



GAUTENG PROVINCE

HUMAN SETTLEMENTS
REPUBLIC OF SOUTH AFRICA

GAUTENG MILITARY VETERANS POLICY

February 2016

NOTICE

It is hereby notified that the Member of the Executive Council for Human Settlements in the Gauteng Legislature has consented to the following Policy for implementation and it is hereby forwarded to the relevant implementing agent for compliance.

Date of Consent 15 January 2018

Date of commencement 01 APRIL 2018

Signature 

Gauteng Military Veterans Policy

Preamble

The act of selflessness in the fight for liberation is a demonstration of patriotism and these individuals need to be recognized for what they have done for their country. It is befitting therefore that those who stood first in line to defend their country should reap the benefits of freedom by affording them fair chance of a good education, good job and a good life.

Military Veterans, especially those who served in non-statutory forces have made an enormous and benevolent contribution in the liberation of South Africa. The majority of these veterans lost their youth and career years while engaged in combat activities outside the country. They therefore become an incomparable category that requires government assistance in accessing housing but also ensuring sustainable livelihoods. This speaks to their economic survival.

Assistance to Military Veterans is a transversal programme of government. In 2006 the Housing MINMEC approved the adjustment of the housing subsidy scheme qualification criteria to facilitate military veterans to access housing subsidies. The Department of Human Settlements is also empowered to allocate accommodation to military veterans on a preferential basis.

Although the general housing policy does not exclude any other needy veteran from accessing housing, the housing policy provides for all military veterans to access housing through the revised national qualification criteria that includes all veterans, including those that served under any previous military dispensation and those persons involved in liberation movements in the fight against apartheid. The Gauteng 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 and acknowledged.

Gauteng Military Veterans Policy

“The promulgation of Military Veterans Act 18 of 2011, the gazette Military Veterans Benefits Regulations¹, 19 February 2014 anchors service delivery in the Military Veterans sector. The Proclamation in 2009 to ensure speedy, seamless, effective and efficient roll out of the benefits stipulated in Section 5 of the Act endeavours to improve the lives of Military Veterans. These new institutional and policy arrangements dedicated to service Military Veterans, demonstrate both the political will and commitment of the ANC-led government to change the lives of Military Veterans and their dependents for the better, in a systematic, progressive and sustainable manner”²

¹ Gazette No 37355 dated 19 February 2014

² N.N Mapisa-Nqakula, MP, Minister: Department of Defence and Military Veterans

Gauteng Military Veterans Policy

Definitions and acronyms

For purposes of this policy, unless otherwise stated, the following definitions and acronyms shall apply:

“Department” means the Gauteng Department of Human Settlements;

“Dependent” means

- (a) Any person in relation to benefits due or enjoyed by the military veteran and the military veteran is legally liable for his/her wellbeing and maintenance
- (b) The spouse of the military veteran
- (c) A posthumous child of the military veteran
- (d) A person in respect of whom the member or pensioner would have been legally liable for maintenance had that person been a minor;

“MEC” means Member of the Executive Committee responsible for Human Settlements in the Gauteng Province;

“Military Veteran” means a military veteran as defined in the Military Veterans Act, 2011(Act No. 18 of 2011);

“National Military Veterans Database” means the official computerized information system established and maintained by the Department of Military Veterans containing the names and personal details of Military Veterans;

“Non-statutory force” means the armed forces (Umkhonto we Sizwe, Azanian Peoples Liberation Army, Azanian Liberation Army) of former liberation movements not established by any law;

“Spouse” means a person who is the spouse or partner of a military veteran in accordance with the Marriage Act, 1961 (Act No. 25 of 1961), the Recognition of Customary Marriages Act, 1998 (Act No. 120 of 1998), or the Civil Union Act, 2006 (Act No. 17 of 2006), or the tenets of any Asiatic religion, and "spousal relationship" has a corresponding meaning

Gauteng Military Veterans Policy

“Statutory force” means the former military armed forces of the former South African Defence Force and the former TBVC (Transkei, Bophuthatswana, Venda and Ciskei) states.

