



KZN Housing

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wezeZindlu**

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KWAZULU-NATAL DEPARTMENT OF HOUSING

EXTRA-PARLIAMENTARY MILITARY VETERANS HOUSING POLICY FRAMEWORK

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TABLE OF CONTENTS

1.	INTRODUCTION	1
1.1	Background	1
1.2	Purpose	2
2.	POLICY PRINCIPLE AND PROVINCIAL APPROACH.....	2
2.1	Definition	2
2.2	Policy principles	2
2.3	Implementation considerations	4
3.	EFFECTIVE DATE AND DURATION OF PROGRAMME	7
4.	MONITORING AND EVALUATION	7

1. INTRODUCTION

1.1 BACKGROUND

Assistance to Military Veterans is a transversal programme of government. In 2006 the housing MINMEC (a committee of the Minister and Members of Executive Council-MEC's for housing) approved the adjustment of the housing subsidy scheme qualification criteria to facilitate military veterans to access housing subsidies, MEC's are also empowered to allocate vacant rental accommodation for military veterans on a preferential basis, where applicable.

In keeping with these initiatives, the province of KwaZulu-Natal, in line with the MEC budget and policy speech for 2008/2009, has engaged intensively to dedicate its efforts in the development of a "Special Programme for Housing Military Veterans".

The province will establish a special "vehicle" project to ensure the delivery of Military Veterans housing in the province to ensure housing of veterans by June 2010.

Government acknowledges the critical role military veterans have played in the history of the country. The Department of Housing is designing a programme to restore the dignity and support military veterans through decent housing.

The purpose of the KwaZulu-Natal Department of Housing military veterans housing framework is to provide a departmental guide and approach to the provisions of houses for military veterans in support of transversal social transformation initiatives. This initiative will focus mainly on needy extra-parliamentary war veterans, i.e.: **those veterans who had been prepared and engaged in liberation military activities against the administration of the then apartheid government where caused such activists to go in exile for a period of at least one year.**

It should be noted however, that the general housing policy does not exclude any other needy veteran from accessing housing. Housing policy provides for all military veterans to access housing through the revised national qualification criteria that includes all veterans, including those that served under any previous military dispensation and those persons involved in liberation movements in the fight against apartheid.

There are a variety of circumstances under which military veterans may not meet specific criteria for access to housing subsidies. Whereas policy prescripts need to be formulated against the framework of legislation and national policies of all departments, and whereas such policy and legislative processes may be lengthy, an interim policy framework is required to accelerate the provision of assistance to this special needs group.

Research conducted by the National Departments indicates that the majority of veterans are poor and aged. As such, it is likely that the majority of veterans in the Province would qualify in terms of standard criteria, with the exception that formal documents may not be in place. Such cases should first be resolved through facilitating the formalization through the relevant Departments, such as Home Affairs and/or Social Development.

This interim policy framework seeks to explore means within the context of current prescripts that could assist veterans to access housing. Whereas government has limited resources, this framework focuses specifically on the most needy extra-parliamentary war veterans that were in exile for at least one year. It also provides for unique cases to be considered on merit by the MEC responsible for housing.

The interim policy will apply until such time as national legislation and/or policy frameworks regarding qualification criteria for accessing housing subsidies are amended.

1.2 PURPOSE

To provide mechanisms for military veterans, in particular extra-parliamentary war veterans and their dependents to access housing through a variety of housing instruments

2. POLICY PRINCIPLE AND PROVINCIAL APPROACH

2.1 DEFINITION

An extra-parliamentary war veteran, in the context of the programme, is an individual who had been trained and engaged in any instrument of war, aimed at destructive activities against the former apartheid regime.

This Provincial Policy applies to needy military veterans who had been prepared and engaged in liberation military activities against the administration of the then apartheid government; and which caused such activists to go in exile for a period of at least one year.

Given limited resources within the Province, this group has been identified as a priority. Other military veterans can be accommodated within the national policy framework, and are not excluded from qualifying for housing assistance, provided they meet the qualification criteria.

National housing policy defines a "military veteran" as a person defined as a military veteran in terms of the Military Veterans Affairs Act, 1999 (Act, No 17 of 1999), and read in conjunction with the National Department of Housing Integrated Residential Programme (IRDP) of 2007. In terms of the latter, *"Military veterans can be classified as South Africans who served under any previous military dispensation, including those persons involved in the liberation movement."*

It includes those veterans defined in terms of subsection 1(viii)(c) and (d) of the Military Veterans Affairs Act, 1999 (Act, No 17 of 1999), which defines a military veteran as: *"...any a person who...*

'(c) Served as a member of any non-statutory force as defined in section 1 of the Demobilisation Act 1996 (Act no. 99 of 1996); or

'(d) Belongs to any other prescribed category of military veterans."

