



**KWAZULU-NATAL PROVINCE**

**HUMAN SETTLEMENTS**  
REPUBLIC OF SOUTH AFRICA

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# **REVISED HOUSING POLICY ON KWAZULU-NATAL MILITARY VETERANS**

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## **ABBREVIATIONS**

APLA:	Azania People's Liberation Army
AZANLA:	Azania National Liberation Army
CRU:	Community Residential Units
DHS:	Department of Human Settlements
DMV:	Department of Military Veterans
EPWP:	Expanded Public Works Programme
IRDP:	Integrated Residential Development Programme
MKMVA:	Mkhonto We Sizwe Military Veterans Association
MOU:	Memorandum of Understanding

# 1. INTRODUCTION

## 1.1 BACKGROUND

Military Veterans Housing Programme is a transversal programme of government aimed at providing housing assistance to military veterans in the Province of KwaZulu-Natal. In 2006 the housing MINMEC (a committee of the Minister and Members of Executive Council-MEC's for Human Settlements) approved the adjustment of the housing subsidy scheme qualification criteria to facilitate a process of military veterans accessing housing subsidies.

In line with the MEC's budget and policy speech for 2008/2009, the Department of Human Settlements engaged intensively to dedicate its efforts in the development of a "Special Programme for Housing Military Veterans". The MEC approved the Military Veterans Housing Policy in 2009 to ensure the delivery of Military Veterans housing in the province by June 2010.

Government acknowledged the critical role military veterans have played in the history of the country. The Department of Human Settlements designed the policy to help restore dignity and support military veterans through the provision of decent housing.

The purpose of the KwaZulu-Natal Department of Human Settlements Military Veterans Housing Framework was to provide a departmental guide and approach to the provisions of houses for military veterans in support of transversal social transformation initiatives. This initiative focuses mainly on needy war veterans, i.e.: those veterans who had been prepared and engaged in liberation military activities against the administration of the then apartheid government which caused such activists to go into exile.

The programme will be implemented through the use of the Enhanced People Housing Process (EPHP), with an emphasis on encouraging participation of people in the construction of their houses. This will provide an opportunity for all military veterans to access both business and skills development opportunities in the construction of their own homes.

There exists a variety of circumstances under which military veterans may not meet specific criteria to access to housing subsidies. 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 the Department of Military Veterans (DMV), Home Affairs and/or Social Development.

In November 2016 at MINMEC, Minister's pronouncement highlighted, concerns and dissatisfaction over the slow pace of delivery of Military Veterans Housing and noting the high rate of rejections when Military Veterans' applications are assessed for housing subsidy qualification through the Housing Subsidy System (HSS). A circular in respect for the application of Section 14 of the Military Veterans Benefit Regulations, 2014 was issued by the National Department of Human Settlements to support and advise the provinces and municipalities with the management of the Military Veterans Housing Assistance Programme. The circular is the product of extensive consultation with various stakeholders and is underpinned by the principle of balancing the need the need for compliance with the legislation including the regulations, maintaining efficiency in the administration of beneficiaries, and being responsive to the needs of our Military Veterans.

## **1.2 PURPOSE**

The Kwa-Zulu Natal Military Veterans Housing policy aims to provide a basic guiding framework and procedures for the implementation of the Military Veterans Housing Programme. The policy provides a set of principles and strategies, which must be adhered to in ensuring responsive and swift implementation of the housing programme.

## **2. POLICY PRINCIPLE AND PROVINCIAL APPROACH**

### **2.1 DEFINITION**

This Provincial Policy applies to military veterans who have 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.

The 2009 National Housing Code's Integrated Residential Development Programme (IRDP) defines a "military veteran" as follows "South Africans who served under any previous military dispensation including those persons involved in military operations during the liberation movement." It includes those veterans defined in terms of Section 1 of the Military Veterans Act, 2011 (Act, No 18 of 2011), which defines a "military veteran" as any South African citizen who: -

- a) Rendered military service to any of the military organisations, statutory and non-statutory, which were involved on all sides of South Africa's Liberation War from 1960 to 1994;
- b) Served in the Union Defence Force before 1961; or
- c) Became a member of the new South African National Defence Force after 1994, and has completed his or her military training and no longer performs military service, and has not been dishonourably discharged from that military organisation or force: Provided that this definition does not exclude any person referred to in paragraph (a), (b) or (c) who could not complete his or her military training due to an injury sustained during military training or a disease contracted or associated with military training policy principles

