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Eswatini Property Review
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Malkerns Town Board

*Striking The Balance Between
Food Security & Residential
Property Ownership*

Ministry of Housing & Urban Development

*'You Need A Property Qualification
To Be A Real Estate Agent'*



THE CRESCENT SWAKI'S E45M RETAIL LANDMARK

Prominent Property & Business Company Swaki Gives
Insights On Their Retail Development in Ezulwini

LEGAL FOCUS: Why You Need A Conveyancer

GREEN LIVING: Vuvulane Eco-House



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 - winner must be present to recieve prize and must have a valid drivers license
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- 8 Prizes are not allowed to be exchange for cash
- 9 Decisions made by food town and his judges are final and may not be challenged and no correspondence may be changed
- 10 Note: Car prizes are 2nd hand imported vehicles

Build it

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FROM THE EDITOR

*Sawubona (Greetings),
and a very warm welcome
to the fifth edition of
Eswatini Property Review!*

This edition of Eswatini Property Review comes in a period when the country is battling to survive, that is economically. Well, the struggle has always been there but it appears too apparent now.

In these trying times property may be your best bet in terms of attaining financial freedom. It was good to see the bank rate not being increased by the Central Bank of Eswatini. This means that most home owners will continue to enjoy relatively affordable bank rates. So most people can continue building their wealth using property.

This edition also carries the contentious and most talked about issue in the property space which is the Regulation of Estate Agents. One of the most interesting takes on those regulations is that for a person to be an estate agent they should at the very least have a property related qualification or have adequate experience in the field. This we feel is very important in this sector which continues to breathe without any sense of regulation.

We have also taken our time to ensure that we have feature information that is

relevant to the property space nowadays. One feature article is by Robert Kiyosaki, a world renowned property mogul, who writes about whether property is an asset or liability. To find out if it's a liability or asset make sure you feast your eyes on his feature article.

The Kingdom clearly does not agree with the world that the development of shopping malls and Centres has reached a saturation level, as evidenced by SWAKI's recent development of The Crescent which is a shopping Centre in Ezulwini that will cost them a staggering E45 million. The story also offers tips on how to go about doing property development.

Enjoy Your Read.

Ntokozo Nkambule

Editor: Eswatini Property Review

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ESWATINI PROPERTY REVIEW

F T L I



ESWATINI PROPERTY REVIEW

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ESWATINI GOVERNMENT LOOKS TO RENEWABLE ENERGY

Photo Cred: www.gov.sz (Photographer: Daniel Toro) | www.sanvada.com



If this year's budget speech by the Minister of Finance, Neal Rikjkenberg is anything to go by, then the country will tap into renewable energy sooner than we think.

The Minister in his address stated that government has completed the review of the National Energy Policy, the Energy Master Plan, the Short-Term Generation and Expansion Plan and the electricity procurement toolkit. He said this was all done to ensure that they scale up investment in the energy sector with a particular focus on renewable energy. "It is vital that we break the country's dependency on imported fossil

fuels with a targeted renewable energy plan focussed on solar, hydro and biomass power" he noted during his address.

Rikjkenberg further noted that would also include competitive bidding processes by Independent Power Producers (IPP's).

He said all these projects are expected to be implemented in the next three to five years. "The 10MW Lavumisa Solar PV Plant and the 13MV Lower Magududu Hydro Power Plant projects are expected to be completed by 2019 and 2021 respectively" he posited.



SWAPROP INTERIM REVENUE AT E10.6 MILLION

Photo Cred: africanfinancials.com & foursquare.com

Swaziland Property Investments Limited (SWAPROP) which is the only Real Estate Investment Trust in the country listed on the Eswatini Stock Exchange, has recorded a satisfactory set of results for the period ended 31 December 2018.

The company saw their revenue for the interim period rise to E10 600 million an improvement of E1.4 million from the previous year, which indicates an improvement of 15.3% for the corresponding six months period. The company realized a gross profit of E6.3 million, and a net profit of E6.2 million. The company has attributed the increase in revenue to improved occupancy levels.

Operational expenses were however, on the rise by 15.2% (567 890) due to increased water and electricity costs.

Currently, SWAPROP's market capitalization stands at E140.7 million. Market capitalization according to Investopedia refers to the market value of a publicly traded company's outstanding shares. It is calculated by multiplying a company's shares outstanding by the current market price of one share. The Directors have proposed a distribution of E6 006 000 for the six month period under review. The payment of distribution is expected to be posted on 5 April 2019.



ABOVE: The Hub Shopping Centre, one of SWAPROP's notable property investments in the Kingdom.

CONSTRUCTION INDUSTRY COUNCIL 2018 REGULATIONS

UNDER THE SPOTLIGHT

FOLLOWING THE CONSTRUCTION INDUSTRY COUNCIL'S (CIC) INCONSISTENT DRAFT 2018 REGULATIONS, WELL AT LEAST ACCORDING TO STAKEHOLDERS, MEMBERS OF THE CONSTRUCTION SECTOR REGISTERED UNDER THE CIC HAVE FORMED A SUB-COMMITTEE TO ENSURE THAT THEY AMEND THE REGULATIONS.

Report by Ntokozo Nkambule

Members of the Eswatini Contractors Association (ECA) and Construction Industry Council (CIC) have formed a sub-committee to amend the 2018 regulations enacted by the former. The Committee is chaired by ECA's Sabelo Nhleko.

During his presentation which took place at the Royal Swazi, Ezulwini on the 26 of February, 2019, Nhleko stated that the regulations needed to be amended because most of them came to the detriment of the construction sector. The regulations which were ready to be tabled to parliament have been halted for the time being. Nhleko said the regulations had not incorporated most of the challenges they were facing in the industry. "All issues have to be incorporated, this includes, the empowerment of Engineers, Consultants, Architects and Manufacturers. We have exhaustively told CIC of our issues, but most of them have not been incorporated in the draft" he posited.

Specifically, the sub-committee formed last year has called for the reduction of renewal fees by a whopping fifty percent (50%). The committee has also requested that the CIC



"All issues have to be incorporated, this includes, the empowerment of Engineers, Consultants, Architects and Manufacturers. We have exhaustively told CIC of our issues, but most of them have not been incorporated in the draft" - Sabelo Nhleko
(Chairman of the Sub-Committee)

meets with the Ministry of Foreign Affairs as they are the ones that issue permits to foreign registered companies. Another resolution is that the Ministry of Labour and Social Security works closely with the CIC so that the quality of practitioners improves in the country. Nhleko noted that they felt at the present moment this was not taking place because the Ministry was not necessarily on the ground, yet they wanted to ensure that they improve the level of professionals in the construction sector.

Nhleko said they believed that the CIC had a mandate to protect the local market, but they felt that the regulator had come short in this regard. He said they have vehemently stated to the CIC about the annual subscriptions which they felt were very high and had led to some players being closed out because they could not afford them. Nhleko made it clear that they wanted to make it clear that they were not fighting the CIC but actually wanted to work with them as a regulator because their role was important in the country. The sub-committee was formed so that we could work with the CIC, "I am actually happy to state that we have suggested that we have quarterly meetings with the regulator so that we work together going forward", he noted.

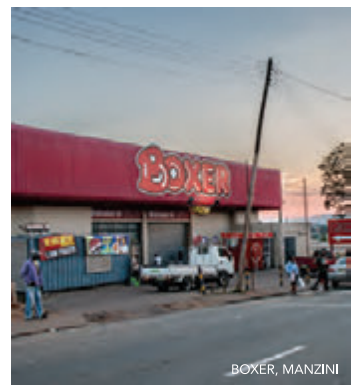


Construction sector stakeholders who attended the meeting



CORNER PLAZA, EZULWINI

SWAKI
IS A WELL-DIVERSIFIED
GROUP OF
COMPANIES WITH
OPERATIONS AND
INVESTMENTS IN
MANY FACETS OF THE
ESWATINI ECONOMY



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MANAGING QUALITY
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Column By **Thabiso Mabandla Masina:**
Registrar of Deeds in the Kingdom of Eswatini | Stock Photo www.timmdavislaw.com

DEEDS REGISTRATION FREQUENTLY ASKED QUESTIONS

The intention of today's article is to expound on what deeds registration entails through responding to questions we are frequently asked as the deeds office.

HOW IS IMMOVABLE PROPERTY TRANSFERRED FROM ONE PERSON TO ANOTHER?

In terms of section 15 of the Deeds Registry Act, 1968 immovable property (i.e. vacant land or land with a building) can only be by means of a Deed of Transfer attested by the Registrar of Deeds.

WHAT IS A DEED OF TRANSFER?

A Deed of Transfer is a registered legal document which evidences ownership in respect of defined a piece of land.

CAN I AS A PROPERTY OWNER PREPARE A DEED OF TRANSFER?

No. In terms of section 14 of the Deeds Registry Act only a conveyancer can prepare a Deed of Transfer. Mortgage bonds are another common use document whose preparation is exclusively done by a conveyancer.

WHAT IS A CONVEYANCER?