2.2 POLICY PRINCIPLES

The following principles will apply:

- Housing policy must be consistent with the Constitution and compliment and enhance existing government policies. The programme is thus guided by current housing policy prescripts;
- Current housing policy is geared at creating sustainable human settlements and to restore dignity through creating housing as a lifetime asset. In this context, delivery of housing to military veterans need to take into account the longer terms sustainability, and need to securing of rights of ownership, whilst creating a lifetime asset for current and future generations.
- The revised qualification criteria for military veterans will apply, as set out in paragraph 2.2.1, below
- Extra-parliamentary war veterans, in keeping with government policies, will be included in the definition of "special needs" groups.
- Extra-parliamentary war veterans will, as far as is practically possible, be included in the Extended Public Work Programme (EPWP) initiatives and other transversal programmes within the department.
- These veterans will be provided with a choice of housing subsidy alternatives.

2.2.1 Qualification criteria

2.2.1.1 *Criteria for extra parliamentary military veterans*

Persons who wish to benefit from the housing subsidy scheme under this programme, (in keeping with the /National IRDP and amended qualification criteria for military veterans), must be:

- A military veteran as defined in terms of this policy;
- A South African citizen or permanent resident;
- Legally competent to contract;
- Benefiting from the housing subsidy and/or state funded or assisted housing subsidy scheme for the first time; and
- Assessed against the income qualification criteria, as set out in the IRDP programme (i.e, currently the income must not exceed R3500 per month to benefit from the full subsidy, and between R3501 and R7000 for finance linked individual subsidy (FLISP)
- Able to submit the following proof:
 - proof of service ; and
 - details of social services received (e.g. the war veterans grant, as defined in the Social Assistance Act, Act No 13 of 2004).
 - In the context of the KwaZulu-Natal Department of Housing policy, proof of service will be extended to proof of membership as a military veteran of recognized organizations such as MKVA, APLA, and AZANLA as the absolute minimum requirement.
- Military veterans can be single and without financial dependents, provided they are able to submit the aforementioned documents. Where a veteran is unable to submit these documents, the normal provisions and qualification criteria will apply as defined in terms of the IRDP programme, as set out in 2.2.1.2, below.
- Whereas war veterans were actively involved in service prior to the transitional government (pre 1994), the recommended age criteria for will be that the extra parliamentary veteran has to be at least 30 year of age.

2.2.1.2 *Qualification criteria for dependents of extra-parliamentary military veterans*

Dependents of South African military veterans will be required to comply with the generic IRDP qualification criteria set out above. Where housing is to be accessed by a foreign dependent (spouse or child), however, South African residency must be obtained through the Department of Home Affairs.

Where housing was accessed previously, however, and such housing does not comply with the current norms and standards, an assessment will be made to assist military veterans in this regard, in the context and spirit of the Department's rectification programme.

2.2.1.3 *Qualification criteria for beneficiaries of deceased military veterans*

It is acknowledged that there are instances where military veterans had passed away prior to deriving benefits from the state for their services and that beneficiaries of the estate may have claims to secured benefits e.g. agreement of sale or subsidy application approved prior to the beneficiary being deceased). The subsidy may be accessed where such rights have been secured. The following criteria should apply:

- Death certificate of military veteran
- Certificate of proof of service and/or membership as a veteran of a recognized organization
- Proof of the nature of the rights secured, such as a sale agreement, approved subsidy application
- Proof of relationship with the deceased (birth certificate or, marriage certificate)

2.2.2 Subsidy instruments and programmes

The Department of Housing has a wide range of subsidy mechanisms that could be accessed by military veterans and/or their dependents, provided they qualify in terms of the criteria set out in 2.2.1 above. The standard implementation mechanisms for each of these mechanisms (individual subsidy, consolidation, subsidy, transitional housing and institutional subsidy, project linked and credit linked subsidy, etc.) will apply.

Likewise, the standard implementation guidelines for all programmes (such as social and rental housing, rural housing, integrated residential development programme and finance linked individual programme) will apply. The only exception would be that the MEC has the authority to provide preferential allocation of housing in rental housing schemes. Individual ownership should be encouraged, where possible to assist in wealth creation, but rental options may be provided to ensure the most suitable form of housing could be afforded to the individual.

