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### DEPARTMENT OF HUMAN SETTLEMENTS

# POLICY GUIDELINES FOR IMPLEMENTING THE MILITARY VETERANS HOUSING PROGRAM IN THE NORTH WEST PROVINCE 2024

Version	Year	Approval status
Version 1	2020	Approved
Version 2	2024	Approved

Produced by:

Directorate: Housing Policy and Research

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## **EDICT OF GOVERNMENT**

To promote public education and public safety, equal justice for all, a better-informed citizenry, the rule of law, world trade, and world peace, this policy guideline is hereby made available on a non-commercial basis, as it is the right of all humans to know and speak the laws that govern them.



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## ABBREVIATIONS

Abbreviation	Full description
APLA	Azanian People's Liberation Army
AZANLA	Azanian Liberation Army
BBBEE	Broad-Based Black Economic Empowerment
BDF	Bophuthatswana Defense Force
BNG	Breaking New Ground
CIDB	Construction Industry Development Board
CIP	Contractor Incubation Program
DHS	Department of Human Settlements
DMV	Department of Military Veterans
EIA	Environmental Impact Assessment
HOD	Head of Department
HSDG	Human Settlements Development Grant
HSS	Housing Subsidy System
IDP	Integrated Development Plan
MEC	Member of the Executive Council
MIG	Municipal Infrastructure Grant
MK	uMkhonto we Sizwe
MOA	Memorandum of Agreement
MV	Military Veteran
NBR	National Building Regulations
NHBRC	National Home Builders Registration Council
NWHS	North West Department of Human Settlements
NWMVPSC	North West Military Veterans Provincial Steering Committee
SANDF	South African National Defense Force
SANMVA	South African National Military Veterans Association
SANS	South Africa National Standards
SLA	Service Level Agreement
SWAPO	South-West Africa People's Organization
TBVC	Transkei, Bophuthatswana, Venda and Ciskei
TDF	Transkei Defense Force
TOR	Terms of Reference
USDG	Urban Settlements Development Grant
VAT	Value Added Tax



## DEFINITIONS

CONCEPT	DEFINITION
<b>Basic services</b>	Basic services refer to services such as electricity, water, sanitation, refuse and waste removal which are critical services to improve the quality of the lives of people, and in South Africa, the government has committed itself to providing a basic amount of free water, sanitation services and electricity to the poor, which are most referred to as free basic services.
<b>Beneficiary</b>	Beneficiary refers to a qualifying person who received a housing benefit from the State.
<b>Building</b>	Building refers to construction works that have the provision of shelter for its occupants or contents as one of its main purposes, usually partially or enclosed and designed to stand permanently in one place.
<b>Code</b>	The Code refers to the National Housing Code as contemplated in Section 1 of the Housing Act, Act 107 of 1997, as amended, and Part 2, Section 4, subsection (6) states that the Code shall be binding on the provincial and local spheres of government.
<b>Cohabitation</b>	Cohabitation refers to when an unmarried couple lives together in a long-term relationship that resembles a marriage. Seeing as a couple is not married, cohabitation is not regulated by law and does not receive the same protection as marriage as there is no common law marriage in South Africa and the duration that couples spend living together does not mean that marriage came into existence.
<b>Competent Person</b>	Competent Person refers to a Competent Person whose credentials are accepted by the National Home Builders Registration Council (NHBRC) and is admitted to the Council's list of Competent Persons. A Competent Person is a registered person in terms of the Engineering Professions Act, Act 114 of 1990, or a person registered in terms of the Natural Scientific Professions Act, Act 106 of 1993, as amended by Act 27 of 2003.
<b>Deemed-to-satisfy</b>	Deemed-to-satisfy refers to the Code of Practice for the application of the National Building Regulations with deemed-to-satisfy rules which are applicable for house construction in South Africa as found in the South African National Standards (SANS) 10400. The Code of Practice for the construction of dwelling houses under the National Building Regulations specifically covers the deemed-to-satisfy rules for housing and includes conventional housing, incremental housing and informal housing.

<p><b>Delegation</b></p>	<p>Delegation refers in terms of the Housing Act, Act 107 of 1997, as amended, Part 3, Section 7, Sub-sections (1), (2), (3) and (5):</p> <ul style="list-style-type: none"> <li>(1) Every provincial government, through its MEC, must after consultation with the provincial organizations representing municipalities as contemplated in section 163(a) of the Constitution, do everything in its power to promote and facilitate the provision of adequate housing in its province within the framework of national housing policy.</li> <li>(2) For the purposes of subsection (1) every provincial government must through its MEC: <ul style="list-style-type: none"> <li>(a) determine provincial policy in respect of housing development;</li> <li>(b) promote the adoption of provincial legislation to ensure effective housing delivery;</li> <li>(c) take all reasonable and necessary steps to support and strengthen the capacity of municipalities to effectively exercise their powers and perform their duties in respect of housing development;</li> <li>(d) co-ordinate housing development in the province;</li> <li>(e) take all reasonable and necessary steps to support municipalities in the exercise of their powers and the performance of their duties in respect of housing development;</li> <li>(f) when a municipality cannot or does not perform a duty imposed by this Act, intervene by taking any appropriate steps in accordance with section 139 of the Constitution to ensure the performance of such duty; and</li> <li>(g) prepare and maintain a multi-year plan in respect of the execution of the province of every national housing program and every provincial housing program, which is consistent with national housing policy and section 3(2)(b), in accordance with the guidelines that the Minister approves for the financing of such a plan with money from the Fund.</li> </ul> </li> <li>(3) An MEC must: <ul style="list-style-type: none"> <li>(a) administer every national housing program and every provincial housing program which is consistent with national housing policy in section 3(2)(b), and for this purpose may, in accordance with that program and the prescripts contained in the Code, approve:</li> </ul> </li> </ul>
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	<ul style="list-style-type: none"> <li>(I) any projects in respect thereof; and</li> <li>(II) the financing thereof out of money paid into the provincial housing development fund as contemplated in section 12(2);</li> </ul> <ul style="list-style-type: none"> <li>(b) determine provincial housing development priorities in accordance with national housing policy;</li> <li>(c) apply procurement policy in respect of housing development determined by the Minister in terms of section 3(2)(c); and</li> <li>(d) administer the assets contemplated in section 14.</li> </ul> <p>(4) (a) The MEC must establish a panel of not more than six persons to advise the MEC on any matter relating to housing development.</p> <p>(5) The MEC may, subject to conditions he or she may deem appropriate in any instance:</p> <ul style="list-style-type: none"> <li>(a) delegate any power conferred on him or her by this Act; or</li> <li>(b) assign any duty imposed upon him or her by this Act, to an officer or employee of the department responsible for the administration of housing matters in a province, either in her or her personal capacity or by virtue of the rank he or she holds or the post he or she occupies: Provided that the delegation or assignment does not prevent the person who made the delegation or assignment from exercising that power or performing that duty to himself or herself.</li> </ul>
<b>Department</b>	The department refers to the North West Department of Human Settlements.
<b>Dependent</b>	Dependent as defined in the Military Veterans Act, Act 18 of 2011, concerning a Military Veteran, relates to any person who is legally or factually dependent on that Military Veteran for support and maintenance.
<b>Developer</b>	Developer refers to the organ/institution planning and implementing human settlement developments as mandated by the Housing Act, Act 107 of 1997, as amended. In the case of the North West Province, the Department of Human Settlements remains the Developer, unless a Local Municipality has been assigned/accredited under the Housing Act, Act 107 of 1997, as amended, and the Municipal Accreditation Framework.
<b>Dwelling unit</b>	A dwelling unit refers to a single unit providing complete, independent living facilities for one or more persons including permanent provisions