A conveyancer is a special type of lawyer that has been both admitted as an attorney and conveyancer of the High Court. They have to sit for and pass a rigorous exam before they can be admitted as such.

WHAT DO I NEED TO DO WHEN I AM INTERESTED IN PURCHASING AN IMMOVABLE PROPERTY?

- i. Conduct a deeds search at the Deeds office. Through this search you will receive confirmation that indeed the property is owned by the seller.
- ii. Do conduct a site visit of the property being sold so that you satisfy yourself as to its condition.
- iii. Insist on entering into a written sale agreement with the seller, popularly known in property circles as a deed of sale.
- iv. Do not pay any funds directly to the purchaser before the property is registered

into your own name. If they insist on a deposit or upfront cash, insist on paying it into the trust account of an attorney with the specific instruction that it only be released to the seller once the property is registered in your own name.

- v. If not paying cash, secure a bank guarantee letter from your bank and furnish it to the seller or their representatives within the timelines stated in the deed of sale.

ARE THERE ANY OTHER DOCUMENTS REQUIRED FOR TRANSFER PURPOSE?

Yes, and these include power of attorney, transfer duty receipt, clearances relating to income and property (rates) taxes, a certified copy of National Identity Document.

HOW LONG DOES THE DEEDS OFFICE TAKE TO REGISTER A DEED OF TRANSFER AND THEREAFTER DELIVER IT TO THE CONVEYANCER AFTER REGISTRATION, AND WHY?

Registration of Deeds of Transfer takes between 5 – 7 working days from lodgment and about 10 days to deliver a title deed to the conveyancer after registration. The 10 days is to allow the office to complete the necessary administrative actions such as numbering, effecting an authentication seal of office, the performance of quality assurance procedures, information capturing, and scanning for archiving purposes.

THE PROPERTY WAS REGISTERED IN MY NAME BUT I DID NOT RECEIVE MY TITLE DEED. WHERE IS MY TITLE DEED?

It is best to contact the conveyancer dealing with the registration of the transfer of the property into your name, in order to establish the whereabouts of your title deed.

However, please note the following:

1. After registration has taken place in the

deeds registry, and after the relevant deed and documents have been archived and the deed of transfer is delivered to the conveyancer.

2. Should transfer of the property occurred simultaneous with the registration of a mortgage bond over such property, then your conveyancer is duty bound to transmit the Deed of Transfer (together with the Mortgage Bond) to the bond holder (financial institution – Bank).

MY PARENTS PASSED AWAY, WHAT MUST I DO TO HAVE THEIR PROPERTY REGISTERED IN MY NAME?

Legal steps to be followed in the winding up of a deceased estate, that is, transfer of property from the name of a deceased to her/his descendants.

1. Reporting the death to the Master of the High Court that serves the area in which the property concerned is situated.
2. Master appoints an Executor.
3. The duties of the Executor include amongst others, the following:

- The advertising for creditors to lodge claims.
- The preparation of a list of the assets in the estate called an inventory.
- The preparation and advertising of a liquidation and distribution account, if any, and finally.
- The distribution of the assets.
- The distribution of immovable property in

favour of the beneficiaries is done by means of registration in the Deeds Office wherein the Executor instructs a conveyancer to effect transfer in the Deeds Office.

Let's leave it here for this month with the hope that the information above provides clarity to you our dear readers.



#moveyourwayUP campaign finalists in a group photo

SMILES AS UNESWA PROFESSOR WINS IN SBS #moveyourwayUP CAMPAIGN

A Professor from the country's biggest tertiary institution, the University of Eswatini (UNESWA) was the luckiest in Swaziland Building Society's moveyourwayUP Campaign.

The event took place on the 14th of February 2019 and Professor Nomsa Mndzebele was up against eight other finalists in a raffle draw conducted at the financiers premises, Asakhe House in Mbabane.

Mndzebele, a Bachelor of Commerce (BCOM) Professor in the Accounting Department walked away with a refrigerator, as well as a washing machine. She said as much as she was hopeful of winning she did not believe that she would come out tops, as there were eight other finalists who stood the same chance. "I did not really think I would walk with the main

prize, I am so happy and very grateful to SBS for what they have done, as this initiative motivates a number of aspiring homeowners" she said with excitement.

The Society's Managing Director, Timothy Nhleko during his address stated that as a mortgage financier their job was to ensure that EmaSwati get to be homeowners, as this was one of the most important decisions anyone can ever make in their lifetime. The moveyourwayUP campaign was launched in November 2018 and ended in March 2019. The Campaign made it possible for customers to apply for a Home Loan without having to pay a deposit. To qualify one needed to have purchased residential property valued at **E650 000 and above.**



SBS Managing Director Timothy Nhleko with the winner Nomsa Mndzebele

"...as a mortgage financier our job is to ensure that EmaSwati get to be homeowners..."



SBS Sales Consultant Temavulane Motsa handing a gift to one of the finalists



Another finalist receiving a gift from SBS Sales Consultant Gcinile Ginindza

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THE *Crescent*

SWAKI'S ICONIC E45 MILLION NEW SHOPPING CENTRE DEVELOPMENT IN EZULWINI

Eswatini Property Review had a chat with Swaki's Marketing Manager and Associate Director of Philanthropy, Carol Pr at, regarding their new development of a Shopping Centre at Ezulwini, as well as her views on what it takes to develop a shopping centre

Interview and Story by Ntokozo Nkambule | Photos courtesy of Swaki Limited

SWAKI HAS BECOME A HOUSEHOLD NAME IN ESWATINI WHEN IT COMES TO COMMERCIAL PROPERTIES AROUND THE COUNTRY. HAVING RECENTLY CELEBRATED ITS 60TH ANNIVERSARY OF BUSINESS IN THE KINGDOM WITH SWAKI'S FOUNDER AND GLOBALLY RECOGNISED BUSINESS MAGNATE, MR NATIE KIRSH, THE COMPANY CONTINUES TO SOAR IN THE COUNTRY'S CHALLENGING ECONOMIC TIMES. SWAKI'S LATEST DEVELOPMENT CALLED "THE CRESCENT" CAN BE SEEN EMERGING OUT OF THE GROUND OPPOSITE CORNER PLAZA IN EZULWINI.

NTOKOZO NKAMBULE: SWAKI IS A PROPERTY COMPANY THAT BOASTS A DIVERSE PROPERTY PORTFOLIO WITH EXPERTISE IN PROPERTY DEVELOPMENT AND MANAGEMENT SERVICES. TELL US MORE ABOUT YOUR COMPANY?

CAROL PR AT: Swaki has been in the business of real estate for decades, and as you have rightfully stated boasts a diverse property portfolio with expertise in property development and management services with prestige assets acquired and landmark developments successfully brought to market. Some notable properties developed by the group include Swazi Plaza Properties and Corner Plaza.

NN: THE COMPANY IS CURRENTLY

DEVELOPING A SHOPPING CENTRE NAMED "THE CRESCENT" WHICH WILL UNDOUBTEDLY CHANGE THE FACE OF EZULWINI. COULD YOU TELL US MORE ABOUT THIS INTERESTING PROJECT?

CP: The Crescent is a E45 Million investment by Swaki and is earmarked to be another prominent shopping centre development changing the retail landscape of Ezulwini. With its easy access U-shaped layout (from which it derives its name), The Crescent will complement the shopping experience of Corner Plaza and ultimately create a new shopping node in the valley.

NN: EZULWINI HAS A MIX OF DEMOGRAPHICS, WITH HIGHER, MIDDLE AND LOWER INCOME EARNERS RESIDING IN THE AREA.



"THE SHOPPING CENTRE HAS A GROSS LETTABLE AREA OF 5, 500M2, THE CENTRE WILL HAVE AN EXCITING RETAIL OFFERING OF CLOTHING STORES, FURNITURE AND HOME DÉCOR, A GROCERY CONVENIENCE, A DRIVE THROUGH FOOD CONCESSIONAIRE AND OTHER RETAILERS."

WHO IS THE TARGET MARKET IN TERMS OF CUSTOMER FOR THE CRESCENT SHOPPING CENTRE?

CP: Whilst we have certain demographic characteristics targeted for the Centre, Eswatini is a unique place to do business as our population is small and so our market offering cannot afford to be niche, but rather appeal to various target markets to succeed. Located at the traffic node of Ezulwini, The Crescent will not only service the lower to middle income households within its immediate catchment area, but also aims to attract all other residents of Ezulwini inclusive of households, visitors, working staff and passing traffic.

NN: IN TERMS OF SIZE, HOW BIG WILL THE CRESCENT SHOPPING

CENTRE BE, AND HOW MANY RETAIL SHOPS WILL YOU BE ABLE TO ACCOMMODATE?

CP: The shopping Centre has a gross lettable area of 5,500m2. The Centre will have an exciting retail offering of clothing stores, furniture and home décor, a grocery convenience, food concessionaires and other attractive retailers.

NN: SWAKI COULD HAVE CHOSEN ANOTHER AREA TO BUILD THE CRESCENT, WHY DID YOU CHOOSE EZULWINI, AND PARTICULARLY AN AREA OPPOSITE THE CORNER PLAZA?