Military veterans, therefore, will be afforded a choice in the manner in which their rights to housing are realized, such as:

- Choosing a house in the market and accessing the individual subsidy to acquire, or assists with the financing of the unit;
- Establishment of long term rental accommodation initiative through a housing institution through the social housing, rental, community residential units programme (CRU), and/or conventional institutional housing subsidy mechanism;
- Establishment of short term rental accommodation through the provincial department's transitional housing programme, aimed at special needs and vulnerable groups;
- Participation in a rural housing project;
- Developer driven project through the department's developer driven individual subsidies in which a group of veterans can be accommodated on a small project basis;
- Establishment of a sectional title development in partnership with a developer where the rules of the body corporation can determine participation and preferential allocation of the units to military veterans and/or their descendents;
- Establishment of a freehold and/or sectional title project specifically for war veterans through the IRDP and/or People's Housing Processes, including the formalization of brigades to construct houses to maximise the benefits of the subsidy and in terms of the requirements of the enhanced People's Housing Programme; and
- Accessing housing materials through the KZN voucher system, as used in the context of emergency housing, it being noted that this will have to be in relation to a site to which the veteran is able to secure a recognized form of tenure, in terms of any housing instrument,

2.2.3 Skills development and employment opportunities

Military veterans will be included, where possible, in capacity programmes and skills development initiatives, including, but not limited to EPWP in housing delivery. The department supports the use of military veteran contractors and suppliers for low income housing that provide quality goods and services.

2.3 IMPLEMENTATION CONSIDERATIONS

2.3.1 Special intervention or consideration by the MEC

There are a variety of circumstances under which military veterans may not meet specific criteria for access to housing subsidies. Whereas policy prescripts need to be formulated against the framework of legislation and national policies of all departments, the interim policy framework will apply until such time as national legislation and/or policy frameworks regarding qualification criteria for accessing housing subsidies are amended.

Research conducted by the National Departments indicates that the majority of veterans are poor and aged. As such, it is likely that the majority of veterans in the Province would qualify in terms of standard criteria, with the exception that formal documents may not be in place. Such cases should first be resolved through facilitating the formalization through the relevant Departments, such as Home Affairs and/or Social Development.

Should this not be successful, the MEC responsible for housing may consider special cases, based on motivation and proof of the following:

- the member being a recognized veteran with a liberation movement pre 1994; and
- motivation detailing the special needs and circumstances that may warrant the award of a subsidy in line with the intention of assisting vulnerable groups, aged and special needs.

The MEC responsible for housing may be approached in writing for special intervention where an application for a housing subsidy in terms of the above prescripts is rejected, on the basis of non-compliance with the general requirements for assistance through the housing capital subsidy scheme.

In such cases, the applicant shall lodge a written appeal to the MEC through the relevant Regional Office of the Department, explaining why he/she disagrees with the decision not to be granted a subsidy. Such an appeal is to be submitted within 90 days of receiving notification of the outcome of the application for the housing subsidy.

The MEC, or his/her delegate shall notify the applicant in writing of the decision on the appeal.

2.3.2 Military veterans database

MINMEC has expressed concern that the policy should not be abused and that provinces should verify the status of applicants against the South African National Defence Force (SANDF) database. The legislative framework also enables military veterans to be identified through set criteria. The Department of Housing has established through the Department of Defence a preliminary database of military veterans in KwaZulu-Natal.

The Provincial Department of Housing will liaise further with recognized military associations or organizations to ensure credible data is sourced. The Department will verify data from the SANDF database in consultation with the steering committee in which military veterans are represented (see section 2.3.4 hereof), and ensure that this is augmented with the databases of military veterans organizations. This information will be used to identify, and prioritise beneficiaries, in consultation with the steering committee.

The database will be developed further, where possible, to provide the following:

- Personal details of military veterans;
- Housing needs (rental, ownership, etc); and
- Technical or construction skills for future use in housing initiatives.

2.3.3 Dedicated Provincial Housing Department Human Resources

The provincial Department will ensure that staff is assigned to this programme within the relevant office in the Department to facilitate the registration of potential beneficiaries under this programme, and to facilitate the relevant assistance required.

2.3.4 Institutional arrangements

The provincial Department of Housing shall formalize a steering committee and associations and organizations representing military veterans. The department shall chair the steering committee and regular meetings of the committee. Such meetings shall be convened at agreed intervals and at such venue, time and place convenient to steering committee members. The committee shall explore a variety of options and make recommendations through the Provincial Department of Housing, and within the framework of housing policy to fast track delivery to military veterans

2.3.5 Implementation options

The needs and preferences of military veterans are expected to be varied. As stated previously, a variety of options exists to accommodate these needs, such as those set out in 2.2.2. Implementation options may also include new projects; allocation in existing projects; and/or individual subsidy applications, on any other mechanism permissible within the current housing delivery policy framework. The flow chart in Figure 1, below sets out critical activities required for the implementation of the programme

The implementation and subsidy mechanism approval process, roles and responsibilities of all stakeholders (such as military veterans, municipality, housing institutions, National Home Builder's Registration Council (NHBRC), Provincial Department of Housing and MEC and private sector), will be defined in terms of the applicable subsidy instrument used to realize the military veteran/s rights to access housing.