	for living, sleeping, eating, cooking and sanitation which may be separated from or linked horizontally or vertically to other units.
<b>Extraordinary human settlement development conditions</b>	Extraordinary human settlement development conditions refer to site characteristics which necessitate that some measures over and above the "norm" are required to ensure satisfactory housing outcomes and therefore require intensive precautionary measures to ensure a durable product with investment value. Extraordinary human settlement development conditions relate to climatic, topographic (natural ground slope of a site) and geotechnical (inherent geology) conditions.
<b>Greenfield site</b>	A greenfield site refers to an undeveloped site earmarked for a new human settlement development project.
<b>Home</b>	Home refers to a meaning assigned in the Housing Consumer Protection Measures Act, Act 95 of 1998, as amended: <ul style="list-style-type: none"> <li>a) excluding: <ul style="list-style-type: none"> <li>a. any building which is constructed with less than two thirds of the floor area designed for residential purposes;</li> <li>b. homes that are co-owned in terms of the Share Blocks Control Act, Act 59 of 1980 or Property Time-Sharing Control Act, Act 75 of 1983;</li> <li>c. any home forming part of an informal settlement;</li> <li>d. any temporary building as contemplated in the National Building Regulations issued in terms of the National Building Regulations and Building Standards Act, Act 103 of 1977; and</li> <li>e. a shack or caravan.</li> </ul> </li> <li>b) including: <ul style="list-style-type: none"> <li>a. a unit to be occupied for residential purposes as contemplated in the definition of "social housing" in Section 1 of the Social Housing Act, Act 16 of 2008;</li> <li>b. a residential section registered in terms of the Sectional Titles Act, Act 95 of 1986, and any common building;</li> <li>c. a unit as contemplated in the Housing Development Schemes for Retired Persons Act, Act 65 of 1988;</li> <li>d. a unit forming part of a housing program contemplated in the National Housing Code issued in terms of the Housing Act, Act 107 of 1997, as amended;</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>e. the private drainage system from the home up to the municipal connection or up to and including a conservancy or septic tank;</li> <li>f. water services from the point of supply to the point of discharge at fixtures and appliances;</li> <li>g. any ancillary buildings such as storerooms, covered walkways, garages, and common facilities;</li> <li>h. any retaining wall necessary to ensure the structural integrity of the home; and</li> <li>i. any adjacent building or wall on common property that has the potential to damage the home should it for any reason collapse.</li> </ul>
<b>Housing development</b>	Housing development or human settlement development is defined in terms of the Housing Act, Act 107 of 1997, as amended, as the establishment and maintenance of habitable, stable and sustainable public and private residential environments to ensure viable households and communities in areas allowing convenient access to economic opportunities, and to health, education and social amenities in which all citizens and permanent residents of the Republic will, on a progressive basis, have access to permanent residential structures with secure tenure, ensuring internal and external privacy and providing adequate protection against the elements, and potable water, adequate sanitary facilities and domestic energy supply.
<b>Incubator Program</b>	Incubator Program refers to the Contractor Incubation Program (CIP) which creates an enabling environment within which contracting enterprises with a proven track record can continue to develop into sustainable contracting enterprises. The CIP concentrates on contracting enterprises within categories 3 to 7 of the Construction Industry and Development Board (CIDB) grading.
<b>Identified land parcel</b>	Identified land parcel refers to a tract of land, comprising of one or more farm portions or erven registered in a Deeds Registry, identified for housing development under a subsidy scheme.
<b>Indigent</b>	Indigent refers to a needy person.
<b>Infrastructure</b>	Infrastructure delivery refers to the combination of all planning, technical, administrative and managerial actions associated with the construction, supply, renovation, rehabilitation, alteration, maintenance, operation or disposal of infrastructure.
<b><i>In situ</i></b>	<i>In situ</i> refers to the original place, which are often also referred to as "brownfield" housing development/s.

<p><b>Inspection stages</b></p>	<p>In the North West Department of Human Settlements, inspection stages refer to inspections conducted at the following construction stages:</p> <ul style="list-style-type: none"> <li>a) Foundation <ul style="list-style-type: none"> <li>a. Earthworks</li> <li>b. Excavation</li> <li>c. Steel/Pre-pour</li> <li>d. Certification</li> </ul> </li> <li>b) Wall plate <ul style="list-style-type: none"> <li>a. Door/window height and placement</li> <li>b. Wall plate with specific attention to roof ties and brick force in all courses from windows to wall places</li> </ul> </li> <li>c) Roof</li> <li>d) Completion, hand-over and occupation</li> <li>e) Post occupation for completion of snags</li> </ul>
<p><b>Memorandum of Agreement/ Service Level Agreement</b></p>	<p>Memorandum of Agreement (MOA)/Service Level Agreement (SLA) as set out according to the Military Veterans Act, Act 18 of 2011, Section 6(f) and (g), the Director General of the National Department of Military Veterans negotiates with National and Provincial Departments of Human Settlements insofar it pertains applies to the housing benefits to qualifying Military Veterans how the housing benefits should be implemented through a Memorandum of Agreement (between the National Department of Military Veterans and the National Department of Human Settlements) and a Service Level Agreement (between the National Department of Military Veterans, National Department of Human Settlements and the Provincial Department of Human Settlements) respectively.</p>
<p><b>Milestones</b></p>	<p>Milestones refer to a significant event in a project that occurs at a point in time. The milestone schedule shows only major segments of work; it represents first, estimates of time, cost, and resources for the project. Milestones are important control points in the project.</p>
<p><b>Military Veteran</b></p>	<p>Military Veteran, as defined in the Military Veterans Act, Act 18 of 2011, refers to any South African citizen who:</p> <ul style="list-style-type: none"> <li>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;</li> <li>b) served in the Union Defence Force before 1961; or</li> <li>c) became a member of the new South African National Defence Force after 1994,</li> </ul>

	<p>and has completed his or her military training 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.</p>
<b>Municipality</b>	<p>Municipality refers to a municipality as contemplated in Section 155 of the Constitution of the Republic of South Africa, Act 108 of 1996.</p>
<b>National Building Regulations</b>	<p>National Building Regulations (NBR) refers to building regulations as set out under the National Building Regulations and Buildings Standards Act, Act 103 of 1977, of which regulations include mandatory performance requirements that support the objectives of the Act which is to ensure the safety and health of persons living or working in any building. It contains SANS 10400 which contains prescriptive rules given for any form of construction that are deemed-to-satisfy.</p>
<b>National Department of Military Veterans Contribution</b>	<p>National Department of Military Veterans Contribution refers to a financial contribution towards the provision of housing benefits to qualifying Military Veterans of an amount set by the National Minister of Military Veterans administered through a MOA/SLA with the National and Provincial Departments of Human Settlements, of which amount may be reviewed by the National Minister of Military Veterans from time to time.</p>
<b>National Home Builders Registration Council</b>	<p>National Home Builders Registration Council (NHBRC) is established in terms of the Housing Consumers Protection Measures Act, Act 95 of 1998, as amended, and the objectives of the Council include to:</p> <ul style="list-style-type: none"> <li>a) represent the interests of housing consumers by providing warranty protection against defects in new homes;</li> <li>b) regulate the home building industry;</li> <li>c) provide protection to housing consumers in respect of the failure of home builders to comply with their obligations in terms of the Act;</li> <li>d) establish and promote ethical standards in the home building industry;</li> <li>e) improve structural quality in the interests of housing consumers and the home-building industry;</li> <li>f) promote housing consumer rights and provide housing consumer information;</li> </ul>