**The following principles will apply:**

- a) Housing policy must be consistent with the Constitution and complement and enhance existing government policies. The programme is thus guided by current housing policy prescripts including but not limited to the Military Veterans Act, Act, No 18 of 2011, the Military Veterans Benefits Regulations of 2014, and the Memorandum of Understanding between the Department of Military Veterans and Department of Human Settlements on 7 February 2012.
- b) 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.
- c) The qualification criteria for military veterans will apply, as set out in paragraph 2.2.1, below
- d) Military veterans, in keeping with government policies, will be included in the definition of vulnerable groups.
- e) Military veterans will, as far as is practically possible, be included in the construction of the houses both as employees and as contractors as part of employment creation and creating business opportunities for military veterans.
- f) These veterans will be provided with a choice of housing subsidy alternatives.

## **2.2 QUALIFICATION CRITERIA**

### **2.2.1 Criteria for military veterans**

Persons who wish to benefit from the housing subsidy scheme under this programme must be assessed in terms of the following amended criteria as issued by the Director General of the National Department of Human Settlements:

- a) **A military veteran as defined in terms of this policy;**
- b) **A South African citizen or permanent resident;**
- c) **Legally competent to contract;**
- d) **Benefiting from the housing subsidy and/or state funded or assisted housing subsidy scheme for the first time:** - Some Military Veterans owned government subsidized houses at some stage of their lives but have lost those houses during their long absence while in political exile during apartheid era. In other instances, Military veterans applied for a “RDP” house but were only allocated empty sites with no house built thereon. In this instance, the Military Veteran can apply for a house, as the provision of a stand is not considered a house. Where it is established that the spouse of the Military Veteran has previously accessed a housing subsidy from the state, the Province and the Municipality should solicit the assistance of a qualified Social Worker to assess and verify whether or not the Military Veteran has security of tenure, and if not, the appropriate intervention must be initiated. Military Veterans Association have presented examples in which the Military Veteran and his spouse have separated and because the ‘government subsidized house’ was acquired by the spouse, the Military Veteran gets thrown out, instantly becoming homeless. In most instances where the Military Veteran and the spouse have separated, the Military veteran is unequipped to institute divorce proceedings and should be assessed for housing assistance.
- e) **Is not employed and receives a pension from the State:** - Pension earned by Military Veterans should be excluded from income when accessing eligibility for housing benefit.
- f) **Is employed with an annual income of less than R125 000 (R10 417 per month) or in the case of the Finance Linked Individual Subsidy Programme (FLISP) a maximum of R22 000 per month:** - The income of the Military Veteran should be disassociated from that of his/her spouse, and it must not be taken into consideration as s/he cannot access the housing benefit if they are not Military Veterans.
- g) **Does not own a house:** - Where a Military Veteran owned a property in the past and does not currently own any property, such veteran should not be disqualified, where there is a proof that previous property was sold under duress, repossessed by the bank or family homes. Most Military Veterans have “family homes” registered in their names but they do not own these properties. As a result, when there are family quarrels, the Military Veteran gets thrown out of the house and becomes homeless. Provinces and the Municipalities should exercise care and solicit the assistance of a qualified social worker to establish whether, in the “inherited family property” the Military Veteran has security of tenure, if not, an appropriate intervention should be made.

- h) **Military veterans can be single and without financial dependents:** - provided they are able to submit the documents mentioned below. Where a Veteran is unable to submit these documents, the normal provisions and qualification criteria will apply as defined in terms of the IRDP policy.
- i) **Whereas war Veterans were actively involved in service prior to the transitional government (pre-1994):** - the recommended age criteria for will be that the veteran has to be at least 38 years of age in 2016 or as identified by the list provided annually by the DMV in terms of the MOU.

### **2.2.2 The following supporting documentation must be produced:**

- a) Proof of service; and
- b) Details of social services received (e.g. the war veterans' grant, as defined in the Social Assistance Act, Act No 13 of 2004).
- c) In the context of the KwaZulu-Natal Department of Human Settlements policy, proof of service will be as per the list provided annually by the DMV in terms of the MOU and extended to proof of membership as a military veteran of recognized organizations such as MKMVA, APLA, and AZANLA as the absolute minimum requirement.

### **2.2.3 Qualification criteria for estate of late military veterans**

Estate of the late South African military veterans will be required to comply with the generic IRDP qualification criteria as contained in the Housing Code, 2009. 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 previously accessed, 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 to ensure that the structures are safe and habitable.