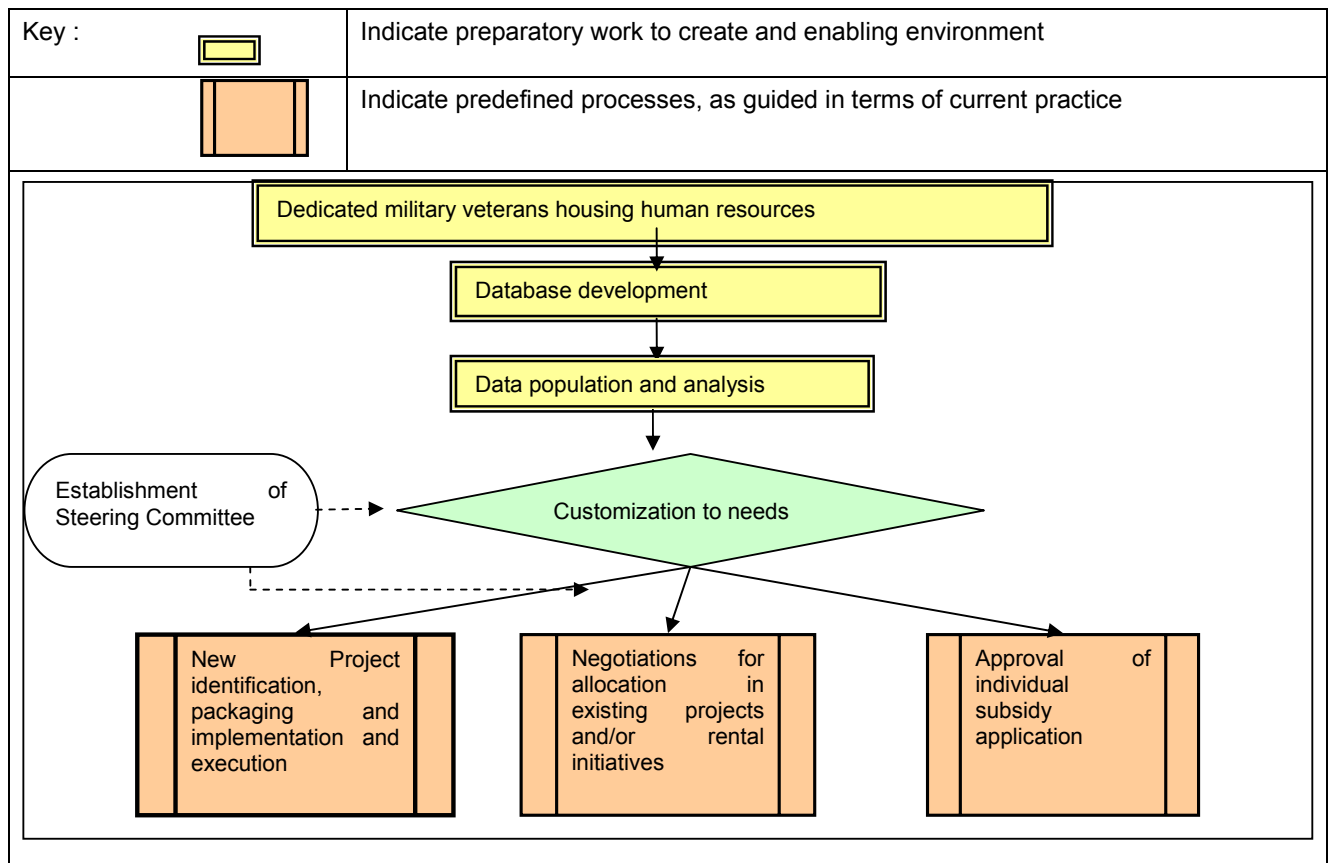


Figure 1 : Military Veterans Housing Implementation Processes

3. EFFECTIVE DATE AND DURATION OF PROGRAMME

The effective date of this programme will be the date of approval by the MEC responsible for housing and will be terminated by 31 December 2010. An extension of time may be granted on approval of the said MEC.

4. MONITORING AND EVALUATION

The Department will implement a monitoring and evaluation tool and report on the military veteran housing initiative on a regular basis. Such a tool should measure whether the objective of the policy are being achieved. Data will be collected on the number of qualifying military veterans registered and assisted in terms of each subsidy instrument; and how many have been included in housing skills development and housing employment opportunities.