	<p>g) communicate with and assist home builders to register in terms of the Act; and</p> <p>h) assist home builders, through training and inspection, to achieve and maintain satisfactory technical standards of home building.</p>
<b>National Military Veterans Database</b>	National Military Veterans Database refers to the official computerized information system established and maintained by the National Department of Military Veterans containing the names and personal details of Military Veterans.
<b>Non-statutory force</b>	Non-statutory force refers to the armed forces of former liberation movements not established by any law, e.g. uMkhonto we Sizwe, APLA, and AZANLA.
<b>Policy Guidelines</b>	Policy Guidelines refers to the Policy Guidelines for Implementing the Military Veterans Housing Program in the North West Province.
<b>Procurement</b>	Procurement is defined in the Housing Act, Act 107 of 1997, as amended, to be the process by which organs of state procure goods, services, and works from, dispose of moveable property, hire or let anything, or grant rights to the private sector.
<b>Project Manager</b>	A Project Manager refers to a person appointed by a Provincial Department of Human Settlements who deals with the programming, time control and other management aspects related to project management.
<b>Quality management</b>	Quality management is the process to ensure that the project will satisfy the needs of the beneficiaries. Quality is defined as a commitment to deliver projected outputs and the expectations of the beneficiaries, which means that quality is ultimately defined by the beneficiary. Quality is not about delivering the most expensive materials or services; is ensuring the project outputs are relevant to the needs of the beneficiaries, that they are delivered on time and are adequate to the conditions in which they have to be used.
<b>Reliability</b>	Reliability refers to the ability of a structure or a structural element to fulfil the specified requirements, including the design working life, for which it has been designed.
<b>Risk management</b>	Risk management refers to the identification, assessment and prioritization of risks followed by coordinated and economic application or strategy of resources to minimize, monitor and control the probability and/or impact of unfortunate events or to maximize the realization of opportunities.
<b>Spouse</b>	Spouse refers to a person who is the spouse or partner of a Military Veteran per the Marriage Act, Act 25 of 1961, the Recognition of



	Customary Marriages Act, Act 120 of 1998, or the Civil Union Act, Act 17 of 2006, or the tenets of any Asiatic religion, and “spousal relationship” has a corresponding meaning.
<b>Statutory force</b>	Statutory force refers to the former military armed forces of the former South African Defence Force and the former Transkei, Bophuthatswana, Venda, and Ciskei (TBVC) states.
<b>Variation calculator</b>	Variation calculator refers to an electronic calculator that has been developed for use when calculating the adjustment of the subsidy amount. The formulas used in the calculator are based on the extraordinary development conditions and the subsidy amount available during a specific financial year. Following the adjustment of the subsidy amount, an updated calculator is made available by the National Department of Human Settlement. To facilitate the evaluation of project applications, the Variation Manual is supported by an automatic variation amount calculator. This calculator operates through the software program Microsoft Word Excel and is available from the National Department of Human Settlement. The calculator will be annually adjusted by the Department in line with the building cost index. It is important to note that although the calculator can be used to determine variation amounts required for the adjustment of the project cost at project application stages, the actual variation amount must be determined based on a professional assessment of the extraordinary development conditions and the costing of the precautionary measures designed by the professionals. A geotechnical calculator was developed for the Department, in line with the National Department’s variation calculator, in 2004, by Sonderland and Schutte Consulting Engineers, to be used by the Department for the calculation of geotechnical variations, which remains in use in the Department until such time deemed otherwise by the Accounting Officer of the Department.

## 1. INTRODUCTION

The South African Constitution, Act 108 of 1996, preserves the right of everyone to have access to adequate housing and makes it incumbent upon the State to take reasonable legislative and other measures within its available resources to achieve the progressive realization of this right. In response to this Constitutional mandate, the Government in terms of the Housing Act, Act No 107 of 1997, as amended, introduced a variety of housing programs which provide poor households access to adequate housing.

In 2006, a Housing MINMEC, a committee comprising the Minister for Human Settlements and Members of Executive Councils for Human Settlements (MINMEC) approved the adjustment of housing subsidy scheme qualification criteria to facilitate qualifying Military Veterans to access housing benefits and housing subsidies. The Government acknowledges the critical role Military Veterans have played in the history of South Africa and the Military Veterans Housing Program was therefore designed to restore the dignity of Military Veterans by ensuring access to adequate housing for those who qualify in terms of the Military Veterans Act, Act 18 of 2011. Housing benefits are administered in conjunction with the National Department of Military Veterans which derives its mandates from the afore-mentioned Act.

For the better part of freedom and democracy, the contribution and sacrifices of Military Veterans have been largely neglected and their acts of selflessness in the fight for liberation cannot be over-emphasized. It has been recognized that Military Veterans qualify for dignity, honour, and glory as they had demonstrated great patriotism and bravery during trying times. It is only befitting that those who stood first in line to defend their country should reap the benefits of freedom by affording them a fair chance of a good education, a good job, adequate shelter, and a good life. Military Veterans, from statutory and non-statutory forces, made enormous and benevolent contributions to the liberation struggle of South Africa and many of them lost their youth and careers whilst engaged in combat activities outside the country in their youthful years. On this basis, qualifying Military Veterans become an incomparable category of beneficiaries that require government housing assistance.

The Military Veterans Act, Act 18 of 2011, places an obligation on the State to roll out social and other services to Military Veterans and their dependants, of which services or benefits related to access to a military pension; housing; free access to military health services; free subsidised access to public transport; skills acquisition and educational support; job placement; burial support; entrepreneurial support services; and counselling.

According to the Military Veterans Act, Act 18 of 2011, Section 6(f) and (g), the Director General of the National Department of Military Veterans negotiates with National and Provincial Departments of Human Settlements insofar it applies to the housing benefits to qualifying Military Veterans how the housing benefits should be implemented through a Memorandum of Agreement (between the National Department of Military Veterans and the National Department of Human Settlements) and a Service Level Agreement (between the National Department of Military Veterans, National Department of Human Settlements and the Provincial Department of Human Settlements) respectively.

The North West Province Department of Human Settlements equally strives to ensure that the contribution of Military Veterans in building South Africa as a democratic, non-sexist and non-racial country, is recorded, recognized, and acknowledged through its efforts to provide adequate housing opportunities within its limited resources. This Policy Guideline therefore seeks to provide implementing mechanisms for implementing housing subsidy benefits to qualifying Military Veterans and or their spouses and or their dependants, where applicable, in conjunction with all other enabling legislation, policies, procedures, and strategic frameworks applicable to the implementation of Military Veteran benefits.

The Military Veterans Housing Program Policy was initially approved by the Member of the Executive Council in 2020, however, due to various legislative changes and policy shifts. The reviewed Policy is effective from the date of approval by the Member of the Executive Council thereby repealing the Policy that was approved in 2020.

## **2. PURPOSE AND OBJECTIVES OF THE POLICY GUIDELINES**

The purpose of the Policy Guidelines seeks to acknowledge and address the plight of destitute Military Veterans (MVs) insofar as it pertains to their right to access adequate and decent housing opportunities provided they meet the minimum qualifying criteria as set out in applicable enabling legislation, policies, procedures, and strategic frameworks, in its efforts as the North West Department of Human Settlements to create viable, sustainable and integrated human settlements through the provision of housing subsidy benefits for qualifying Military Veterans.

