06 AUGUST 2026

ACCESS TO HOUSING FINANCE THROUGH RETIREMENT FUNDS UNDER THE FINANCIAL INSTITUTIONS AND MARKETS ACT (FIMA)

The public is informed that there is no policy contradiction between the Government's efforts to promote access to housing and the provisions of the Financial Institutions and Markets Act (FIMA) relating to retirement fund housing loans.

The Financial Institutions and Markets Act (FIMA), in section 282(2), reads as follows:

"(2) A fund may, where its rules so provide, by way of investment of its funds, grant loans secured by first mortgages of immovable property to any of its members, if the mortgaged property is property on which a dwelling house has been or is to be erected, but the loans may not exceed the percentage of the fair value of the immovable property concerned as provided in the standards."

FIMA requires direct housing loans granted by retirement funds to be secured by a first mortgage over immovable property on which a dwelling house has been or will be erected. This requirement is not a new provision introduced by FIMA. It is a continuation of the requirement that existed under the repealed Pension Funds Act, 24 of 1956.

Retirement fund members, even those with land rights which do not allow for the registration of mortgage bonds, such as those in customary communal areas, can still access financing for building, buying, renovating, or improving their homes from retirement funds, where the fund rules so provide. FIMA makes provision for an exemption from the requirements of section 282(2), for example, where the immovable property is customary land which cannot be registered in terms of the Deeds Registry Act and over which a first mortgage cannot be registered.

The retirement fund to which such a member belongs should apply to NAMFISA for an exemption from the requirement to secure a section 282 loan with a first mortgage over immovable property. Section 282(3) reads as follows:

"(3) NAMFISA may, under exceptional circumstances, and on such conditions and for such periods as NAMFISA may determine, temporarily exempt a fund from compliance with the provisions of subsection (2)."

Members are encouraged to engage with their respective retirement funds regarding the availability of housing loans and the procedures for applying for exemptions where applicable.

For more information, please contact the General Manager: Pension Funds at email lindongo@namfisa.com.na or telephone number 061-290 5186

Kenneth S. Matomola
CHIEF EXECUTIVE OFFICER