal Client / Consultant Agreement With The Permanent Secretary Of The Ministry Of Works And Transport within Seven (7) Calendar days from the date of submission of Acceptance Letter.

RECOMMENDED:

*[Signature]*  
ANDREW MWAZI  
CHAIRMAN: APPOINTMENTS COMMITTEE

*[Signature]*  
Date: 18/05/09

APPROVED/ NOT-APPROVED

*[Signature]*  
GEORGE SIMATWA  
PERMANENT SECRETARY

Date: 19/05/09

OFFERS MADE TO TENANTS - 2011 - *Rundu*

ERF NO.	TOWN	OCCUPANT'S NAME	DATE
115	Rundu	Martinius Hamutenya	20 / 07 / 2011
707	Rundu	Reino Atsindi	20 / 07 / 2011
1172	Rundu	I. Veijo	20 / 07 / 2011
865	Rundu	Grace Mbesimbal	20 / 07 / 2011
1145	Rundu	Benhard Shitarara	20 / 07 / 2011
1154	Rundu	Luciana Victor	20 / 07 / 2011
1147	Rundu	Nathalia Mzayi	20 / 07 / 2011
1174	Rundu	EN. Hamutenya	20 / 07 / 2011
837	Rundu	JK Munango	20 / 07 / 2011
782	Rundu	NN Kalomoh	15 / 08 / 2011
1152	Rundu	Eduard Kaspona	15 / 08 / 2011
1171	Rundu	Charlotte L. Van Zyl	14 / 09 / 2011

## DEEDS OF SALE CONCLUDED WITH TENANTS - 2011

ERF NO.	TOWN	OCCUPANT'S NAME	DATE
1151	Rundu	M. Hamutenya	28 / 10 2011
782	Rundu	N.N. Kalomoh	16 / 07 / 2012

## GOVERNMENT HOUSES SOLD THROUGH ALIENATION SCHEME

ERF NO.	TOWN	OCCUPANT'S NAME	DATE	AMOUNT
1172	Rundu	Isak Veijo	05 / 10 / 2011	66 423,00



**LIST OF INTERVIEWEES PER LIST AND REGIONS:****Housing Clerks(4):**

1. Ms. Povanho – Acting Chief Clerk – Housing Subdivision – Windhoek
2. Mrs. Simataa – Housing Clerk – Katima Mulilo – Caprivi Region
3. Kenneth Lubembo – Housing Clerk – Kavango Region – Rundu
4. Ms. Cecilia Padjomunho – Housing Clerk – Oshana Region – Oshakati

**Housing Committee Members(1):**

1. Paulinus Enkono – Chairman of the Local Housing Committee – Senior Education Planner – Oshakati – Oshana Region

**Personnel Officers from Line Ministries(17):**

1. Chief Mukena – Personnel Officer (Nampol) – Katima Mulilo – Caprivi Region
2. M. Mushabati – Personnel Officer (Agriculture) – Katima Mulilo – Caprivi Region
3. Mr. Samahiya – Personnel Officer(Environment)Katima Mulilo – Caprivi Region
4. Ms. Janet Chilinda – Personnel Officer(Health)Katima Mulilo – Caprivi Region
5. Ms. Kawana – Personnel Officer(Education)Katima Mulilo – Caprivi Region
6. J. T. N. Iyambo – Housing Clerk – Otjiwarongo – Otjozondjupa Region
7. Abdo Vihajo – Housing Clerk – Grootfontein – Otjozondjupa Region
8. Mr. Victor Matthew (Education) – Personnel Officer – Oshana Region – Oshakati
9. Captain Samuel (Defence) – Personnel Officer – Oshana Region – Oshakati
10. Mrs. Ludgera Nangura & U. A. Gases – Personnel Officers – Kavango Regional Council – Kavango Region – Rundu
11. Inspector Coetzee (Nampol) – Personnel Officer – Kavango Region – Rundu
12. Mr. Van Wyk & Mrs. Mulonga (Justice) – Personnel Officer – Kavango Region – Rundu
13. Mr. W. K. Nduma (Education) – Personnel Officer – Kavango Region – Rundu
14. Mr. A. K. Kuwema & Ms. Muyeu( Health) – Personnel Officer – Kavango Region – Rundu
15. Adjutant S. K. Kambau (Defence) – Personnel Officer – Kavango Region – Rundu
16. Ms. Lina Uusiku (Local Government) – Personnel Officer – Oshana Region – Oshakati
17. Ms. N. Nghipundjwa (Local Government) – Personnel Officer – Oshana Region – Oshakati

**Occupants of government quarters(6):**

1. Sharon Malumba – Occupant – Katima Mulilo – Caprivi Region
2. Hilda Siseho – Occupant – Katima Mulilo – Caprivi Region
3. C. M. Muyunda – Occupant – Katima Mulilo – Caprivi Region
4. Daphne Liswaniso – Occupant – Katima Mulilo – Caprivi Region
5. Mr. Afondzinu Kofi – Occupant – Katima Mulilo – Caprivi Region
6. Chief Inspector Burger – Occupant – Katima Mulilo – Caprivi Region

**Clerks Alienation Scheme(1):**

1. Esther Kalomho – Chief Clerk Alienation Scheme – Windhoek

**Deputy Director Maintenance(1):**

1. Mrs. Kalo – Deputy Director – Maintenance Section – Windhoek

**Deputy Director – Fixed Asset Management Division(1):**

1. Ms. Veicco – Deputy Director: Fixed Asset Management – Windhoek

**Senior Works Inspector(1):**

1. Mr. Kamupolo – Senior Works Inspector – Oshana Region – Ruacana Sub-office
- 2.