### **3. SCOPE OF APPLICABILITY OF THE POLICY GUIDELINES**

The scope of the Policy Guidelines for the Military Veterans Housing Program applies to all potential and qualifying Military Veterans for access to decent and adequate housing subsidy opportunities in the North West Province administered by the North West Provincial Department of Human Settlements in conjunction with critical stakeholders and role-players in the sector in its efforts to reduce destitution of Military Veterans thereby upholding their dignity.

### **4. ENFORCEMENT**

The risk of not complying with these Policy Guidelines in conjunction with relevant and applicable legislative and policy frameworks ultimately bears negative consequences of development and legal risk that can range from being accountable to justifying actions or decisions made incorrectly and therefore knowingly accepting legal responsibility for loss of life. Therefore, the risks need to be managed, and the responsibility thereof lies with the accountable officials.

### **5. GUIDING PRINCIPLES OF THE POLICY GUIDELINES**

The Policy Guidelines must be implemented to promote:

- 5.1. Recognition and upholding dignity: The Department must recognize and honour qualifying Military Veterans through its efforts for the sacrifices they made for the nation thereby restoring their dignity and assisting in the improvement of the quality of their daily lives.

- 5.2. Self-reliance and economic stimulation: The Department must promote the ability and confidence of Military Veterans to venture into other business transactions beyond the opportunities provided by the Department without perpetual dependence on the government and thereby becoming self-reliant.
- 5.3. Security of tenure: The Department must ensure that through the provision of adequate and decent housing opportunities, qualifying Military Veterans and or their dependants have or obtain secure tenure.
- 5.4. Poverty alleviation: The Department working in collaboration with other Departments within the North West Province and Local Municipalities must fight any form of social, economic, and asset poverty with the sole intention of improving the quality of living conditions of destitute qualifying Military Veterans and their dependants.
- 5.5. Equality: Qualifying Military Veterans shall be prioritised and must enjoy preferential treatment in terms of gaining access to adequate and decent housing opportunities.

## **6. STRATEGIC INTENT**

The Policy Guidelines seek to:

- 6.1. Be consistent and in line with the Constitution of South Africa, Act 108 of 1996; the Housing Act, Act 107 of 1997, as amended; the Housing Code, 2009, the Human Settlements Ministerial Directive 1 of 2016; the Military Veterans Act, Act 18 of 2011; and the Military Veterans Benefits Regulations, 2014.
- 6.2. Ensure that human settlement policy guidelines are geared towards creating sustainable, viable, and integrated human settlements and restoring dignity through creating housing opportunities as a lifetime asset.
- 6.3. Provide mechanisms for qualifying Military Veterans and their dependants to access housing opportunities through the Military Veterans Housing Program.
- 6.4. Define the roles and responsibilities of various stakeholders and role-players that are critical in the implementation of housing subsidy benefits to qualifying Military Veterans.

- 6.5. Provide planning, implementation, monitoring, and evaluation guidelines for implementing the Military Veterans Housing Program in the North West Province by the Department of Human Settlements.

## **7. LEGISLATIVE MANDATE**

The following legislative, policy, and strategic frameworks are the primary enabling legislation insofar as it pertains to the implementation of housing subsidy benefits to qualifying Military Veterans, and should therefore not be read and applied in isolation, but as part of an array of primary and secondary enabling legislative, policy, and strategic frameworks, and those legislative, policy and strategic frameworks that are not mentioned herein, should be consulted, if needs be:

### **7.1. Constitution of the Republic of South Africa, Act 108 of 1996**

The Constitution of the Republic of South Africa, Act 108 of 1996, Section 9, confirms that everyone is equal before the law and has a right to equal protection and benefit of the law, and quality which includes the full and equal enjoyment of all rights and freedoms, and that the State, therefore, may not unfairly discriminate directly or indirectly against anyone or any one or more grounds. It further states in Section 10, that everyone has an inherent right to dignity and the right to have their dignity respected and protected, which is critical in the implementation of every national housing program. Essential for the Department to observe is Section 26 which prescribes that everyone has a right to have access to adequate housing and that the State (insofar as this Policy Guidelines refers to the Department of Human Settlements in the North West Province) must take reasonable legislative measures within its available resources to achieve this progressive right.

Emphasis is placed on adequate housing as adequate housing is inclusive of safe housing, meaning that all reasonable precautions should be taken where human settlements are developed such that the safety of beneficiaries is guaranteed, as it also states in Section 24(a) that *everyone has the right to an environment that is not harmful to their health or well-being* whereas Section 152(1)(d) states that *the objective of local government is to promote health and safety of its inhabitants*.

Every qualifying Military Veteran who has served this country patriotically, loyally, diligently, and with esteemed discipline as a citizen, is worthy of the benefits espoused by these Policy Guidelines and human dignity is a right that cannot be restricted or negotiated under any circumstances.

## **7.2. Housing Act, Act 107 of 1997, as amended**

The Housing Act, Act 107 of 1997, as amended, is the primary piece of legislation for the housing mandate in South Africa and it legally entrenches policy principles outlined in the 1994 White Paper on Housing which provides for sustainable housing development processes, laying down general principles for housing development in all spheres of government, defining functions of national, provincial and local governments concerning housing development, and provides a foundation for the financing of national housing programs.

The Minister of Human Settlements in terms of section 3(4)(j)(ii) of the Housing Act, Act 107 of 1997, as amended, has decided to further regulate the application of the Ministerial National Norms and Standards to ensure that the government's housing programs provide for the optimal use of the housing subsidy amounts in the pursuit of an equitable housing assistance dispensation and the creation of sustainable integrated human settlements. It is based on the primary tenets of the Housing Act, Act 107 of 1997, as amended, that the Minister for Human Settlements has passed legislative and policy prescripts towards the implementation of the Military Veterans Housing Program.

## **7.3. Military Veterans Act, Act 18 of 2011**

The Military Veterans Act, Act 18 of 2011, provides for principles recognized by the State as governing the affairs of Military Veterans and setting policy objectives in this regard, which regards the President to be Patron-in-Chief of all Military Veterans, outlining all benefits' entitlements to qualifying Military Veterans, the establishment of an Advisory Council on Military Veterans, the establishment of a Military Veterans Appeal Board, and outlining specific functions of the National Department of Military Veterans.

The Military Veterans Act, Act 18 of 2011, recognizes eleven benefits' entitlements to qualifying Military Veterans and therefore places an obligation on the State to roll out social and other services to Military Veterans and their dependants, of which services or benefits related to the access to a military pension, housing, access to military health services, subsidised access to public transport, skills acquisition and educational support, job placement, burial support, entrepreneurial support services, and counselling.

According to the Military Veterans Act, Act 18 of 2011, Section 6(f) and (g), the Director General of the National Department of Military Veterans may negotiate with National and Provincial Departments of Human Settlements the housing benefits to qualifying Military Veterans, how the housing benefits should be implemented through a Memorandum of Agreement (between the National Department of Military Veterans and the National Department of Human Settlements) or a Service Level Agreement (between the National Department of Military Veterans, National Department of Human Settlements and the Provincial Department of Human Settlements) respectively.

#### **7.4. Housing Code, 2009**

The National Housing Code, 2009, emanates from the Housing Act, Act 107 of 1997, as amended, sets out the underlying principles, guidelines, and norms and standards which apply to the government's various housing subsidy assistance programs that were introduced in 1994. The main purpose is to provide an easy-to-understand overview of the various housing subsidy instruments to assist low-income households to access adequate housing.

