



**NAMIBIA UNIVERSITY  
OF SCIENCE AND TECHNOLOGY**

**FACULTY OF NATURAL RESOURCES AND SPATIAL SCIENCES**

**DEPARTMENT OF LAND AND PROPERTY SCIENCES**

<b>QUALIFICATION(S):</b> Diploma in Property Studies; Diploma in Geomatics; Diploma in Land Administration; Bachelor of Land Administration; Bachelor of Town and Regional Planning Bachelor of Geomatics; Bachelor of Property Studies; Bachelor in Property Studies Hons	<b>QUALIFICATION CODES:</b> 06DPRS 06DGEM 06DLAD 07BLAD 08BPRS 07BTAR 07BGEM 08BPRS 27BPRS
<b>COURSE NAME:</b> LAND TENURE SYSTEMS	<b>COURSE CODE:</b> LTS520S
<b>SESSION/DATE:</b> January 2019	<b>NQF LEVEL:</b> 5
<b>DURATION:</b> 3 HOURS	<b>MARKS:</b> 100
<b>SECOND OPPORTUNITY/SUPPLEMENTARY EXAMINATION QUESTION PAPER</b>	
<b>EXAMINER(S)</b>	<b>MRS M. KASITA</b>
<b>MODERATOR:</b>	<b>PROF. WOLFGANG WERNER</b>

**THIS QUESTION PAPER CONSISTS OF 3 PAGES (Including this front page)**

**INSTRUCTIONS**

1. This paper consists of 6 questions.
2. Answer ALL the questions.
3. Write clearly and neatly.
4. Number the answers clearly.

**Question 1**

- 1.1 Explain the term Land Reform. (3)
- 1.2 State four tenure types in Namibia today. (4)
- 1.3 Define the concept 'bundle of rights'. (3)
- 1.4 Describe the term cadastral (5)
- 1.5 Name three element that constitute tenure security (3)
- 1.6 Explain the term commonage as found in the communal areas. (2)

[20]

**Question 2**

- 2.1 Using a table, analyse the differences between customary land right and leasehold rights as provided for by the Communal Land Reform Act, Act 5 of 2002. (12)
- 2.2 State three main objectives of land reform in South Africa. (3)

[15]

**Question 3**

- 3.1 Compare and contrast the land reform that is taking place in both the communal and commercial sector in Namibia. In your discussion point out the Acts that are governing these reforms and the programs that are facilitating the implementation. (15)
- 3.2 In the context of land reform, what is restitution? (2)
- 3.3 State three problems encountered by South Africa in implementing land restitution. (3)

[20]

**Question 4**

- 4.1 Name the two new titles introduced by the Flexible Land Tenure Systems. (2)
- 4.2 Compare and contrast the differences and similarities of the two titles mentioned above. (10)
- 4.3 Describe the three roles and responsibility of the conveyancer during registration of property. (3)

[15]

**Question 5**

Choose a term in Column B that matches the description in Column A

<b>Column A</b>	<b>Column B</b>
5.1 The attempt to alter and so improve the rules of tenure.	<b>Open access</b>
5.2 The contract transferring ownership to land.	<b>Security of tenure</b>
5.3 Property in land and attachments	<b>Public notary</b>
5.4 Use of a common area without control	<b>Tenure Reform</b>
5.5 Tenure held without risk of loss	<b>Title deed</b>

5.6 A legal practitioner who prepares documents such as antenuptual contracts and long term leases are executed and signed by a notary before registration in Deeds Office.	<b>Immovable property</b>
5.7 Ownership of a block is with the group but individual families have rights of occupation of undefined sites.	<b>Sporadic registration</b>
5.8 A farm owner wanting to sell his farm must first offer it to the Minister of Land Reform who will either buy it or issues a certificate of waiver.	<b>Leasehold</b>
5.9 Registration of a parcel separately from others in the area.	<b>Preferent</b>
5.10 An agreement for temporary use of land by a person who pays rent to the owner.	<b>Starter Title</b>

[10]

### **Question 6**

In Southern Africa, land reform is taken place in both former settler colonies and non-settler colonies because land tenure distribution in the former settler colonies differs from that of non-settler colonies.

- 6.1 Explain these differences in tenure distribution and how the independent governments are addressing these tenure challenges in their land reform initiatives. (16)
- 6.2 Name two countries in Southern Africa who have achieved reasonable success either in tenure reform or land redistribution. (4)
- [20]

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**END OF EXAM**

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*All the best of luck!*