"The Act" means the Military Veterans Act, 2011 (Act No. 18 of 2011);

Gauteng Military Veterans Policy

1. Title

This policy shall be known as the Gauteng Military Veterans Policy

2. Background

In 2012 the Special Needs Policy was approved by the Department. This policy was informed by the need on the part of the provincial government to craft a housing policy response for people that have been identified to need extra or additional consideration in meeting their housing requirements. In recognition of stretching the already strained resources available to the Department, the policy sought to address the plight of destitute military veterans, older persons in need of government assisted housing, housing beneficiaries with disabilities, child headed households and beneficiaries with physically challenged dependents.

The provincial Special Needs Policy in its present form has not been fully implemented by both the Department and municipalities. The Department undertook to review the policy and consultations with stakeholders were conducted to understand the challenges and hiccups associated with policy implementation. From here policy gaps were identified which culminated in the need to separate the case of military veterans from the Special Needs Policy.

3. Scope of the Policy

This policy shall apply to military veterans who are:

- (a) Permanent residents or citizens of the Gauteng City Region;
- (b) Who are unemployed and in desperate need of accommodation and qualify for government sponsored housing subsidy;
- (c) In need of training/ skills capacitation aligned to the delivery mandate of the Department, which is mainly in the Built environment; and
- (d) Already in the built environment space and require exposure to access business opportunities and wish to be registered on the Departmental database as service providers.

Gauteng Military Veterans Policy

4. Policy Objectives

This policy seeks to:

- (a) To provide mechanisms for military veterans and their dependents to access housing through a variety of housing instruments.
- (b) Ensure that military veterans benefit equally from the economic empowerment opportunities inherent to the human settlements sector.
- (c) Define the roles and responsibilities of various stakeholders and role-players in promoting the principles of this policy

5. Legislative and Policy Framework

Strategy/Policy/Legislation	Application	Implication
Constitution of the Republic of South Africa Act 108 of 1996	<i>Citizenship</i> – Every citizen is equally entitled to the rights, privileges and benefits of citizenship	Every military veteran who has served this country diligently and with esteemed discipline of patriotism as a citizen is worthy the benefits espoused by this policy
	<i>Human dignity</i> – Everyone has inherent dignity and the right to have their dignity respected and protected	Human dignity is a right that cannot be restricted under any circumstances
	<i>Housing</i> – Everyone has the right to have access to adequate housing The state must take reasonable legislative and other measures, within its available resources, to achieve the progressive realisation of this right.	Every military veteran shall enjoy the right to access to housing as promoted through various housing programmes of the Department
National Housing Act [Act 107 of 1997]	Provides for the facilitation of a sustainable housing development process.	The Act is applicable in its entirety
Gauteng Housing Act, [Act 6 of 1998]	To provide for the promotion and facilitation of housing development within the Province of Gauteng and set out the powers and duties of the Member of the Executive Council responsible for Housing and Land Affairs	The Act is applicable in its entirety

Gauteng Military Veterans Policy

<p>Intergovernmental Relations Framework Act, [Act 13 of 2005]</p>	<p>Provides the general principles for co-operative governance and the regulation of IGR Forums by giving guidelines to govern internal IGR procedures and a framework for the settlement of IGR disputes.</p>	<p>Local and provincial departments shall collaborate and plan together to provide a logical method of planning and intervention geared towards improved service delivery</p>
<p>Military Veterans Act, [Act 18 of 2011]</p>	<p>Recognising and honouring the sacrifices made by military veterans in the service of or for their country or their role in the democratisation of South Africa</p>	<p>Facilitated basket of benefits and opportunities to military veterans as an appreciation to their contribution in the democratisation of South Africa</p>
	<p>Regulations [19 Feb. 2014]</p>	<p>Military veteran shall satisfy Regulation 14 as a criteria to qualify for housing Regulation 15 as a condition for housing benefit</p>
<p>Housing Code 2009</p>	<p>Provides an overall vision for housing delivery in South Africa and the way in which this vision should be implemented. Its main objective is the acquisition and development of housing for occupation and / acquisition by beneficiaries.</p>	<p>The Code is applicable in its entirety</p>
<p>Implementation Strategy for the Military Veterans Housing Initiative 2016</p>	<p>To operationalise the delivery housing units to military veterans as defined in the Military Veterans Act and endorsed by the MINMEC 2006 and approved by the Social Cluster</p>	<p>Military veterans shall access housing opportunities created under the strategy relating and with powers vested in the MEC</p>
<p>Breaking New Ground (BNG)</p>	<p>A plan for the development of integrated, sustainable and habitable human settlements that shifts from quantity to quality. The implementation of the policy shall give effect to the following Business Plans</p>	<p>Houses provided to military veterans shall be incorporated in a housing development in order not to create isolation of military veterans from the broader community but shall seek to give effect to the following Business Plans</p>
	<p><i>Business Plan 1: Stimulating The Housing Market</i> Promote the realisation of housing as an asset and support households in their efforts to use their housing for more than shelter, as a vital component of their livelihood strategy. Facilitate the development of a single housing market</p>	<p>Housing delivered to military veterans with its specifications shall be provided congruently as an integral part of a housing project development and not in isolation of other housing typologies</p>
	<p><i>Business Plan 6: Housing Subsidy Funding System Reforms</i></p>	<p>The policy recognise the revision of the subsidy allocation as</p>