The housing vision is underpinned by principles of sustainability, viability, integration, equality, reconstruction, holistic development, and good governance. South Africa's housing policy and strategy must contribute to a non-racial, non-sexist, and democratic integrated society. The goal is to improve the quality of living of all South Africans with an emphasis on the poor and those who cannot independently satisfy their basic housing needs.



## **7.5. Human Settlements Ministerial Directive 1 of 2016, 2016**

The purpose of the policy directives contained in the Human Settlements Ministerial Directive 1 of 2016, is to ensure that all human settlement development initiatives are undertaken in compliance with the prescripts of the National Housing Policy as contained in various human settlement legislation, the prescripts of national housing programs as well as the provisions of the Ministerial Norms and Standards in respect of Standard Residential Structures to ensure that all the policy prescripts are uniformly implemented and applied with the underlying objective to terminate non-compliance and prevent deviation from approved policy prescripts. It further prescribed the minimum specifications for a housing unit to be constructed for qualifying Military Veterans.

## **7.6. Military Veterans Benefits Regulations, 2014**

The Military Veterans Benefits Regulations, 2014, stems from the Military Veterans Act, Act 18 of 2011, which sets out the underlying principles, guidelines, and regulations insofar as the qualification criteria for each of the eleven benefits that Military Veterans must meet to qualify for benefits.

## **7.7. Intergovernmental Relations Framework Act, Act 13 of 2005**

The Intergovernmental Relations Framework Act, Act 13 of 2005, establishes a framework for national government, provincial governments, and local governments to promote and facilitate intergovernmental relations as well as provide mechanisms and procedures to facilitate the settlement of intergovernmental disputes. Chapter 3, Section 35-38, prescribes rules of conduct for intergovernmental relations and provides for implementation protocols between the three spheres of government.

## **7.8. Municipal Systems Act, Act 32 of 2000**

The Municipal Systems Act, Act 32 of 2000, provides for the core principles, mechanisms and processes that are necessary to enable Local Municipalities to move

progressively towards social and economic upliftment of local communities and ensure universal access to essential services that are affordable to all.

#### **7.9. Policy for Beneficiary Management for the Department of Local Government and Human Settlements, 2017**

This Policy was developed to provide guidelines in the Department of Human Settlements to be followed by providing procedures in identifying rightful beneficiaries, providing procedures on the breakdown of cohabiting relationships, providing procedures to deal with duplicate dependants, providing procedures to register rightful heirs upon the death of beneficiaries, and by providing procedures in the tracing and deregistration of missing/ untraceable beneficiaries.

#### **7.10. Policy on Housing Development Project Processes for the Department of Local Government and Human Settlements, 2018**

This Policy seeks to, in line with the purpose of the policy, provide guidelines, and procedures concerning housing development processes which are project-based to ensure that all human settlement projects are implemented uniformly, effectively, and efficiently, ensuring optimum utilization and minimal wastage of state resources. The purpose of this Policy is to assist with the development and implementation of quality contract and project management plans for housing projects that will be undertaken by the Department, ensure that quality is an integral part of every housing project, reduce re-work and/or extensions on/of housing projects, compliance with all relevant sector-related norms, standards and legislative prescripts ensure that houses meet the satisfaction of the beneficiaries of low-cost housing options as the customers of the Department.

#### **7.11. Guidelines for the use of Innovative Building Technologies in low-cost housing developments in the North West Province, 2019**

The purpose of these Guidelines is to guide the application and implementation of quality innovative building technologies in low-cost human settlement developments and therefore serve as an aiding decision-making tool for the Department to make

well-informed selections. Innovative building technologies must be selected in terms of their benefits and functionality such as improved construction turnaround time, lifecycle costing, bulk upfront costs, energy efficiency, sustainability principles, maintenance plans, environmental soundness, reliability, serviceability, and so on.

#### **7.12. Guidelines for implementing Housing Consumer Education in the North West Province, 2022/2023**

The purpose of the Housing Consumer Education Guideline is to establish a clear vision and a coherent yet integrated framework instrument that can guide housing consumer education and awareness interventions. The Housing Consumer Education Guideline seeks to ensure and achieve uniformity and standardization in the implementation of housing consumer education by the Department of Human Settlements and other implementing agents throughout the North West Province.

#### **7.13. Policy Guidelines for Occupational Health and Safety at Human Settlements Construction Sites in the North West Province, 2023/2024 in conjunction with the Occupational Health and Safety Act, Act, Act 85 of 1995, and the Construction Regulations, 2014**

The main objective of these Policy Guidelines is to ensure that construction occupational health and safety is implemented according to legislative and policy prescripts, protocols, and procedures to ensure optimum implementation of housing delivery in the North West Province with minimal occupational health and safety injuries and fatalities. There are specific prescripts that the Department and the Contractor are obliged to follow and implement in line with the Occupational Health and Safety Act, Act 85 of 1995, and the Construction Regulations, 2014.

The main objective of the Occupational Health and Safety Act (OHSA), Act 85 of 1993, is to provide for the safety and health of employees to prevent and avoid work-related injuries and illness. The Construction Regulations, 2014, aims to place more legal responsibilities on all key project stakeholders to ensure that their roles and responsibilities are more defined, as well as to impose more stringent health and

safety obligations on all project stakeholders to ensure the health and safety of all those who work and visit construction sites.

## **8. ROLES AND RESPONSIBILITIES**

### **8.1. The President as Commander-in-Chief of the South African Defense Force**

8.1.1. The President as Commander-in-Chief of the South African Defense Force is the Patron-in-Chief of all Military Veterans.

### **8.2. National Department of Military Veterans**

8.2.1. The Director General of the National Department of Military Veterans negotiates with National and Provincial Departments of Human Settlements insofar it applies to housing benefits to qualifying Military Veterans, how the housing benefits should be implemented through a Memorandum of Agreement (between the National Department of Military Veterans and the National Department of Human Settlements) or a Service Level Agreement (between the National Department of Military Veterans, National Department of Human Settlements and the Provincial Department of Human Settlements) respectively. It remains the responsibility of the Director General of the National Department of Military Veterans to, from time to time, review the Memorandum of Understanding or Service Level Agreement. The Director General of the National Department of Military Veterans must extensively consult with the National and respective Provincial Departments of Human Settlements in the drafting and review of the Memorandum of Understanding and Service Level Agreements.

8.2.2. Establish and maintain a database of all Military Veterans and their dependents.

8.2.3. Facilitate the verification of Military Veterans qualifying for housing subsidy benefits through official sign-off by the Director General of the National Department of Military Veterans.

- 8.2.4. Participate in and support the North West Military Veterans Provincial Steering Committee. The Provincial Coordinator from the National Department of Military Veterans should also participate in and support the North West Military Veterans Provincial Steering Committee.
- 8.2.5. Process payments within thirty (30) days in respect of claims submitted to the National Department of Military Veterans for milestones achieved in the implementation of housing subsidy benefits to qualifying Military Veterans.
- 8.2.6. Monitor the performance of the Military Veterans Housing Program insofar as it provides financial resources towards the implementation of the Military Veterans Housing Program.

### **8.3. National Department of Human Settlements**

- 8.3.1. Allocate funding for the implementation of the Military Veterans Housing Program to Provincial Governments on an annual basis and such funds are transferred to Provinces in terms of the provisions of the Division of Revenue Act, published annually.
- 8.3.2. Sets national human settlement policy in terms of technical requirements and publishes subsidy quanta with applicable variations under the authority of the Minister for Human Settlements regularly as it pertains to human settlement delivery.
- 8.3.3. Participate in and support the North West Military Veterans Provincial Steering Committee and assist in the unblocking of implementation challenges as and when necessary.
- 8.3.4. The National Department of Human Settlements shall, on request, assist the National Department of Military Veterans with technical expertise in the effort to provide housing assistance for qualifying Military Veterans.
- 8.3.5. Monitor and evaluate the performance of the Military Veterans Housing Program implemented by the North West Provincial Department of Human Settlements.