CP: When Swaki embarked on the Corner Plaza project in 2012, we already had a vision to expand the node and acquired the property on the corner in anticipation.

Architectural plans and market surveys were explored in 2014 but at the time Swaki felt the market was not quite ready for another shopping centre. With the sudden growth in population and the various significant developments currently on the build in the valley we now feel this is an opportune time for development.

The rapid increase in activity is transforming Ezulwini into a commercial hub with a growing need for retail services and affordable housing. Ezulwini is certainly gaining more popularity as the "Sandton of Eswatini" and as a result, property values are sky-rocketing and becoming limited for further development.

NN: YOU HAVE MENTIONED



THAT PROPERTY VALUES ARE SKYROCKETING AND BECOMING MORE LIMITED FOR FURTHER DEVELOPMENT. DO YOU THINK EZULWINI HAS REACHED SATURATION IN TERMS OF GROWTH?

CP: I would not say that Ezulwini has reached saturation point yet, but with the rapid increase of various multi-million emalangenani investments and the influx of people, there is a greater demand for all things including services, retail, infrastructure and housing. The Ezulwini Town Board has a town planning scheme with defined areas for commercial developments, residential zones and other uses and these are quickly being sought after by investors, resulting in higher prices and limited land available for

future developments.

NN: ARE THERE ANY MEASURES THAT HAVE BEEN TAKEN IN PROVIDING GREEN ENERGY AND SUSTAINABLE FEATURES, LOOKING AT THE FACT THAT WE LIVE IN A GREEN CONSCIOUS WORLD?

CP: We are looking into solar energy options.

NN: WHAT IS THE ANTICIPATED TIME FRAME FOR THE COMPLETION OF THE PROJECT?

CP: The Crescent will be open in time for Black Friday on the 29th November 2019 where customers will benefit from incredible

promotions and get their festive shopping gear into action.

NN: WHICH TEAMS HAVE BEEN ENTRUSTED TO SEE THIS PROJECT THROUGH, FROM ARCHITECTS, TO ENGINEERS AND WHY DID YOU GO WITH THEM?

CP: We have entrusted Steve Hall and Associates as our architect and The Mbhilibhi Group as our contractor. Steve Hall and Associates have always provided a professional service with an effective end result in our previous projects with them, and The Mbhilibhi Group are very competitive in their pricing and proficient in their deliverables.

NN: HAVE YOU STARTED RENTING OUT RETAIL SPACE TO POTENTIAL CUSTOMERS?

CP: Yes, we are glad to mention that anchor tenants have already been confirmed and only a few shop spaces are still available. Tenants who wish to apply for a shop space can request an application from Swaki by phone 2417 1700 or by email info@swaki.co.sz

NN: SHOPPING CENTRES GLOBALLY ARE NOW CONSUMER CENTRIC MEANING THEY OFFER AN EXPERIENCE FOR SHOPPERS? IS THE CRESCENT GOING TO OFFER CONSUMERS THAT EXPERIENTIAL FEELING?

CP: Shopping centres and retail marketing is certainly trending towards the retail experience for the consumer as you have rightly noted. In our field of work as property developers and managers, we follow global trends, attend shopping centre conferences, build relationships with national tenants and endeavour to learn from the best in the industry. We believe that the consumer experience at The Crescent will be apparent through its new and exciting tenant mix, its ease of access and in its simple but effective layout. Consumers will have a one-stop-shop kind of experience where most of their retail needs will be met under one roof.

“ Whilst we have certain demographic characteristics targeted for the Centre, Eswatini is a unique place to do business as our population is small and so our market offering cannot afford to be niche, but rather appeal to various target markets to succeed”

GUIDELINES FOR DEVELOPING A SHOPPING CENTRE



Carol shares her views on the essential steps to take when establishing a shopping centre development plan.

01 Land & Location

Finding land at a reasonable price in the most ideal location is pertinent to the success of any shopping centre. The land should be easily accessible by road, public transport and visible to passing traffic. It is also essential that it is located close to the city/town or populated areas as this will become the primary market for the centre

02 Market and Customers

Know your market. Establish your target market and the demographics of your catchment area. Your market will determine the type of tenants, shops and offerings you offer at your shopping centre. These have to be suited to the demographics of your customers taking into account factors such as income groupings, education levels, ages, tastes and preferences. Also look at your competition and the gaps in your market to ensure your shopping mall is competitive and attractive. A research study must be done to establish these key findings as well as the technical aspects such as planning footfalls, optimum tenancy mix and industry best practices.

03 Tenant Mix

The most appealing part of a shopping centre to its customers is its' tenant mix. A shopping centre developer is only as successful as its tenant's success. Based on the market research, establish an optimum tenant mix that responds to the market needs with a diverse offering. Market the centre and approach preferred tenants as soon as possible so that by the time construction is completed, your tenants ready to trade and

the centre looks complete with much appeal.

04 Financial Plan & Financing

Once you've determined a budget, a financial feasibility analysis needs to be done to determine the projected financial position and return on investment of the development. These forecasts will be required by the investors including financiers to evaluate the developments viability. The financial plan will also determine the rentals that will need to be achieved across the developments gross lettable area (GLA).

05 Design & Build

Selecting the right professional team to design, build and project manage your development is crucial to the viability of the development. The architect's duty is to design and build an aesthetically pleasing and functional centre, complying with all legal and safety requirements, within timeframe and budget, and meeting all requirements. There is also a global drive to encourage greener building practices which should be considered.

06 Professional Management

Finally, once the shopping centre is complete and trading, a professional management team needs to be appointed to see to the daily management of the centre. This includes security, maintenance, cleaning, marketing, accounts and financial reporting and general administrative tasks.





PHOENIX
OF SWAZILAND ASSURANCE
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Phoenix Assurance Group

CONTRACTORS ALL RISK (C.A.R.)

Interview by Phoenix of Swaziland Assurance Group Limited | Stock Photo Freepik

C.A.R. insurance not only covers those associated risks but also bridges these two types of risks into a common policy designed to cover the gap between exclusions that would otherwise exist if using separate policies.

Contractors' all risks (CAR) insurance is a non-standard insurance policy that provides coverage for property damage and third-party injury or damage claims, the two primary types of risks on construction projects. Damage to property can include improper construction of structures, damage that happens during a renovation and damage to temporary work erected on-site.

Third parties, including subcontractors, may also become injured while working at the construction site. CAR insurance not only covers those associated risks but also bridges these two types of risks into a common policy designed to cover the gap between exclusions that would otherwise exist if using separate policies.

CAR insurance coverage is common for such construction projects as buildings, water tanks, sewage treatment plans, flyovers, and airports.

Typically, both contractor and employer jointly take out CAR insurance policies, with other parties such as financing companies having the option of being named to the policy. Because multiple parties are included in the policy, they each retain the right to file a claim against the insurer, although all parties have the duty of informing the insurer of any

injuries and damages that may result in a claim.

The goal of a CAR insurance policy is to ensure all parties are covered on a project, regardless of the type of damage to the property or who caused the damage. Insurers, who underwrite this type of policy, lose the right to subrogation, meaning that if it pays out funds to one party in the contract, it cannot seek to recover those funds from another party in the contract

INSURED PARTIES

CAR insurance should be concluded for all parties concerned to avoid overlaps or gaps in cover:

- The principal (employer) &/or
- The main contractor &/or
- Subcontractors &/or*
- Project managers &/or
- Suppliers, if any*.

EXAMPLE

For example, if the owner of a large building and the contractor working on the building are on the same CAR policy, any damages to the building caused by the contractor can be recovered by the building owner when a claim is filed. The insurer, however, cannot seek to recover funds from the contractor.



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✉ Email: info@phoenixswaziland.com

www.phoenixassurancegroup.com



EXAMPLES OF CONSTRUCTION & ENGINEERING PROJECTS IN AFRICA PAST TWO YEARS (The new bridge connecting KZN and Mozambique)

SCOPE OF COVER

CAR coverage may be extended to cover the interests of manufacturers, suppliers, contractors, and subcontractors. The policy can also be expanded to cover the following events:

- Additional custom duty
- Air freight
- Damage to surrounding property
- Debris removal
- Earthquake
- Escalation
- Loss due to breakage of glass
- Maintenance visits

SECTION 1 - Material Damage to:

- Contract works (permanent and temporary works forming part of the contract)
- Removable of debris
- Professional Fees
- Free issue materials
- Construction Equipment (Site offices, storage sheds, silos, scaffolding, utilities etc)
- Construction machinery (earthmoving equipment, cranes, site vehicles)
- Principal's existing property

SECTION 2 - Third party liability:

Bodily injury & Property Damage

Where the Insured becomes legally liable to pay as damages consequent upon:

- Accidental bodily injury to third parties
- Accidental loss or damages to property owned by third party.