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 estate of the late military veteran 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:

- a) Death certificate of military veteran
- b) Certificate of proof of service and/or membership as a veteran of a recognized organization or as per the list provided annually by the DMV in terms of the MOU
- c) Proof of the nature of the rights secured, such as a sale agreement, approved subsidy application



- d) Proof of relationship with the deceased (birth certificate or, marriage certificate)
- e) The Department shall make a letter reflecting deemed value of a right the deceased Military Veteran had, the aid letter shall be addressed to the Master of the High Court or the Magistrate's Court where the estate is to be reported. The letter shall bear the names of the deceased and it should make it clear that this is a potential claim.

## **2.3 SUBSIDY INSTRUMENTS AND PROGRAMMES**

The Department of Human Settlements 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, IRDP and FLISP, 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:

- a) Choosing a house in the market and accessing the FLISP subsidy to acquire, or assist with the financing of the unit;
- b) Establishment of long term rental accommodation initiative through a housing institution with the social housing, rental, community residential units programme ;
- c) Establishment of short-term rental accommodation through the provincial department's transitional housing programme, aimed at special needs and vulnerable groups;
- d) Participation in a rural housing project;
- e) 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;
- f) Establishment of a sectional title development in partnership with a developer where the rules of the body corporate can determine participation and preferential allocation of the units to military veterans and/or their descendants;
- g) Establishment of a freehold and/or sectional title project specifically for war veterans through the IRDP and/or Enhanced People's Housing Process, including the formalization of brigades to construct houses to maximise the benefits of the subsidy in terms of the requirements of the Enhanced People's Housing Programme; and
- h) Sales of serviced sites under the provisions of IRDP provisions as contained in the National Housing Code, 2009;

## 2.4 HOUSE DESIGN AND SPECIFICATIONS

The cost of the dwelling designed for approved military veterans' subsidy beneficiaries, which also comply with the revised National Building Regulations, SANS 10400 XA, amounts to R240 608.00 (with effect from 1 April 2022) or as determined by the Director General of the National Department of Human Settlements. The difference in the cost of the housing subsidy and the cost of the enhanced house for Military Veterans is financed by the Department of Military Veterans. The detailed cost breakdown and house design is illustrated in **Annexure A**.

The house for military veteran beneficiaries must comprise the following:

- a) The size of the house must be fifty (50) square metre of gross floor area
- b) Interior walls must be plastered and painted;
- c) Two bedrooms;
- d) A combined kitchen/living area and a kitchen basin;
- e) Floor tiles throughout the house;
- f) Fitted kitchen cupboards, stove, solar water heating device, with hot and cold water taps;
- g) Basic electricity installation/comprising at least one light in each room, two lights in the combined kitchen/living area and an electrical plug in each of the bedrooms and two plugs in the combined kitchen/living area;
- h) Single carport with paving; and
- i) Fencing around the stand perimeter.

In addition to the above as per the MOU between the Department of Military Veterans and the Department of Human Settlements, the DHS may repair or upgrade existing houses belonging to military veterans. Equally, alterations in the structural design of houses will be agreed with the specific beneficiaries.

## 2.5 ECONOMIC OPPORTUNITIES AND SKILLS DEVELOPMENT

- a) In all housing programmes, government is committed in promoting participation of beneficiaries in skills development programmes as part of enabling people to actively participate in the economy and alleviating poverty.
- b) Working together with other stakeholders, the government will ensure that it identifies appropriate skills development programmes guided by standards and regulations within the construction landscape to assist military veterans in the construction of their houses. The Department is committed to ensure that economic opportunities are provided through their Supply Chain Management Procurement Policy to support and enable military veterans towards accessing work and business prospects. This may be done on rotational basis among Military Veterans companies, co-operatives and Joint-

Ventures.

- c) An inclusive database of military veterans owned companies will be developed in consultation with all relevant stakeholders including DMV, NDoHS, SAMVA, KZN-SAMVA and other related military veteran's structures.
- d) All military veterans' companies to be included in the inclusive database will have to comply with all the building standards and regulations including registration with statutory bodies such as the National Builders Home Registration Council (NHBRC), CIDB and procurement regulations and/or requirements.
- e) The participation of Military Veterans companies will not only be limited to individual private companies but will also include participation of co-operatives and Joint-Ventures. These will have to comply with all the stipulated supply chain management requirements.
- f) The Department together with the Municipality concerned must therefore thoroughly assess the capacity of individual Military Veterans and/or their companies prior to them being appointed to undertake construction of houses and provide capacity building initiatives where required.