#### **8.4. South African National Military Veterans' Association (SANMVA)**

- 8.4.1. Participate in the North West Military Veterans Provincial Steering Committee.

#### **8.5. North West Department of Human Settlements**

- 8.5.1. Prioritize project and specific program funding from its annual funding allocation for the implementation of the Military Veterans Housing Program.
- 8.5.2. Plan for the delivery of the Military Veterans Housing Program through the annual Human Settlement Development Grant (HSDG) Business Plan.
- 8.5.3. Observe and comply with all relevant and applicable Military Veterans Housing Program and other applicable rules and regulations to ensure quality standard products are delivered with value for money.
- 8.5.4. Appoint a Champion located in Housing Development to lead the implementation of these Policy Guidelines and applicable legislative and policy mandates, and who will Chair the North West Military Veterans Provincial Steering Committee.
- 8.5.5. Establish and maintain the North West Military Veterans Provincial Steering Committee as required by applicable legislation, and coordinate inter-government relations and activities related to housing subsidy benefits to qualifying Military Veterans.
- 8.5.6. Housing consumer education and beneficiaries' rights and responsibilities' education must take place pre- and post-delivery of housing units to all qualifying and receiving Military Veterans, and the Department must keep a detailed record of such educational sessions which must form part of the project close-out report.
- 8.5.7. Take every precaution to only develop housing units for qualifying Military Veterans whose credentials have been verified and signed off by the Director General of the National Department of Military Veterans.

- 8.5.8. Ensure that the allocation of housing units to qualifying Military Veterans is according to Military Veterans' identified location of choice in housing projects in the North West Province.
- 8.5.9. Ensure the delivery of quality housing units according to applicable norms, standards, and technical specifications as set by the National Department of Human Settlements and any deviations from such norms, standards, and technical specifications should be approved in writing by the National Minister of Human Settlements.
- 8.5.10. Ensure that the most cost-effective contracting strategy/ies for the delivery of housing goods and services are used and selected.
- 8.5.11. Enter into agreements with Local Municipalities for the allocation of sites/serviced stands to be allocated to qualifying Military Veterans.
- 8.5.12. Ensure the facilitation and hand-over of title deeds/permission-to-occupy certificates to qualifying Military Veterans upon the completion and hand-over of housing units.

## **8.6. Local Municipalities**

- 8.6.1. Local Municipalities are obliged to ensure that the health and safety of inhabitants living within their jurisdiction are ensured in line with Section 152(1) (d) of the Constitution of South Africa, Act 108 of 1996, meaning that Local Municipalities must put in place risk prevention mechanisms to deal with the health and safety of its inhabitants.
- 8.6.2. Local Municipalities are obliged to ensure that all buildings are constructed in terms of the National Building Regulations and Building Standards Act, Act 103 of 1977, and the National Building Regulations.
- 8.6.3. Participate in and support the North West Military Veterans Provincial Steering Committee.
- 8.6.4. Allocate sites and/or service sites for the construction of houses for qualifying Military Veterans.
- 8.6.5. Ensure proper beneficiary administration in respect of Military Veterans applying for housing subsidy assistance as well as Military Veterans who qualify to benefit from housing subsidy assistance.

## **8.7. National Home Builders Registration Council (NHBC)**

- 8.7.1. The NHBC together with the North West Department of Human Settlements conducts inspections for milestones in project delivery of housing units under construction for qualifying Military Veterans.
- 8.7.2. Participate in and support the North West Military Veterans Provincial Steering Committee.
- 8.7.3. Guides in the implementation of Military Veterans' housing units that are of high quality and that prove to have value for money.

## **8.8. North West Military Veterans Provincial Steering Committee (NWMVPSC)**

- 8.8.1. Ensure the development of provincial housing strategies to ensure qualifying Military Veterans' benefits from housing assistance as outlined in the legislation.
- 8.8.2. Provide inputs into plans and business plans.
- 8.8.3. Assist in aligning the involvement of the key government and other stakeholders in delivering the strategy.
- 8.8.4. Facilitate the removal of blockages to delivery.
- 8.8.5. Thoroughly investigate applicants' decline as per the regulation and endorse submission to the Minister of Human Settlements with clear recommendations based on investigations and attach all supporting documentation to decline or override.
- 8.8.6. Investigate all cases to ensure that no Military Veteran is disadvantaged.
- 8.8.7. Track progress made on delivery against the agreed strategy and recommend interventions where it is deemed necessary.
- 8.8.8. Provide oversight on monitoring and evaluation of projects.
- 8.8.9. Test and develop the generic templates for the systems, processes, and institutional arrangements for the approvals, implementation, and monitoring of government-driven projects to the benefit of the Military Veterans Housing Program.



- 8.8.10. Encourage communication between the spheres of government, applicable government Departments, Military Veterans, and all applicable role-players and or stakeholders.
- 8.8.11. Conciliate differences between the representatives from the three spheres of government.
- 8.8.12. Report regularly to senior administrative and political levels of government through the representatives who have been designated by each of the three spheres.
- 8.8.13. Ensure that a conducive environment prevails for the delivery of the Military Veterans Housing Program by pursuing the facilitation of practical solutions to deal with potential project blockages within the technical planning, and authorities' sphere.

## **9. POLICY GUIDELINES**

### **SECTION 1: QUALIFYING CRITERIA**

Persons who wish to benefit from the housing subsidy scheme under the Military Veterans Housing Program must be:

- 9.1. A South African citizen or a permanent resident.
- 9.2. Legally competent to contract.
- 9.3. A Military Veteran as defined in the Military Veterans Act, Act 18 of 2011, of whose credentials must be verified and signed off by the Director General for the National Department of Military Veterans.
- 9.4. Unemployed and receives a pension from the State and when assessing eligibility for housing benefits, the pensions earned by Military Veterans should be excluded from income.
- 9.5. Employed, but not earn an annual income exceeding R125,000-. per annum, of which income should be disassociated from that of his/her spouse, i.e. the

income of the spouse is not taken into consideration as he/she cannot access the housing benefit if they are not Military Veterans.

- 9.6. Not own a house in either a rural or an urban area; however, where qualifying Military Veteran owned a property in the past, and does not currently own any property, such qualifying Military Veterans should not be disqualified, where there is proof that the previous property was sold under duress, or repossessed by a bank, or is a recognized family residence. Most Military Veterans have “family residences” registered in their names but do not necessarily own such properties and as a result, when there are family squabbles, Military Veterans get evicted from such family residences and become destitute and homeless. In such an event, the North West Department of Human Settlements must rope in the assistance of the Department of Social Development to establish whether the Military Veterans claiming “inherited family properties” security of tenure can be established, and appropriate interventions are undertaken.
- 9.7. Not have previously received a housing benefit from the State; however, some Military Veterans owned government-subsidised houses at some stage of their lives but lost those houses during their long absence while in political exile during the apartheid-era, and in other instances Military Veterans applied for housing subsidy assistance but were only allocated empty sites and no houses were built; therefore, in this instance, the qualifying Military Veteran can apply for a housing unit as the provision of a stand is not the same as a full housing unit.
- 9.8. The spouse of a qualifying Military Veteran must not have received a housing benefit from the State; however, where it is established that the spouse of a qualifying Military Veteran has previously accessed a housing subsidy from the State, the North West Department of Human Settlements must solicit the assistance of the Department of Social Development to assess and verify whether or not the Military Veteran has security of tenure, and if not, appropriate interventions must be undertaken.