Occurring in direct connection with construction works insured under

General Exclusions:

- Political risks, war or warlike operations
- Nuclear, radioactive contamination
- Willful act or willful negligence of the insured or their representatives
- Cessation of work whether total or partial

Special Exclusions to section I:

- Consequential loss of any kind
- Faulty design
- Defective material / workmanship (faulty part only)
- Mechanical and/or electrical breakdown
- Wear and tear, corrosion, gradual deterioration
- Road vehicles, waterborne vessels and air crafts

- Inventory losses

Special Exclusions to section II:

- Property insured or insurable under Section I
- Vibration, removal, weakening of support
- Liability for bodily injury to employee/ workmen of insured parties
- Liability for damage to property belonging to insured parties
- Motor, Marine & Aviation liability
- Contractual liability

PERIOD OF COVER

Cover **ATTACHES** from:

- the commencement of work or
 - after the insured items have been unloaded at site or
 - the inception date as specified in the policy
- Whichever is later*

And **TERMINATES** when

- the completed structure is taken over or
 - put into service or
 - the expiry date specified in the policy
- Whichever is earlier*

EXTENSIONS

Section I:

- Strike, Riot and Civil Commotion
- Maintenance Visits Vs Extended maintenance
- Expediting Expenses
- Airfreight expenses
- Offsite Storage
- Inland Transit
- Designer's Risk
- Contracts works taken over or put into service

Section II:

- Cross Liability
- TPL cover during maintenance period
- Vibration, removal or weakening of support



We offer Domestic packages, Commercial packages and other specialized covers, For more information contact us at:

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Cell: +268 7821 1809
Email: info@phoenixswaziland.com

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MALKERNS TOWN: STRIKING A BALANCE BETWEEN FOOD SECURITY AND RESIDENTIAL PROPERTY OWNERSHIP

In an interview with the CEO of Malkerns Town Board, Melusi Hlanze, he reveals that agriculture is still the prime focus of the town as evidenced in their allocation of 8542 hectares towards agriculture and only 584 hectares in residential property

Report by Ntokozo Nkambule | Photo Courtesy of Malkerns Town Board Stockphoto botaniquenow.ph

For quite a number of years the small town of Malkerns has been largely associated with agriculture, but is the town about to be the doyen of residential property in the country or is it more strategically driven to trench its agricultural offering?

Malkerns has been a relatively quiet town in the Kingdom of Eswatini, with no specific information on its ownership structure. The development of neighbouring Ezulwini over the years has however; thrust this quiet town into the spotlight. The Malkerns Town Board which runs the town was established by government in 2012, meaning they are less than ten years old. In terms of ownership, the town is owned by private individuals, owning more than seven thousand hectares (7000) and government owning more than two thousand hectares (2000). In total, Malkerns has 9126 hectares.

So what lies ahead for this perfectly positioned town? We had the privilege of chatting to Malkerns Town board CEO, Melusi Hlanze, who enlightened us on the town's growth aspirations and strategic intent. The CEO said over the years, the town has been invested in agriculture, something that will not change in the medium and long term. Hlanze states that Malkerns has been found to have one of the best soils in the country. The laidback CEO notes however, that this does not mean that they do not have or offer residential space for interested homeowners.

"Agriculture will certainly take precedence over human settlements, we have divided Malkerns into two; for agricultural purposes,

as well as human settlements. In terms of Agriculture we have allocated approximately eight thousand hectares and only five hundred hectares for human settlements, this clearly indicates our strong bias towards agriculture compared to human settlements" the CEO posited. Hlanze says their 2016 Town Planning Scheme in preparation states clearly that agriculture should be the driver of the town and they are looking at agriculture broadly, not just pineapple or sugarcane but all other also production, and where suitable the rearing of animals.

There are quite a number of reasons why Malkerns could be the hottest town in Eswatini. Well, Ezulwini which has enjoyed more than a decade of dominance in this position is likely to be overtaken mainly because it has become so expensive. It is well known that Eswatini mostly boasts of a middle income economy, meaning that the average liSwati does not afford buying or renting property in Ezulwini anymore, this goes for suburbs in Mbabane as well. Malkerns on the other hand offers a different dynamic, at the moment it is reasonably priced, affordable rates, has a good road infrastructure, is nestled between Manzini and Mbabane, and is just a stone throw away from the ever growing plush Ezulwini.

In terms of human settlements or residential property the CEO notes that they are interested in different targets for different demographics. He says they have allocated areas for low income earners, middle income earners and generally anyone who is in love with agriculture. He says businesses who are in the hospitality space can also benefit as they have earmarked areas for the erection of

Beds & Breakfast (B&B's) places as the town is an entertainment destination, through hosting events such as Bush Fire and Standard Bank's Lujju Festival.

The CEO also implored interested homeowners to think agriculture when looking at settling in Malkerns. *"We encourage people interested in Malkerns to be eco-and agricultural centric, meaning that they keep in mind that we are an agricultural town. We are pushing for people to own gardens in their residencies"* he noted during the interview. He also observed that their rating system is more punitive for people building towards residential compared to farming because their aim is to promote farming. See below The Town's Rates Assessment for the Period 1st of April 2019 to the 31st of March 2020.



"Agriculture will certainly take precedence over human settlements, we have divided Malkerns into two; for agricultural purposes, as well as human settlements."

- Malkerns Town Board CEO, Melusi Hlanze

We also asked the CEO on the assertions made by people that homeowners were fraudulently losing their properties in Malkerns, to which he replied "Yes, it is very true, people are losing their property, and it's been happening in the past and is still taking place. What causes this are the scrupulous deals people engage in, this is why we advise anyone interested in owning property in Malkerns to ensure that they follow the proper channels, which is having everything registered with the Deeds Office. Malkerns has a Town Board, people are paying rates and the land is Title Deed, so people should not fall prey to unscrupulous deals" he exacerbated.

Malkerns Town Board 2019 Rates

AGRICULTURAL LAND

Improvements	0.2%
Developed Land	0.2%
Vacant Land	0.6%

COMMERCIAL LAND

Improvements	0.8%
Developed Land	0.8%
Vacant Land	0.9%

RESIDENTIAL LAND

Improvements	0.4%
Developed Land	0.4%
Vacant Land	0.8%

GOVERNMENT LAND

Improvements	5.5%
Developed Land	5.5%
Vacant Land	5.5%

HOW TO BUY & OWN PROPERTY IN MALKERNS?

- The majority of the town is owned by private individuals at more than seven thousand hectares.
- This means that in order to own property in this town prospective buyers should get in touch with the current owners.
- Ensure that the property that you are buying is registered by the Surveyor General and Deeds Office
- Get in touch with Malkerns Town Board for zoning rights and minimum plot area for subdivision
- Once that has been finalized, interested homeowners should ensure that everything is registered with government. The proper channels should be followed such as the involvement of the Deeds Office as well as registered conveyancers.
- Scrupulous deals have taken place in the past and are still taking place so ensure that everything is formally done involving all the relevant offices.

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THE SWAZILAND BUILDING MANUFACTURERS AND SUPPLIERS ASSOCIATION

BMSA

Article by Roberto Russo
 Building Manufacturers and Suppliers Association (BMSA) Chairman
 Stock Photography Freepik

The Swaziland Building Manufacturers and Suppliers Associations (BMSA) was formed as a result of the need to regulate the construction industry within the Kingdom of Eswatini. Following the promulgation of the Construction Industry Council Act, 2013 (Act No. 14 of 2013), the Minister of Public Works and Transport has established the council as the regulatory body for the construction industry within Eswatini.

This enactment was to regulate the entire construction industry within the Kingdom. Namely, the physical construction of works carried out, as well as the supply of all goods and services into the industry, such as (but not limited to); professional consultants, suppliers and the manufacturers of goods being supplied into the industry, contractors, specialists and all others involved the construction process.

The mandate of the CIC was to regulate, promote and protect local interests. This is to be done through the monitoring of the industry performance, empowerment and regulation to encourage sustainable growth of the industry within the Kingdom.

In order to fulfill this effectively, all companies and persons involved in construction are required by law to be registered with the Council.

According to the Act, the only way to gain membership for compliance to the CIC is through an association. The manufacturers and suppliers of building materials operating in Eswatini never had an existing association. As part of the inaugural board of the CIC (representing this very sector), the exco tasked Roberto Russo, Managing Director of Star Paint and Executive Director at Tech Tool 2000 to go and form this association to represent the sector.

“This was a rather difficult task as there was absolutely no government circumvention and no resources put towards getting this off the ground. I had to personally give the association a small loan and utilise offices at Star Paint for the registration process in order to assist getting the ball rolling. The difficulty being, having to try and educate and inform our sector of the new compliance regulations as well as assist them with the registration process, all with limited resources. We then went out and formed a Board, formalised our existence and clarified our mandate.

I was really glad to see the industry being regulated and drove this with passion as the construction industry is plagued with corrupt practices, fly by night suppliers, foreign suppliers, inferior goods, briefcase businessmen and many other issues that we needed

to regulate and bring to order. These issues drastically effect the cost of projects, quality of works and inhibit local business”.

“Individuals and companies usually belong to an association in order to align their common interest, make contacts, share information, and learn from each other. This is our exact purpose and goal at BMSA.

