



**NAMIBIA UNIVERSITY
OF SCIENCE AND TECHNOLOGY**

FACULTY OF ENGINEERING AND THE BUILT ENVIRONMENT

DEPARTMENT OF LAND AND SPATIAL SCIENCES

QUALIFICATION(S): BACHELOR/DIPLOMA - PROPERTY STUDIES, LAND ADMINISTRATION, GEOMATICS, AND TOWN AND REGIONAL PLANNING	
QUALIFICATION(S) CODE: 08BPRS, 06DPRS, 07BLAM, 06DGEO, 06DGEM, 07BGEO, 07BGEM, 07BTAR	NQF LEVEL: 5
COURSE CODE: LTS520S	COURSE NAME: LAND TENURE SYSTEMS
EXAMS SESSION: JANUARY 2024	PAPER: THEORY
DURATION: 3 HOURS	MARKS: 100

SECOND OPPORTUNITY/SUPPLEMENTARY EXAMINATION QUESTION PAPER	
EXAMINER(S)	PROF UCHENDU E. CHIGBU
MODERATOR:	MR AMIN ISSA

INSTRUCTIONS
<ol style="list-style-type: none">1. Read the entire question paper before answering the Questions.2. Please write clearly and legibly!3. The question paper contains a total of 4 questions.4. You must answer <u>ALL QUESTIONS</u>.5. Make sure your Student Number is on the EXAMINATION BOOK(S).

PERMISSIBLE MATERIALS

a) None

THIS QUESTION PAPER CONSISTS OF 5 PAGES (Including this front page)

Question 1

For each of the following statements indicate whether it is 'TRUE' or 'FALSE'. Each correct answer carries 2 marks. (30)

- a) Complimentary interests in land exist when different parties share conflicting interests in the same parcel of land, e.g., common rights to grazing.
- b) Land tenure exists within a regime of legal, institutional and procedural systems.
- c) Overriding interests in land is when a sovereign power (state or community) has powers to allocate, cancel and reallocate.
- d) The exercise of land rights and ownership has implications in the way in which we develop urban and rural areas.
- e) The environmental concept of land considers land as a place requiring management to preserve its capacity to sustain life, carrying restrictions and responsibilities.
- f) Competing interests occur when different parties contest the same interests in the same parcel of land – source of land disputes.
- g) Overlapping interests in land is when several parties are allocated different rights to the same parcel of land, e.g., conservancies in communal areas, family members.
- h) The right to exclude others from a parcel of land constitutes a land right.
- i) Land tenure is the relationship people share with land and its associated natural resources.
- j) In a customary regime of land tenure, ownership is vested in chiefs or headsmen/women and foreign governments.

- k) In a leasehold, ownership of land is not in perpetuity.
- l) Usufruct rights are the rights to use land for cultivation, grazing and residential purposes.
- m) Control rights are the right to make decisions on how the land should be used, and what crops to plant etc.
- n) Transferable rights entail right to sell, mortgage or convey land to others through inter-community allocations, inheritance and reallocation of control rights.
- o) Different people may hold one or several land rights simultaneously.

[30]

Question 2

Identify (and list) **five** challenges related to land in Namibia. **Briefly explain** measures that can be used to solve each of the challenges you identified. Each challenge listed and explained carries **4** marks. Spread of marks: challenge (1); measure (1); and understanding of the subject presented through explanation (2)

(20)

[20]

Question 3

In one or two sentences, answer the following questions. Each correct question carries 2 marks.

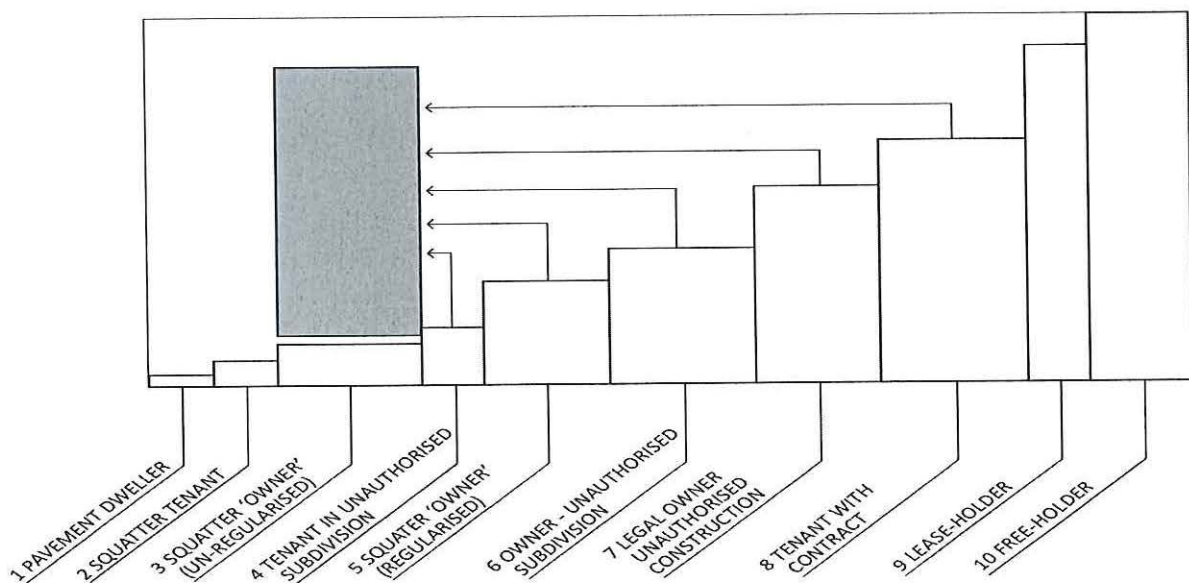
(30)

- a) List 2 characteristics of informal settlements?
- b) What is the main objective of the ongoing land reform in Namibia?
- c) Why do we register land rights?

- d) Differentiate between “land access” and “land availability.”
- e) Why was the flexible land tenure system introduced in Namibia?
- f) What makes land a major factor in the development of any country?
- g) What do you understand by “enumeration of tenure?”
- h) List the two tenure types that the Flexible Land Tenure Act (2012) provide?
- i) What do you understand by “continuum of land rights?”
- j) In the context of Namibia’s colonial history, what do you understand by the “red line?”
- k) What do you understand by a bundle of land rights?
- l) What do you understand by informal settlement upgrading?
- m) What is land dispossession?
- n) Why were native reserves established in colonial Namibia?
- o) How can you distinguish/differentiate between rural and urban areas in Namibia?

[30]

Question 4



Study the diagram shown above carefully. Answer all questions below based on the information depicted in the diagram. Each challenge listed and explained carries 2 marks. (20)

- a) What does the diagram represent?
- b) Considering the positions of the "lease-holder" and "tenant with contract" in the diagram, who is more secure?
- c) Who is the most insecure in the diagram?
- d) Who is a freeholder?
- e) Why is the freeholder identified as no. 10 in the diagram?
- f) What can a pavement dweller do to become a squatter tenant?
- g) What is the difference between a lease-holder and a free-holder?
- h) Considering the positions of the "tenant with contract" and "tenant in unauthorized subdivision" in the diagram, who is more insecure?
- i) Who is the most secure in the diagram?
- j) What do the bars in the diagram represent in the context of land tenure?

[20]