- 9.9. It is acknowledged that there are instances where qualifying Military Veterans had passed away before deriving benefits from the State for their services and that the beneficiaries of the estate may have claims to secured benefits and therefore the housing subsidy in terms of the qualifying Military Veterans Housing Program may be accessed where such rights have been secured and the following criteria must apply:
- 9.9.1. Death certificate of the qualifying Military Veteran.
  - 9.9.2. Certificate of proof of service verified and signed off by the Director General of the National Department of Military Veterans.
  - 9.9.3. Proof of the nature of the rights secured, such as a sale agreement and/or approved housing subsidy application.
  - 9.9.4. Proof of relationship with the deceased, e.g., birth certificate or marriage certificate.

## **SECTION 2: VERIFICATION OF MILITARY VETERANS' CREDENTIALS**

- 9.10. The National Department of Military Veterans is the custodian of the Military Veterans' information in the form of its official Database.
- 9.11. The North West Department of Human Settlements compiles a list of applicants who wish to access housing subsidy benefits under the Military Veterans Housing Program.
- 9.12. The North West Department of Human Settlements submits the compiled lists to the National Department of Military Veterans, signed off by the Head of the Department.
- 9.13. The National Department of Military Veterans verifies the credentials of each Military Veteran applicant through a signed-off document by its Director General.
- 9.14. No applications will be considered and approved without the signed-off verification from the Director General of the National Department of Military Veterans.

### SECTION 3: APPLICATION PROCESS

- 9.15. Military Veterans who wish to be assisted through the housing subsidy scheme for qualifying Military Veterans should be invited to apply to the North West Department of Human Settlements or through respective Local Municipalities.
- 9.16. The application form must be accompanied with the following copies of original documents of which copies are certified, stamped, and dated not older than three (3) months:
- 9.16.1. Identity document.
  - 9.16.2. Identity document of a spouse, if married.
  - 9.16.3. Marriage certificate, if married.
  - 9.16.4. Birth certificates/identity documents of children, if any. If the children's surnames are different than that of the applicant, attach an unabridged birth certificate or affidavits from both parents.
  - 9.16.5. If the applicant has children that are not the applicant's biological children, but they are under his/her care, a confirmation from a court must be attached, and in the absence of a court confirmation, attach a report from a registered Social Worker.
  - 9.16.6. If a qualifying Military Veteran has been deceased before deriving housing benefits that have already been approved:
    - 9.16.6.1. Death certificate of the Military Veteran.
    - 9.16.6.2. Certificate of proof of service verified and signed off by the Director General of the National Department of Military Veterans.
    - 9.16.6.3. Proof of the nature of the rights secured, such as a sale agreement and/or approved housing subsidy application.
    - 9.16.6.4. Proof of relationship with the deceased, e.g., birth certificate or marriage certificate.

- 9.17. The application forms are received by the unit responsible for Housing Subsidy Claims and Administration of which unit will capture the application on the Housing Subsidy System which system will run for various searches.
- 9.18. Searches are conducted on the Housing Subsidy System (HSS) and the unit responsible for Subsidy Claims and Administration will compile a list of applicants for submission to the National Department of Military Veterans for verification and sign-off by the Director General.
- 9.19. Only when verified and signed-off documentation has been received from the Director General of the National Department of Military Veterans, the North West Department of Human Settlements can consider approving applicants who meet the minimum requirements for housing subsidy assistance under the Military Veterans Housing Program.
- 9.20. Applicants who have qualified to benefit from housing subsidy assistance must be informed immediately in writing when the application is approved by the Housing Subsidy System.
- 9.21. Applicants who did not qualify to benefit from housing subsidy assistance must be informed immediately in writing of the decline stating the reasons for the decline.

#### **SECTION 4: THE MILITARY VETERAN HOUSING UNIT**

- 9.22. The Human Settlements Ministerial Directive 1 of 2016 requires the North West Department of Human Settlements to ensure that all human settlement development initiatives are undertaken in compliance with the prescripts of national housing policy, the prescripts of national housing programs and the Ministerial Norms and Standards of which the North West Department of Human Settlements must abide to ensure that all policy prescripts are uniformly applied and implemented.

- 9.23. Beneficiaries of the Military Veterans Housing Program must receive the highest quality products possible and therefore, value for money and products of high quality must be pursued and achieved in all circumstances.
- 9.24. The partly subsidised financed Military Veterans' housing unit must be constructed for a qualifying Military Veteran with the following specifications:
- 9.24.1. 50m<sup>2</sup> of gross floor area with two (2) bedrooms.
  - 9.24.2. A toilet/bathroom and a combined kitchen/living area.
  - 9.24.3. Installed ceilings for the whole house.
  - 9.24.4. Tiled floors throughout the house.
  - 9.24.5. Fitted kitchen cupboards, gas/electric stove-top, solar hot water provision device, hot and cold water taps in the bathroom and kitchen.
  - 9.24.6. Each house must receive a 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.
  - 9.24.7. Single carport with paving.
  - 9.24.8. Constructed perimeter fencing for each property.

## **SECTION 5: HOUSING CONSUMER EDUCATION**

- 9.25. A key success factor in implementing any government housing policy program relates to proper and adequate housing consumer education which is compulsory housing consumer education that must be conducted by the Provincial Department and/or/in conjunction with a Local Municipality before, during, and after the implementation of all policy housing programs. Housing consumer education can therefore not be more over-emphasized towards to successful implementation of the Military Veterans Program as it fosters understanding of the housing program itself, the rights and responsibilities of the homeowners, obligations of homeowners, where and how to report structural defects within the warranty period, and other matter related to home ownership.

- 9.26. Housing consumer awareness and education should be conducted before the commencement of a project, during the implementation of a project, and when the project is completed. Proof of these housing consumer awareness sessions must be included with the completion and hand-over of the project, and the “happy letter” must include a confirmation from the beneficiary/homeowner that he/she received housing consumer education before the project commenced, during the project implementation, and after the project was completed.
- 9.27. A homeowner's manual should be provided to every Military Veteran beneficiary when taking occupation and proof of such receipt must also be included with the completion of the project. The homeowner's manual should at a minimum include:
- 9.27.1. Rules insofar the pre-emptive rule as contained in the Housing Act, Act 107 of 1997, as amended.
  - 9.27.2. Obligations of the homeowner.
  - 9.27.3. Rights and responsibilities of the homeowner.
  - 9.27.4. Rules on what is covered by the warranty period.
  - 9.27.5. Procedures to report structural defects within the warranty period.
  - 9.27.6. Contacts of the Housing Ombudsman.
  - 9.27.7. Contact details of all relevant departmental officials and other role-players/stakeholders.
  - 9.27.8. If the housing unit was constructed through innovative building methods, at a minimum.
    - 9.27.8.1. The materials the housing unit was constructed with.
    - 9.27.8.2. How to maintain the housing unit.
    - 9.27.8.3. Procedures to report structural defects.
    - 9.27.8.4. Contact details of the manufacturers/developers.

## **SECTION 6: SPECIFIC CONDITIONS ATTACHED TO THE HOUSING SUBSIDY QUANTUM FOR THE MILITARY VETERANS HOUSING PROGRAM**

- 9.28. The housing subsidy quantum is introduced by and annually adjusted under the authority of the Minister of Human Settlements. MECs do not have the

authority to make any adjustments to the housing subsidy amount except as provided for in the Variation Manual for the adjustment of the subsidy amount to cater for extra-ordinary development conditions.