It is our intention to work to attain the common objectives of our members and provide a unified direction and voice for the entire sector. This can be done through:

- Learning—the opportunity to take courses or professional development activities
- Knowledge—the collective body of information resources produced or procured by the association
- Community—opportunities for members to interact and share ideas, such as forums, social media, conventions, and meetings
- Advocacy—the political or lawmaking influence that associations exert on a local or national scale that supports the work of their members—advocacy may take several forms, including lobbying, creating policy documents, or providing specialized or technical information

That in mind, manufacturers and suppliers into the construction industry that are members with the BMSA, will not only be complying with the law but also benefit from the advocacy and representation of a united front”

“We are now finally in a position to stand on our own feet and occupy our own offices with a permanent employee. We have some new fresh energy and ideas on our board and we look forward to assisting the industry through promotion and protection”.





BERRY JAM

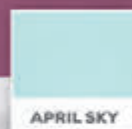
Star  Paint



LADY KILLER



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'YOU NEED A TERTIARY QUALIFICATION TO BE A REAL ESTATE AGENT'

Article by **Ntokozo Nkambule** | Stock Photography **Freepik**

ASPIRING REAL ESTATE AGENTS IN THE COUNTRY NEED TO HAVE A DIPLOMA OR DEGREE QUALIFICATION ACQUIRED FROM AN INSTITUTION OF HIGHER LEARNING OF INTERNATIONAL AND NATIONAL REPUTE, IN REAL ESTATE TO BE ABLE TO OBTAIN A LICENSE OF OPERATING. THIS IS ACCORDING TO THE ESTATE AGENTS (REGISTRATION, LICENSING AND PROFESSIONAL INDEMNITY) REGULATIONS OF 2017, DRAFTED BY THE MINISTRY OF HOUSING AND URBAN DEVELOPMENT.

The regulations state that “no individual shall be registered as a salesperson unless he or she has a qualification from institutions accredited by higher education council of national and international repute.

The individual must also have passed the real estate salesperson examination three months prior to applying for registration” the regulations note. At the present moment in eswatini, real estate agents are not regulated, meaning that anyone can be a real estate salesperson without the requisite qualifications or expertise in the industry. However, the regulations also state that this will not apply to any person who can demonstrate that prior to the enactment of the regulations that they have continuously practiced as an estate agent without cessation (being closed) for more than three years.

In terms of obtaining a license for running an estate agency, which is now operating a real estate company, people should meet the following requirements

- He/she must have continuously practiced for five years as an estate agent
- He/she has continuously practiced for three years, at the level of partner, director or senior and or principal sales agent in a licensed agency, and,
- Has completed at least thirty (30) documented and verifiable property transactions in the three to five years immediately before his/her application

The degree and diploma qualifications acquired from an institution of higher learning should be one of the following courses as specified by the regulations

- Bachelor/diploma of science (real estate)
- Bachelor/ diploma of science (estate management)
- Bachelor/diploma in real estate (property management)
- Bachelor/diploma in real estate (valuation)
- Bachelor/diploma in building management
- Diploma in building and real estate management
- Diploma in real estate business
- Diploma in property development & facilities
- Diploma in building & property management

Apart from the qualification requirements, estate agents and real estate salespersons will need to ensure that their professional indemnity and insurance requirements are up to scratch, if they want to receive a license. The regulations state that the minimum insurance cover shall be:

- E2, 000, 000 for an estate agent who is a sole proprietor and who does not employ or engage any salesperson
- E4, 000,000 for an estate agency with two to five sales representatives
- E10, 000,000 for an estate agency with more than ten sales representatives.

The Ministry Of Housing And Urban Development note clearly that once the regulations come to full effect no estate agency will be allowed to undertake any estate agency work without the insurance



The Minister Of Housing And Urban Development,
HRH Prince Simelane

“The Ministry Of Housing And Urban Development note clearly that once the regulations come to full effect no estate agency will be allowed to undertake any estate agency work without the insurance coverage specified.”

coverage specified. Furthermore, estate agencies are expected at all times to display their valid license and professional indemnity insurance cover certificate at the reception or front office. It states that the insurance is in respect of civil liability for negligence in the performance of estate agency work.

It is worth noting that during a meeting held by the eswatini realtors association (eswara) last year at esibayeni lodge, they spoke strongly against the insurance requirements. The Association chaired by Musa Nhleko of Mgilija Properties felt that the insurance cover was a bit steep. Pam Golding Eswatini’s franchise owner Busie Mayisela in a previous interview spoke strongly about the need for regulation in the sector, going to depths of an ethics body which she feels is necessary. Mayisela will be glad to note that the regulations address the issue of code of ethics. *“The estate agency work shall be governed by the regulations in conjunction with the code of conduct. The code which shall be known as the code of ethics and professional client care shall apply to every registered estate agency and every licensed estate agent. The code sets the standard of performance required of estate agencies and salespersons in their dealings with clients and the public while carrying out estate agency work”* reads the regulations.

For the full set of the estate agents regulations please visit the ministry of housing and urban development

REQUIREMENTS OF OBTAINING A REAL ESTATE LICENSE IN SOUTH AFRICA

STEP 1: APPLY FOR A POSITION AT A REGISTERED ESTATE AGENCY AS AN INTERN

All persons seeking to enter the real estate agency profession are required to serve as intern estate agents, acting under the supervision of a principal estate agent or of a full status estate agent who has continuously held a valid fidelity fund certificate issued by the EAAB for a period not less than 3 years, thereby creating a mentor-protégé relationship, regardless of any academic, professional or other qualifications which they may hold.

STEP 2: REGISTER WITH THE ESTATE AGENCY AFFAIRS BOARD (EAAB)

Once the intern estate agent has successfully been employed, they need to register as an intern agent with the Estate Agency Affairs Board (EAAB) to receive their “intern” Fidelity Fund Certificate (FFC).

STEP 3: COMPLETE YOUR 12 MONTH INTERNSHIP

All new entrants to the estate agency profession are obliged to serve as intern estate agents for a continuous period of 12 months from the date of the first issue of their FFC. The aim of the compulsory internship period is to equip the intern estate agent with the relevant practical and theoretical workplace knowledge required to operate successfully in the sector. Each intern has to undergo training and practical knowledge of all of the following: Industry, Law, Finance, Marketing, Management, Administration, and Paralegal.

STEP 4: COMPLETE NQF 4 THROUGH AN ACCREDITED PROVIDER (150 POINTS / 1500 HOURS)

It is expected that, after having served as an intern estate agent for a continuous period of 12 months and having been certificated against the FETC: Real Estate, the newcomer to the sector will have attained a similar degree of knowledge, skills and expertise as a practitioner who has already been active in the estate agency profession for quite some time.

Information sourced from Private Property, a leading property website in South Africa

IS PROPERTY AN ASSET OR LIABILITY?

with Robert Kiyosaki

IT SEEMS LIKE EVERY FINANCIAL "EXPERT" SAYS, "YOUR HOUSE IS YOUR BIGGEST ASSET." WHEN I WROTE RICH DAD POOR DAD, I SAID THAT YOUR HOUSE WAS A LIABILITY. THAT WAS LIKE SPRAYING WATER ON A HORNETS' NEST. THE SO-CALLED EX-PERTS LAMBASTED ME. AT THE TIME, THE REAL ESTATE MARKET WAS SKYROCKETING. EVERYONE CALLED ME A CONTRARIAN, OUT TO SELL BOOKS. TODAY, AFTER ONE OF THE WORST HOUSING CRASHES IN US HISTORY, THEY AREN'T LAUGHING ANYMORE.

Recently, I've been writing a series of posts on what I'm calling lies that are fed to people by the rich to keep them poor and in the middle class. Today, I'm going to write on one of the biggest Rich Dad Scams of all, "Your house is an asset."

MONEY IN, MONEY OUT

Your financial planner, real estate agent, and accountant all call your house an asset. But in reality, an asset is only something that puts money in your pocket. If you have a house that you rent out to tenants, then it's an asset. If you have a house, paid for or not, that you live in, then it can't be an asset. Instead of putting money in your pocket, it takes money out of your pocket. That is the simple definition of a liability. This is doubly true if you don't own your home yet. Then it's the bank's asset, and it is working for them, but it's not earning you anything.

SO WHAT IS AN ASSET?

In business terms, assets are your pros and liabilities are your cons. You need assets to offset your liabilities. Once you get away from the Rich Dad Scams, it's easier to think in those terms, to think like an entrepreneur. **But what exactly are assets?**

The simple definition of an asset is something that puts money in your pocket. This is accomplished through four different categories, one of which is real estate. When I say real estate, I don't mean your personal residence, which is a liability. What I mean is investment real estate, which is a great investment because it puts money in your pocket each month in the form of rent.

