



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: 08BOPS, 06DIPS, 07BLAM, 06DGEO, 06DGEM, 07BGEO, 07BGEM, 07BTAR	NQF LEVEL: 5
COURSE CODE: LTS520S	COURSE NAME: LAND TENURE SYSTEMS
EXAMS SESSION: NOVEMBER 2024	PAPER: THEORY
DURATION: 3 HOURS	MARKS: 100

FIRST OPPORTUNITY EXAMINATION QUESTION PAPER	
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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

1. None

THIS QUESTION PAPER CONSISTS OF 6 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) Land tenure exists within a regime of legal, institutional and procedural systems.
- b) In a customary regime of land tenure, ownership is vested in international corporations and foreign governments.
- c) Usufruct rights are the rights to use land for cultivation, grazing and residential purposes.
- d) Different people may hold one or several land rights simultaneously.
- e) Control rights are the right to make decisions on how the land should be used, and what crops to plant etc.
- f) Land tenure is the relationship people share with land and its associated natural resources.
- g) In a leasehold, ownership of land is in perpetuity.
- h) Complimentary interests in land exist when different parties share the same interests in the same parcel of land, e.g., common rights to grazing.
- i) 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.
- j) Overriding interests in land is when a sovereign power (state or community) has powers to allocate, cancel and reallocate.
- k) The right to exclude others from a parcel of land constitutes a land right.

- l) The exercise of land rights and ownership has no implications in the way in which we develop urban and rural areas.
- m) The environmental concept of land considers land as a place requiring management to preserve its capacity to sustain life, carrying restrictions and responsibilities.
- n) Transferable rights entail right to sell, mortgage or convey land to others through inter-community allocations, inheritance and reallocation of control rights.
- o) Competing interests occur when different parties contest the same interests in the same parcel of land – source of land disputes.

[30]

Question 2

Identify (and list) **five (5)** 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. (20)

[20]

Question 3

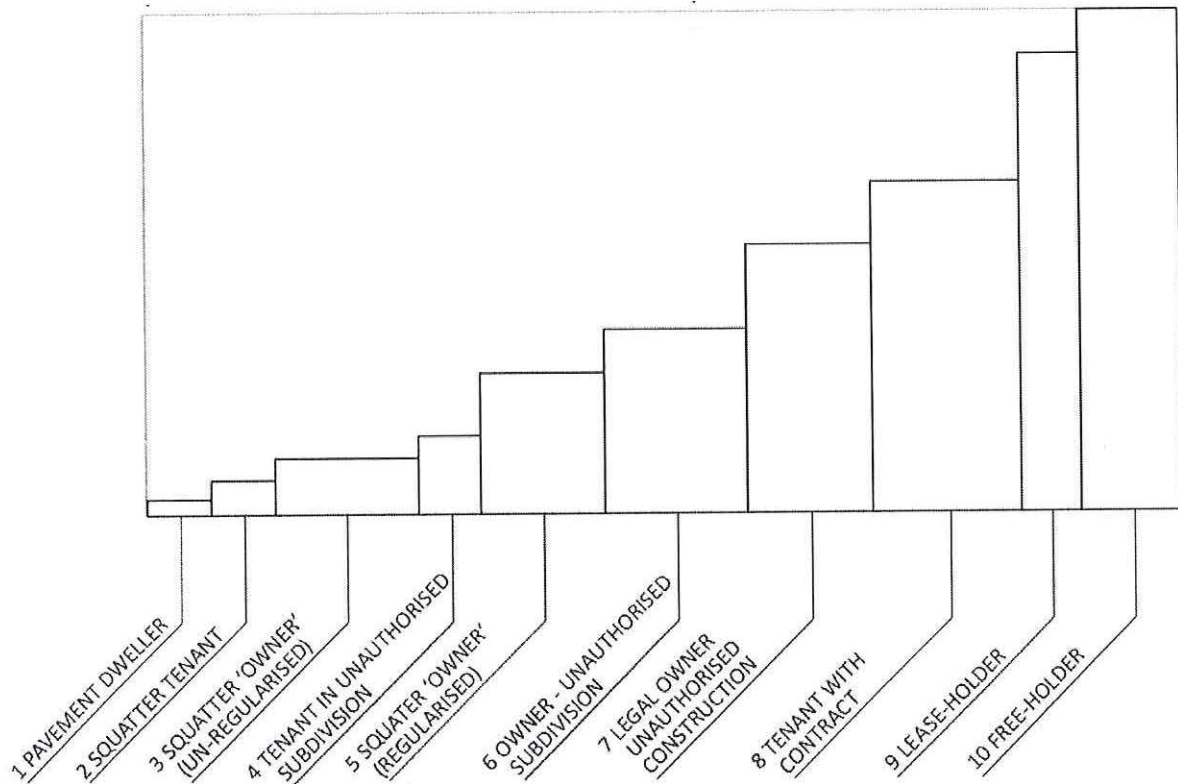
In one or two sentences, answer the following questions. Each correct question carries 2 marks.

- a) What is tenure security?
- b) What do you understand by the term bundle of land rights?
- c) Why do we register land rights?

- d) Differentiate between “land access” and “land availability.”
- e) List the two tenure types that the Flexible Land Tenure Act (2012) provide?
- f) What are the five ways a person can access land?
- g) Differentiate between “land adjudication” and “land expropriation.”
- h) Why was the flexible land tenure system introduced in Namibia?
- i) What do you understand by “continuum of land rights?”
- j) State the two types of reforms that the Namibian government is implementing to correct the past imbalances in land distribution.
- k) Name two land tools.
- l) What is informal settlement upgrading?
- m) What makes land a major factor in the development of any country?
- n) Identify 2 obligations/responsibilities that the government imposes on property owners or users?
- o) How can you distinguish/differentiate between rural and urban areas in Namibia?

(30)

[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)

- What does the diagram represent?
- Considering the positions of the "pavement dweller" and "squatter owner" in the diagram, who is more secure, why?
- Who is the most secure in the diagram?
- Why is the freeholder identified as no. 10 in the diagram?
- The right to "dispose" lies with the freeholder. Why?

- 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) All tenure categories have "occupy/use" right. Why?
- i) Who is the most insecure in the diagram?
- j) What do the bars in the diagram represent in the context of land tenure?

[20]