Gauteng Military Veterans Policy

	<p>Highlight the strategic reforms required to make the national housing subsidy funding system more responsive to the needs of the intended beneficiaries</p> <p><i>Business Plan 7: Housing and Job Creation</i></p> <p>Job creation potential of the housing delivery programmes in the country, within the confines of the infrastructure sector of the Expanded Public Works Programmes (EPWP)</p>	<p>determined by the Minister of Human Settlements and the additional Funding provided by the Minister of Defence and Military Veterans</p> <p>Facilitate job opportunities to companies owned by military veterans to access business opportunities through entrepreneurial activities, training and skills development programmes</p>
<p>Outcome 8 Delivery Agreement: Sustainable Human Settlements and Improved Quality of Household Life</p>	<p>A delivery agreement which reflects the commitment of the key partners involved in the direct delivery process to working together to undertake activities effectively and on time to produce the mutually agreed-upon outputs which in turn will contribute to achieving Outcome 8.</p>	<p>Provide business opportunity to military veterans owned companies in meeting Outputs One and Two</p>
<p>Radical Transformation, Modernisation and Re-industrialisation (TMR) Plan</p>	<p>The Gauteng Provincial Government Ten Pillar Programme to make Gauteng an integrated city-region characterised by social cohesion and economic inclusion</p>	<p>The Department shall strive to realise the tenets of the TMR in addressing the social and economic plight of military veterans</p>
<p>Gauteng Intergovernmental Relations (IGR) Framework</p>	<p>To provide pragmatic guidelines that will shift co-operative governance from theory to focusing on service delivery and ensuring responsiveness to citizens' needs</p>	<p>Facilitates intergovernmental relations and cooperative government by strengthening relations between the three spheres of government, link and synergize provincial sector IGR Forums, including the Premier's Coordination Forum, inter-municipal and inter-provincial forums.</p>

6. Policy Principles

This policy shall be implemented on the basis of promoting the following elements:

Self-Reliance

The Department shall foster and 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

Security of Tenure

The Department shall ensure that through allocated housing opportunity the military veteran or dependents are able to have secured tenure

Economic Stimulation

The Department shall facilitated and support the growth of business ventures owned by military veterans through other Departmental policies, e.g Supply Chain Management Policies or Incubator Programme

Poverty Alleviation

The Department working in collaboration with other GPG Departments and municipalities shall fight any forms of social and economic poverty with the sole intention of improving the living conditions of destitute military veterans and their dependents. This shall seek to address poor shelter and economic deprivation

Equity

Military Veterans shall be prioritised as a special needs group, in terms of gaining access to housing opportunities.

7. Policy Position

7.1 The Department shall strive towards the promotion of fairness and equity in order to achieve equal and equitable access to housing opportunities

7.2 Military Veterans shall be prioritized as a selected category in terms of gaining access to opportunities as provided by the Department

7.3 In recognition of segregating interventions geared towards improving the livelihood of military veterans from the Special Needs Policy the Department recognized the need to extend the scope to cover other matters pertaining to military veterans. Matters pertaining to Military Veterans shall be dealt with in terms of the following:

7.4 Housing opportunity and the qualification criteria

7.4.1 A military veteran shall qualify for a housing benefit of a total value not exceeding R175 000 if he or she:

- (a) Is not employed and receives a pension from the State; or
- (b) Employed and has an annual income of less than R125 000, and;
 - (i) Does not own a house;
 - (ii) Has not previously received a house or other housing benefit from the State; or
 - (iii) If he or she is in a spousal relationship, his or her spouse has not received a house or other housing benefit from the State.