There are three other primary assets: business, paper, and commodities. If you are an entrepreneur or a business owner, your business is an asset. Paper assets are stocks,

"A lot of Americans got a fast, ugly financial education when the real estate market turned around. They realized very quickly that their homes were not assets."

bonds, mutual funds, and so on. Finally, commodities include gold, and other resources like oil and gas, and so on. My wife and I started out making our money in real estate, putting our money to work in properties that we could rent them out and see ongoing returns. After that, we diversified, so now we have some money in all of four of these asset areas.

INVEST FOR CASH FLOW, NOT APPRECIATION

The Rich Dad Scam that your home is an asset was prevalent when I first wrote Rich Dad Poor Dad. That was in 1997, and everyone's home values were climbing. It was easy to assume that your house was an asset because it was potentially

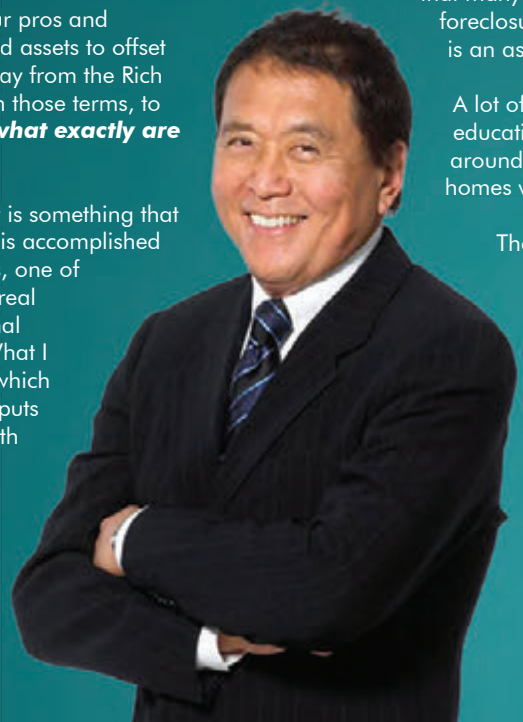
making money for you in the long run through appreciation. People bought into the scam hook, line, and sinker, taking out home equity loans to buy cars, vacations, TV's, and more. Today, those same people are so underwater that many of them are defaulting and going into foreclosure. Most people aren't saying their home is an asset any longer.

A lot of Americans got a fast, ugly financial education when the real estate market turned around. They realized very quickly that their homes were not assets.

The difference between my poor dad and my rich dad was a financial education. And that's not a classroom and books education, that's a nuts-and-bolts, street-smart education, a way of looking at money that is true and that works, not just what the rich want you to believe.

Rather than invest for appreciation, my rich dad taught me to invest for cash flow and to treat appreciation like icing on a cake. I encourage you to do the same.

Article SOURCED FROM
www.richdadpoordad.com



CUTTING EDGE SECURITY AWARENESS



IN THIS NEW YEAR, THE AUTHOR ADVISES PROPERTY OWNERS TO DO CERTAIN COUNTERMEASURES THAT WILL ENSURE SECURITY OF THEIR RESIDENCES

ARTICLE BY GUARDSMARK ADVISORY RETAIL CONSULTANTS | IMAGES COURTESY OF GUARDSMARK ADVISORY RETAIL CONSULTANTS STOCK PHOTO FREEPIK

Franklin D. Roosevelt, January 6, 1941 mentioned that “In the future days, which we seek to make secure, we look forward to a world founded upon four essential human freedoms; the fourth is freedom from fear, anywhere in the world”. The fear of crime, which is not equally felt in society, the elderly being the most fearful, is the scourge that most security practitioners treat every day 24/7/365. However, during the New Year, security strives to eradicate and make secure the property of millions worth hundreds of millions of dollars in value. However, security cannot go this extra-mile alone - she can only provide 29.9% whilst the owner provides the 70.1%. Hence this Security Awareness seeks to impress on assets owners, especially property owners, to put certain countermeasures in place in order for them to enjoy the festive season without fear of crime against their property.

This security awareness will look at security management in the property of one Mr. Bapedi, a migrant worker who resides in a gated community. Part one will look at some of the techniques of situational crime prevention. Focus will be on the aspect of increasing the perceived risks, whereby, Mr. Bapedi, before he leaves for Botswana, he has to ensure that he improves on natural surveillance, surveillance by employees and entry/exit screening. The



main aim is to ensure that the risk of apprehending criminals is increased. Part two will focus on an aspect of Crime Prevention. Through Environmental Design: defensible space and territoriality. The main argument is to emphasise the importance of redesigning the environment to design crime out.

Situational crime prevention derives its existence from rational choice and routine activity theories of crime. Before criminals attack the residence of Mr. Bapedi, serious weighing of the pros and cons of the benefits to be derived takes place in the criminal's mind. Most crimes against property are carefully thought-out i.e. they are not impulsive. In most cases, a person whose sphere of influence falls within Mr. Bapedi's residence will be the most credible one to attack. This is because he knows the dark corners and weak spot of the property.

Property owners, like Bapedi, are advised to ensure that they increase their natural surveillance by removing shrubs before going on vacation. They are also advised to increase entry and exit screening. For example, since Mr. Bapedi has guards at the gate, he must ensure that all people that visit him are screened; and are recorded down. This increases the risks of apprehension to criminals. In most cases, these are the simple countermeasures that make crime difficult and risky. It also deters casual criminals to abandon their mission because of such measures.

By modifying the areas around the perimeter fencing, property owners, like Bapedi, increases defensible space and territoriality. Therefore, Mr Bapedi should ensure that the areas around his residence are well taken care of as shown before taking his long



vacation. Would-be criminals will feel as if they are being monitored when using this space and that is defensible space at its best.

No one can be territorial for this; and should Mr. Bapedi take his deserved vacation and leave his house in this unkempt state, he will find it definitely vandalised. Property owners are advised to ensure that they are territorial with their space; and ensure that they redesign the space to ensure that criminal dispositions are changed, the risk of apprehension is increased; and opportunity to vandalise their property is removed.

In conclusion, opportunity has a long and established position within criminological thinking. Hence the above-mentioned measures that Mr. Bapedi has to implement are meant to reduce opportunity. The changes in the environment; and how it is managed around the property of Mr. Bapedi, can reduce opportunities for crime to occur during this festive season to tolerable levels. These measures make crime more difficult and risky or less rewarding and excusable; as shown.

“Property owners, like Bapedi, are advised to ensure that they increase their natural surveillance by removing shrubs before going on vacation. They are also advised to increase entry and exit screening.”

THE HIVE

CHANGING THE TRADITIONAL OFFICE RENTAL INDUSTRY IN THE COUNTRY

INTERVIEW BY NTOKOZO NKAMBULE | IMAGES THE HIVE

Located in Mbabane New Mall, The Hive is a company that offers virtual offices comprising of long and short term fully serviced offices, board room facilities, incubation facilities for start-ups and fast internet amongst it's key service offering. We caught up with the company's GM Gcinekile Motsa who enlightened us on what brought this concept as well as their future business aspirations.

Could you tell us briefly about The Hive, in terms of what it offers, when it was established and its core vision?

The company's vision was established in mid-2016. The Hive, like a bee hive that is home to different components, is a one-stop business solutions centre. Our core vision is to contribute to the growth of entrepreneurship in the country by providing services aimed at developing companies as well as providing office space. The services rendered in The Hive Virtual Offices are as follows: long and short term fully serviced offices, boardroom facilities, incubation facilities for business start-up, fast Internet, photocopiers and scanners, telephone line, service kitchen and lounge for casual meetings. All the above services can be accessed on hourly, daily, weekly or month terms even yearly. It also serves as an after-hours service centre for those who prefer to work after work. More services include facilitation of company and trading licence registration as well as application for work

permits for expatriates in the country.

The HIVE has brought a new concept, which sees the traditional concept of office rental being shifted, as you offer co-working spaces, and meeting areas on the go. What inspired The HIVE to pioneer this project in the country?

The idea came about three years ago when we as the company directors travelled to South Africa for several investment opportunities seeking mission and empowerment workshops. We were meant to meet up with potential partners following an afternoon networking session. We felt that meeting in restaurants around Johannesburg wasn't private enough. We then discovered this great VIRTUAL OFFICE set up that did not only give us all the necessary office support systems, it also made our partners take us serious in our short term office setting that had mostly all the facilities. Its then that we realised an opportunity and instantly decided that our country needed such new

"The Hive, like a bee hive that is home to different components, is a one-stop business solutions centre."

age concept.

Could you elaborate more on the benefits for business and individuals of opting to use co-working spaces, compared to just traditional renting as we know it?

Co-working spaces is a global trend that has been proven to contribute to functionality and is quite effective way of running your business. It is also perfect for people in short-term projects or people without a large number of staff. It makes no sense to rent an office for 12 months yet perhaps you only need it for a 4 months project such virtual offices allow for the flexibility. It keeps one professional at the same time without breaking the bank in terms of rental fees. For start-ups this is also a preferred setting because in such a space you get to gauge the progress of the development of you company and as it grows can go for bigger space within us or even seek another building which we all assist in.

The First Global Study as highlighted by the South African Property Review (March 2019 Edition) is that co-working or flexible areas such as The HIVE will contribute US\$10 trillion by 2030, which talks to how big the market is. How has the response been by companies and individuals since the launch of The HIVE, is it positive locally?