## **2.6 IMPLEMENTATION CONSIDERATIONS**

### **2.6.1 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. Within the current policy context of the Military Veterans Act, Act No 18 of 2011, the Military Veterans Benefits Regulations of 2014 and the Memorandum of Understanding between the Department of Military Veterans and Department of Human Settlements certain special interventions may be considered. 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 DMV.

Should this not be successful, the MEC responsible for housing may consider special cases, based on motivation and proof of the following. The military veteran must submit with their application:

- a) Proof of service and /or recognition of membership with a liberation movement pre 1994;
- b) 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, disabled or special needs; and
- c) Details of social services received.

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 District 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 for Human Settlements or his/her delegate shall notify the applicant in writing of the decision on the appeal.

### **2.6.2 Dedicated Provincial Housing Department Human Resources**

The Department will ensure that staff of the Sustainable Human Settlements Chief Directorate within the various district offices facilitates the required assistance of potential beneficiaries under this programme.

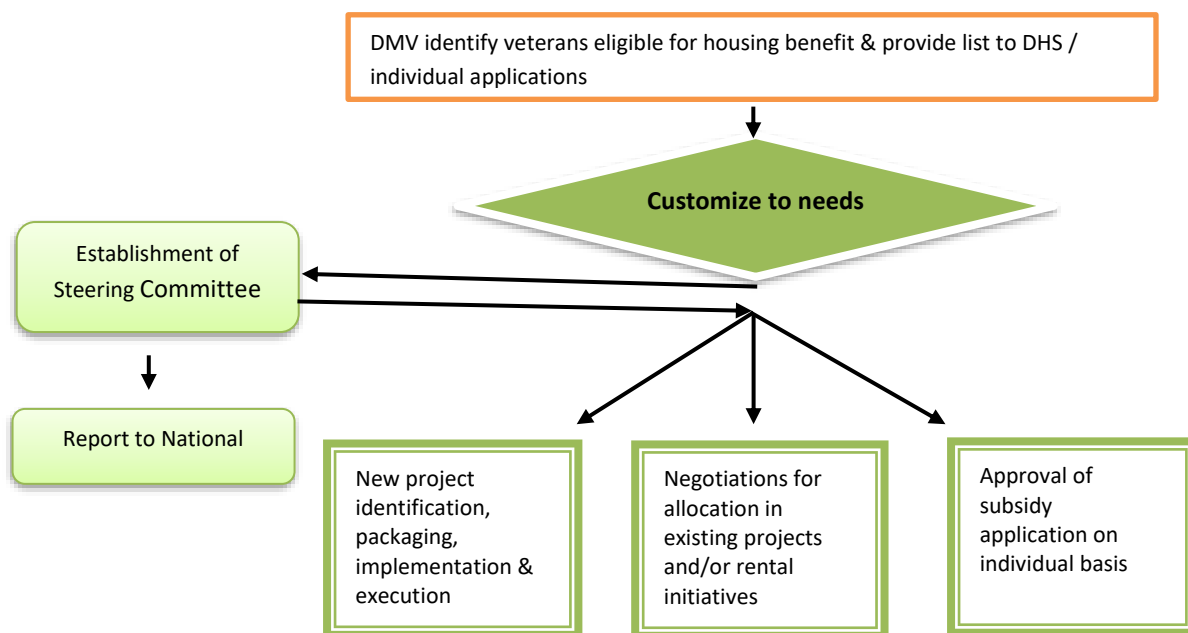
### **2.6.3 Institutional arrangements**

KZN Human Settlements shall formalize a steering committee with associations and organizations representing military veterans. The department shall chair the steering committee and regular meetings of the committee which should include 1 provincial representative, 1 representative from the DMV and 1 local municipality representative that will assess, monitor implementation and report to National. Such meetings shall be convened at agreed intervals (preferably 1 per quarter) 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 Human Settlements and within the framework of housing policy to deliver to military veterans.

### **2.6.4 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 2.3 above. 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 diagram 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, human settlements institutions, National Home Builder's Registration Council (NHBRC), KZN Department of Human Settlements 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 OF THE POLICY

The effective date of this policy will be the date of approval by the MEC responsible for Human Settlements and will be reviewed every three year or earlier if there are amendments to the legislation and the current Memorandum of Understanding between the Department of Human Settlements and Department of Military Veterans.

### 4. MONITORING AND EVALUATION

The Department through the project steering committees which will be established in various districts will monitor and report on the military veteran housing initiative on a regular basis to measure the progress made in terms of the implementation of the programme.