- 9.29. The housing subsidy quantum cannot be used to fund the cost of the construction and provision for bulk and connector infrastructure. The funding for bulk and connector infrastructure is available to Local Municipalities that annually receive an Urban Settlements Development Grant (USDG) allocation, or in the case of Local Municipalities currently excluded from USDG allocation, the Municipal Infrastructure Grant (MIG).
- 9.30. Under no circumstances can any service provider be paid in advance.
- 9.31. Approved housing subsidy funds may only be released in terms of the contract provisions concluded and upon certification by a Competent Person that value for money has been delivered as prescribed in the contract and product specification.
- 9.32. Under no circumstances can the housing subsidy be utilised to acquire building materials.
- 9.33. The housing subsidy quantum must be treated as confidential and may not be revealed to any Contractor or Service Provider. Provincial Departments of Human Settlements and Local Municipalities are prohibited from publishing the subsidy quantum in any Gazette or newspapers.
- 9.34. If the Contractor fails to meet the target in terms of housing delivery and poor workmanship is discovered, the number of houses will be reduced or withdrawn depending on the nature of the default.
- 9.35. All Contractors must comply with the Construction Regulations, 2014, and the North West Department of Human Settlements Policy Guidelines for Occupational Health and Safety at Construction Sites, 2023/2024.



- 9.36. The details of the specifications of the product and time frames for development will be part of the contract that will be entered into between the North West Department of Human Settlements and the Contractor.
- 9.37. Proof of every inspection per milestone should be submitted for verification to the Champion for the Military Veterans Housing Program before payment of claims can take place.
- 9.38. The Champion of the Military Veterans Program can at any given time verify that indeed milestones have been achieved before signing off and verifying inspections for milestones to be paid.
- 9.39. "Happy Letters" must be signed by the receiving beneficiary in the presence of the Champion of the Military Veterans Housing Program and the Housing Inspector for the respective area wherein the housing unit has been constructed. A copy of the "Happy Letter" must be included with the completion certificate before the last milestone is paid.
- 9.40. All qualifying Military Veterans receiving a fully completed housing unit must be provided with a title deed/permission-to-occupy upon hand-over of the housing unit. A copy of the title deed/permission-to-occupy certificate must be included with the completion certificate before the last milestone is paid.

## **SECTION 7: NORTH WEST MILITARY VETERANS PROVINCIAL STEERING COMMITTEE (NWMVPSC)**

- 9.41. The North West Department of Human Settlements appoints a Champion located in Housing Development to lead the implementation of these Policy Guidelines, applicable legislative and policy frameworks, and will Chair the North West Military Veterans Provincial Steering Committee.
- 9.42. The North West Department of Human Settlements establishes and maintains the North West Military Veterans Provincial Steering Committee as required by applicable legislation, and co-ordinate inter-government relations and

activities as it relates to housing subsidy benefits to qualifying Military Veterans

- 9.43. Members of the permanent structure of the NWMVPSC will comprise of:
- 9.43.1. The Provincial Department of Human Settlements:
    - 9.43.1.1. Champion of the Military Veterans Housing Program (Chairperson).
    - 9.43.1.2. Chief Director: Housing Development or representative.
    - 9.43.1.3. Chief Director: Housing Needs, Research, Planning and Technical Services or representative.
    - 9.43.1.4. District Directors: Housing Development or representatives.
    - 9.43.1.5. Deputy Director: Subsidy Administration and Claims.
    - 9.43.1.6. District Coordinators for the Military Veterans Housing Program.
    - 9.43.1.7. Director: Housing Planning and Technical Services.
    - 9.43.1.8. Director: Municipal Support (Housing Consumer Education).
    - 9.43.1.9. Director: Housing Policy and Research.
    - 9.43.1.10. Secretariat.
  - 9.43.2. National Department of Human Settlements.
  - 9.43.3. National Department of Military Veterans.
  - 9.43.4. All Housing Managers at Local Municipalities.
  - 9.43.5. Housing Development Agency.
  - 9.43.6. National Home Builders Registration Council.
  - 9.43.7. Representative from the South African National Military Veterans Associations.
- 9.44. Meetings will be called by the Champion/Chairperson of the NWMVPSC and will convene bi-monthly. However, ad-hoc meetings/workshops may be scheduled to resolve matters deemed to be of urgency. The determinations of what constitutes a matter of urgency will be made by the Chairperson of the NWMVPSC. A meeting schedule will be communicated to all members at the beginning of each financial year.

9.45. The NWMVPSC will draft a Terms of Reference (TOR) for its rules, procedures, and operations which must be adopted by the permanent members of the NWMVPSC.

## **10. IMPLEMENTATION, AWARENESS, COMMUNICATION, AND DISSEMINATION**

10.1. The Policy Guidelines will be implemented by the North West Department of Human Settlements Chief Directorate for Housing Development in conjunction with applicable stakeholders and role-players.

10.2. Communication, awareness, and dissemination of the Policy Guidelines will be done through the North West Department of Human Settlements Directorate for Housing Research and Policy Development in conjunction with applicable role-players.

## **11. MONITORING AND EVALUATION**

11.1. Monitoring and evaluation of compliance with the Policy Guidelines remains the most critical area to ensure effective implementation of the Policy Guidelines.

11.2. The Sub-Directorate of Monitoring and Evaluation under the Chief Directorate of Housing Needs, Research, Planning, and Technical Services in the North West Department of Human Settlements will be responsible for monitoring and evaluating compliance with the Policy Guidelines.

## **12. THE COMMENCEMENT DATE OF THE POLICY GUIDELINES**

This Policy Guidelines shall come into effect from the date of approval.

## **13. REVIEW OF THE POLICY GUIDELINES**

These Policy Guidelines will be reviewed as and when changes are effected in national legislation about the Military Veterans Housing Program and/or the SLA/MOU between



the National Department of Human Settlements and the Department of Military Veterans.

#### 14. APPROVAL

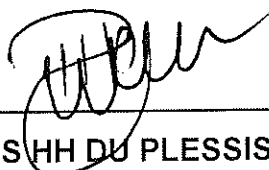
##### *Policy Guidelines Developers:*



\_\_\_\_\_  
MS K MALOKA  
DEPUTY DIRECTOR:  
HOUSING POLICY DEVELOPMENT

14/10/2024

DATE



\_\_\_\_\_  
MS HH DU PLESSIS  
DIRECTOR:  
HOUSING RESEARCH AND  
POLICY DEVELOPMENT

14/10/2024

DATE

##### *Recommended:*



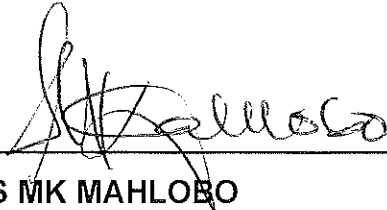
\_\_\_\_\_  
MR T PHETLHU  
CHIEF DIRECTOR:  
HOUSING NEEDS, RESEARCH, PLANNING, AND  
TECHNICAL SERVICES

16/10/24

DATE



**Recommended:**

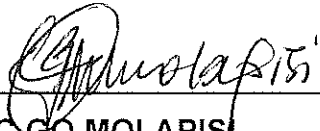


**MS MK MAHLOBO  
HEAD OF DEPARTMENT**

16/01/2025

**DATE**

**Approved:**



**MEC GO MOLAPISI**

16/01/2025

**DATE**

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