The response has been quite positive which is testament to the study you highlight that there is a need in the market for such services. We are happy with the first few years of service and support we have received from local companies, individuals and start-ups who have engaged us for our professional services.

Technology is undoubtedly a huge factor in the workspace, and more so in your area. How is The HIVE utilizing technology to ensure more quality and efficiency for clients?

Periodically we explore which different technologies we can adopt into our services to make our customer experiences even better. Obviously at the core is embracing digital technology and the internet to ensure we service our clients faster and better. And we continue to adopt new technologies occasionally including investing in the latest machines for printing and office management.

Since this is a new phenomenon in the Kingdom of Eswatini,

what challenges have you come across thus far?

All industries have challenges but these didn't deter our drive to establish this but propelled us forward. As it is clear that we as custodians of the concept had to put down a large capital outlay in acquiring all the necessary infrastructure and resources, we faced tough capital input towards this. Being new and the only one in our country so far, banks were not very convinced to fund us as they felt that it didn't exist in the country and hasn't been tested either. We were very determined to see it thorough such that we sacrificed a lot to its fruition. However the reception from potential customers was encouraging us to look beyond challenge.

Having been on the ground, would you say this is the future of office rental, especially for small businesses?

Yes this is the future and actually it is the present. We would advise people to make The HIVE their only destination because we are tried and tested in the virtual offices and services space. We are ready to warmly welcome you for a business consultation and to meet your professional business needs.

Who is the target market of The HIVE specifically?

Everyone seeking expert business solutions from start-up businesses and individuals to large companies. We provide very professional and efficient services tailor made for all of them to their satisfaction. We have quite good feedback from all of our clients for our services.

What does the future hold for The HIVE, are we perhaps going to see more outlets being opened around the country?

The future looks quite bright thanks to the vision of the directors as well as the support we are getting from the local market. We are obviously looking at more outlets and in the short-term the next outlet we are working on will be in the industrial capital of Eswatini which is Matsapha. From there

“Yes this is the future and actually it is the present. We would advise people to make The HIVE their only destination because we are tried and tested in the virtual offices and services space. We are ready to warmly welcome you for a business consultation and to meet your professional business needs.”

we will continue to expand to other areas of need.

In conclusion we would like to also thank your publication for keeping us updated on property industry news. Keep up the good work and thanks for having us on this feature, we look forward to engaging you again in future.

KEY PROVISIONS OF THE CIC ACT NO 14 OF 2013 AND TENDER VALUE RANGES WITHIN THE DIFFERENT CONSTRUCTION CATEGORIES

ARTICLE BY CONSTRUCTION INDUSTRY COUNCIL (CIC) | IMAGE COURTESY OF CIC



Overview of the CIC mandate

KEY DEFINITIONS

CONTRACTOR

“a person, body of persons who undertake to execute and complete construction works”

CONSTRUCTION WORKS

“means the provision of goods and or services for the development, extension, installation, repair, maintenance, renewal, removal, renovation, alteration, dismantling, demolition, of a fixed asset including building or engineering infrastructure”

SWAZI COMPANY

“means a company which is registered under the Companies Act and is controlled from within Swaziland and in which 60 percent or more of the shares are owned by a Swazi citizen”

SECTION 27

“A contractor shall not carry on business in the construction industry in Swaziland unless the contractor is registered under this Act”

SECTION 38

“A contractor shall not undertake, carry out or complete any construction works or a portion of such works for either and private of public sector contract, awarded in terms of competitive tender or quotation, unless the contractor is registered with the council”

REGISTRATION OF CONTRACTORS- SECTION 27-34/38-39

Outlines the rules and requirements for application, cancellation, appeals, affiliations, registration fees, and penalties for non-compliance

- Empowers the Minister and the Council to prescribe
- Varied requirements for different categories of contractors
- Annual registration fees

AWARD TO FOREIGN COMPANY OR FIRM - SECTION 40

“A person shall not award a contract for construction works to a foreign company or firm without the approval of the Council”

“Where an award for a contract is referred to the council for approval and the council determines that the construction work to be awarded can be undertaken by a Swazi company, the Council shall not endorse its approval and the person shall not award the contract to the foreign company”

AWARD TO FOREIGN COMPANY OR FIRM- SECTION 41

“A person shall not award a contract for any construction works to a foreign company unless the foreign company undertakes construction works in partnership or jointly with a Swazi company”

Tender Value Ranges for construction firms according to each category

I) Building Works Contractors

General Building Works		Building Specialist Works	
Grade	Maximum Aggregate Value of Contracts (E)	Grade	Maximum Aggregate Value of Contracts (E)
BF	Foreign Firms	BSF	Foreign Firms
B1	No Limit	BS1	60 000 000
B2	25 Million	BS2	12 500 000
B3	10 Million	BS3	5 000 000
B4	5 Million	BS4	2 500 000
B5	2 Million	BS5	1 000 000
B6	0.5 Million	BS6	250 000

NB: Foreign building Contractors may only tender for contracts above E120 million or only where a specialized skill is involved.

NB: Foreign building specialist Contractors may only tender for contracts above E60 million or only where a specialized skill is involved.

II) Civil Works Contractors

General Civil Works		Civil Specialist Works	
Grade	Maximum Aggregate Value of Contracts (E)	Grade	Maximum Aggregate Value of Contracts (E)
CF	Foreign Firms	CSF	Foreign Firms
C1	No Limit	CS1	100 000 000
C2	50 Million	CS2	25 000 000
C3	30 Million	CS3	15 000 000
C4	15 Million	CS4	7 500 000
C5	5 Million	CS5	2 500 000
C6	1 Million	CS6	500 000

NB: Foreign Civil Contractors may only tender for contracts above E200 million or only where a specialized skill is involved.

NB: Foreign Civil Specialist Contractors may only tender for contracts above E100 million or only where a specialized skill is involved.

III) Electrical Works Contractors

General Electrical Works		Electrical Specialist Works	
Grade	Maximum Aggregate Value of Contracts (E)	Grade	Maximum Aggregate Value of Contracts (E)
EF	Foreign Firms	ESF	Foreign Firms
E1	No Limit	ES1	No Limit
E2	5 Million	ES2	2.5 Million
E3	3 Million	ES3	1.5 Million
E4	1 Million	ES4	0.5 Million
E5	5 Million	ES5	2 500 000
E6	1 Million	ES6	500 000

NB: Foreign Electrical Contractors may only tender for contracts above E10 million or only where a specialized skill is involved.

NB: Foreign Electrical Specialist Contractors may only tender for contracts above E10 million or only where a specialized skill is involved.

IV) Mechanical Works Contractors

General Mechanical Works		Mechanical Specialist Works	
Grade	Maximum Aggregate Value of Contracts (E)	Grade	Maximum Aggregate Value of Contracts (E)
MF	Foreign Firms	MSF	Foreign Firms
M1	No Limit	MS1	No Limit
M2	5 Million	MS2	2.5 Million
M3	3 Million	MS3	1.5 Million
M4	1 Million	MS4	0.5 Million
M5	5 Million	MS5	2 500 000
M6	1 Million	MS6	500 000

NB: Foreign Mechanical Contractors may only tender for contracts above E10 million or only where a specialized skill is involved.

NB: Foreign Mechanical Specialist Contractors may only tender for contracts above E10 million or only where a specialized skill is involved.

V) Individual Artisans

Individual artisans shall only be eligible to perform contract amounts with tender value ranges not exceeding E250 000.

VI) Consultancy Practices

All Consultancies are graded according to the Council for Architects, Engineers, Surveyors and Allied Professionals (AESAP) criteria.

VII) Manufacturers and Suppliers

Category	Estimated Annual Turnover (E)	Estimated Maximum Annual Turnover (E)
1	10 000 001	Unlimited
2	7 500 001	10 000 000
3	5 000 001	7 500 000
4	2 500 001	5 000 000
5	1 000 001	2 500 000
6	500 001	1 000 000
7	1	500 000

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WHAT IS CONVEYANCING, WHAT DOES A CONVEYANCING ATTORNEY DO AND WHO PAYS TRANSFER COSTS?

IF YOU'RE A FIRST TIME HOME BUYER AND NEW TO THE HOME BUYING PROCESS, YOU MAY NOT BE FAMILIAR WITH THE CONVEYANCING PROCESS, WHICH PARTIES ARE INVOLVED AND WHO PAYS THE COSTS.

Conveyancing in sort is the legal term for the process whereby a person, company, trust or close corporation becomes the registered and legal owner of immovable property. It also covers the process of the registration of mortgage bonds.

Each time a property is sold, ownership must be transferred and a new deed of transfer must be drawn up and registered in the deeds office – this is where the Conveyancing Attorney is involved.

WHO APPOINTS A CONVEYANCER AND WHAT DOES A CONVEYANCING ATTORNEY DO?

Once an offer to purchase or sale agreement has been signed by the buyer/s and seller/s,

the seller appoints a Conveyancing Attorney to attend to the transfer transaction.