7.4.2 Any military veteran who wishes to access any housing opportunity particularly under the Individual Housing Subsidy Programme or the Finance Linked Individual Subsidy (FLISP) shall satisfy the qualification criteria as set out in the applicable programme and in addition provide the following supporting documentation to qualify for the benefits espoused for military veterans.

- (a) Military veteran identity card issued by the Department of Defence and Military Veterans
- (b) Details of social services support received in terms of the Social Assistance Act, Act No 13 of 2004.

Military veterans can be single and without financial dependents, provided they are able to submit the aforementioned documents. In the absence of these documents, the normal provisions and qualification criteria will apply as defined in the National Housing Code.

Gauteng Military Veterans Policy

7.5 Dependents of the Deceased Military Veterans

In instances where the military veteran has passed away prior to deriving benefits as advocated by the Military Veterans Act and this policy, beneficiaries of the estate may have claims to secured benefits (e.g. subsidy application approved prior to the beneficiary being deceased). The subsidy may be accessed where such rights have been secured upon submission of the following:

- (a) Death certificate of the military veteran;
- (b) Certificate of proof of service issued by the Department of Defence and Military Veterans
- (c) Proof of the nature of the rights secured, such as a sale agreement, approved subsidy application; and
- (d) Proof of relationship with the deceased (birth certificate or, marriage certificate)

7.6 Development of Military Veterans Database

- (a) The Department shall draw the database of military veterans registered and residing in the Gauteng Province from the National Military Veterans Database
- (b) The database shall provide the following information on the military veteran:
 - (i) Personal details;
 - (ii) Accredited theoretical and practical learning acquired
 - (iii) Technical, soft and/or competent skills;
 - (iv) Business ventures or support requirements; and
 - (v) Housing needs/requirement.
- (c) The National Military Veterans Database shall be the only credible data source to be utilized by the Department

8. Institutional arrangements

8.1 Gauteng Department of Human Settlements

The Department shall:

Gauteng Military Veterans Policy

- (a) Ensure that military veterans as a resource enhance the national work force and contribute to the prosperity and development of the country through their contribution in the Gauteng City Region;
- (b) Ensure that additional funding received from the Department of Defence and Military Veterans is used to realise the housing needs of military veterans
- (c) Through a dedicated or relevant Business Unit
 - (i) Assist destitute military veterans and/or their dependents to access housing opportunities as provided in the National Housing Code, meeting the precepts of the Implementation Strategy for the Military Veterans Housing Initiative
 - (ii) Assist military veterans to access other housing opportunities that may be available for them, example Social Housing/CRU
 - (iii) Assist military veterans who wish to gain entry into the business arena aligned with the service delivery agenda of the Department by facilitating and coordinating skills training and capacitation
 - (iv) Support contracting and use of companies of military veterans as service providers, using this as the means to break perpetual dependency on the government

8.2 Inter-sectoral Engagements

- (a) The Department recognizes the role that collaboration between provincial and national government departments can do to manage resource utilization for optimum results and as such would participate in any envisaged activity that seeks to realize the principles espoused by this policy.
- (b) The collaboration of three government tiers in coordination of state intervention can be realized if reflected in attitudes, behaviours and values of those tasked with championing the implementation of the policy.
- (c) Municipalities shall work with the Provincial Government through a collaborative and inter-sectoral forum to realize the intentions of this policy

9. Policy Deviation

- (a) In the implementation of this policy and where the need for deviation from normal policy proposition has been identified, an application shall be made to the MEC for policy deviation.
- (b) Every application for policy deviation shall be treated on its own merits
- (c) The application shall be made in writing stating the reason for request for deviation and seeking the approval of the MEC.
- (d) Such decision of the MEC on the submission made shall be final

10. Policy Approval and Implementation

The MEC shall sign off this policy for implementation by the Department and the municipalities.

11. Policy Monitoring and Evaluation

Monitoring and evaluation of the policy remains the most critical area to ensure effective implementation of the policy. The Monitoring and Evaluation Directorate of the Department will be responsible for monitoring, evaluation and impact assessment on the implementation of the policy.

12. Policy Review

The implementing agent may call for a review/adjustment/amendment of this policy following 2 years of implementation of the policy or as and when it is required to do so.

13. Effective date of the policy

This policy shall come into effect on the date of signature by the MEC or at a date determined by the MEC.