The earlier you speak to a Conveyancer, the better as they can help you look over the contracts and give you advice.

SA good Conveyancer will explain clearly the importance of each process to help all the parties understand exactly what's involved, the documents required in terms of the Financial Intelligence Centre Act (FICA), why certain documents are required and what documentation you are signing. Further to assist you to meet your legal obligations and protect your interests and rights

THERE ARE USUALLY THREE CONVEYANCING ATTORNEYS INVOLVED IN THE PROCESS:

Transferring Attorneys:

The Transferring Attorney attends to the transfer of the property from the seller to the buyer and generally controls most of the conveyancing process.

Bond Cancellation Attorneys:

This Attorney is appointed by the seller's bond holder (Bank) to cancel the seller's existing home loan registered over the property. The seller's bond must be cancelled simultaneously (or before) with the registration of the buyer's new home loan.

Bond Registration Attorneys:

The Attorney is appointed by the buyer's bank granting the home loan. They represent the bank granting the buyer's home loan. They register the bond over the property in favour of the bank.

The Conveyancing Attorney/s will explain each process in more detail once appointed.

SO, WHO PAYS THE CONVEYANCING FEES AND WHAT IS IT YOU ARE GOING TO BE PAYING FOR?

The Law Society of South Africa issues Conveyancing fee guidelines, but it must be noted that conveyancing fees are negotiable. These are merely guidelines and not minimum or maximum fees.

When purchasing a property, the buyer pays various fees. Transferring fees, which include and are not limited to conveyancing fees, deeds office registration fees and transfer duty, which the Conveyancer pays to SARS.

If a new bond is to be registered over the property, there are also bond attorney's fees involved.

The seller on the other hand is responsible to pay rates and taxes, levies (if applicable), Home Owners levies (if applicable) and cost associated with the issue of an electrical clearance certificate (or other certificates as specified in the Offer to Purchase, for example gas

compliance certificate, plumbing certificate, electrical fence certificate and a borehole certificate).

WHAT IS A CONVEYANCERS DUTY AND WHAT CAN YOU EXPECT FROM A CONVEYANCER?

The conveyancing process has become a very stressful process as the Conveyancer deals with various parties, banks, South African Revenue Services, various municipalities, rates agents, deeds offices and other role players on a daily basis. Much of the process, which they have to coordinate, is actually out of their hands. The Conveyancer and their secretaries/staff take great care to attend to all applications and tasks timeously to ensure there are no unnecessary delays. The conveyancer is probably the person who does the most of your property transaction and has to deal with all the parties involved and ensures collection and payment of all amounts due. You can generally expect the following from your conveyancer in a typical transfer transaction:

- The conveyancer informs all parties of the conveyancing procedure and keep the seller, buyer and estate agent informed of the progress of the transaction;
- Advise the parties of the content of the offer to purchase, especially regarding any suspensive conditions, special conditions and time limits;
- To advise the seller of the cancellation of his/her existing bond, request cancellation figures, any penalties, notice periods and other charges which may affect the settlement figure;
- Request guarantees from the bank/bond attorneys in respect of the transaction;
- Apply for the necessary rates and levy clearance certificates from the authorities;
- Advise all parties of their obligations in terms of the offer to purchase, so as to ensure that the transfer is not delayed, also to do everything in his/her power to register the transaction on or as close as possible to the date agreed to in the offer to purchase;
- Meet with the seller and buyer to explain the process and to sign the necessary documentation in order to conclude the transaction;
- To prepare all deeds for lodgement;
- To keep the seller, buyer and estate agent updated and advise of the transfer on the day of registration;
- Account to the parties for finances relating to the transaction and to make all necessary payments.

This Article was written by Nicola Mattheus and was sourced from private property, a leading Property and News website in South Africa

“The earlier you speak to a Conveyancer, the better as they can help you look over the contracts and give you advice.”



Pioneering Eco-Living in Vuvulane - Khulekani Msweli

Using **ART** to **CREATE** Affordable Housing

Local art and design entrepreneur Khulekani Msweli unpacks his latest initiative which aims at ensuring that impoverished communities can afford to live in quality housing.

INTERVIEW BY NTOKOZO NKAMBULE | IMAGES KHULEKANI MSWELI

Imagine building and completing a house in 8 weeks, and not just any house but a low cost quality house which is environmentally centric. Well, only entrepreneurs and creatives can do that. Khulekani Msweli fits that narrative as he has managed to come up with a way of providing affordable housing to impoverished communities such as his own Vuvulane.

Q: Firstly, tell us a little about Khulekani Msweli?

I am a simple rural guy that is passionate about the arts, gardening and the development of Vuvulane.

Q: You are well known in the art and design space yet your latest venture is in the property space through an 'eco-friendly' housing project at Vuvulane, could you tell us more about that?

The project is about providing high quality, eco conscious yet low cost houses for the highly impoverished community of Mgidza, Vuvulane.

Q: You could have done a number of things as an artist, what motivated you to do this project?

Witnessing the desperation for adequate housing for the most vulnerable in my community, which are mostly children. My ability as a creative person had to be put to use in a very meaningful way.

Q: There are media reports that you aim at completing 25 houses, last year you had completed one house. How far is the project and what are your projections in as far as completing the whole project?



Yes, it is true, we are hoping to complete 25 houses. The first demo house has been completed. We are currently preparing for the official opening of the demo house and then preparing an international fund raising campaign to build the rest of the houses. As much as we, the community, are hands on in the building process we still need a lot of financial help with some of the building material.

Q: According to you, what does 'Eco-Friendly' mean and why Vuvulane?

Eco-Friendly, to me, means that the building is in harmony with the ecology around it. It is a building that works with nature, thus using the most minimum carbon emitting components. I chose Vuvulane because that is my home, where I live and work everyday. I have to develop the area that has made me who I am.

Q: What is the material used when constructing the houses and what are the costs, as compared to the construction of a normal house?

The key material consists of Hydraform Interlocking mud bricks (www.hydraform.com) which we make ourselves using the Hydraform machine and red earth sand that is dug in the area. The roof is a combination of grass thatching and zinc corrugated sheets. The window frames are hand made from upcycled wooden pallets. The costs are minimal and variable.

Q: How is the response so far from the public and residents of Vuvulane? And do you see this kind of project being implemented in other regions of the country?

The response has been very positive, both from the public and the residents. They are amazed about the simplicity of the idea yet with such beautiful results. Yes, I see the project reaching many areas of the country. Already, there is a community that I am assisting in designing their spaces, incorporating the techniques that we have been using for our Vuvulane housing project.

Q: This is a new concept, what can you say about its durability and benefit to the environment?

I have to clarify that being eco-conscious or building in an eco conscious way is not at all new. Africa has always built in harmony with nature, we were disrupted by Capitalist factors and colonial imperialism. The building is durable and benefits the environment in several ways. The fact that it has a low carbon footprint, in its building process is one aspect but what is great about the Hydraform brick is that of offers great thermal properties, staying cool in the Summer and warm in winter. Using grass window blinds and wooden window shutters also adds great thermal control. Using a compost toilet, within the house, reduces unnecessary water waste which is a common factor with the flush system toilet.

Q: How long does one house take to complete, and where do you get the material for constructing these

houses?

If you have all the necessary material it can take 6-8 weeks to complete. That time frame includes the 3 week process of curing the mud bricks.

Q: Has this project been rolled out in other countries or you have pioneered it in ESwatini?

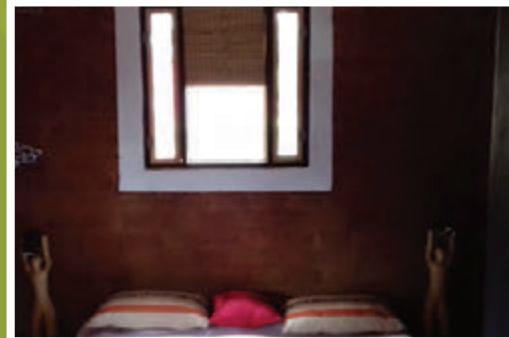
The use of Hydraform mud bricks or regular mud bricks has been done in various parts of the continent. What I think is pioneering for this particular project is actually building beautiful eco-homes that will benefit the most vulnerable members of our society, instead of it being being a housing project that will benefit an elite 'Eco Housing Estate'.

Q: In terms of weather, what are the dynamics involved in eco housing, for example, would the project apply in a weather pattern like that of Hhohho for instance where it is rainy?

Weather and region of building is always something that one has to consider when undertaking an eco project. The key to it is to always work with elements that are easily available in that area and then enhance the materials that need to withstand the various areas of drastic weather patterns. There really is no excuse for not building in an environmentally conscious way.

Q: What has been your source of funding for the project?

It has come from various local and international donors, friends, family and from my own business, JEREMPAUL.



“The building is durable and benefits the environment in several ways. The fact that it has a low carbon footprint, in its building process is one aspect but what is great about the Hydraform brick is that of offers great thermal properties, staying cool in the Summer and warm in winter.”





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