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# THE CONSTRUCTION PERMITS PROCESS IN MOZAMBIQUE

**VOLUME III:  
MUNICIPALITY OF QUELIMANE GENERAL ASSESSMENT  
AND RECOMMENDATIONS**

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## VOLUME III: CITY OF QUELIMANE GENERAL ASSESSMENT AND RECOMMENDATIONS



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# PREFACE

This report contains the results of an assessment conducted over a very short period of time in the City of Quelimane, on the subject of construction licensing, and on how could the municipality address several problems that it has in this area.

The assessment was requested by His Excellency the Mayor of Quelimane, taking into consideration the efforts that the Capital of Maputo is undertaking on this subject, the possibility that some of the reforms that are being sought there could also be applied in Quelimane, and his belief that this city could be a case in which some of the difficulties that Maputo may encounter because of its much more complex political and administrative reality, could be sorted out, and thus provide valuable example to the many other cities in the country that are similar to Quelimane.

Although every attempt was made to obtain as much information and knowledge as possible, the very short nature of the work (5 days in the field and 5 of analysis), allowed only partial information to be obtained and short exchanges with key personnel and stakeholders, so as to provide a general assessment.

However, the author believes that a series of key recommendations can be offered with the information that was obtained and analyses that were conducted, and that, indeed, there are several opportunities to effect substantial change in Quelimane. Nonetheless, the recommendations are still to be regarded as general, requiring analysis from, and dialogue with, key stakeholders. In consequence, the report is meant to serve as a working tool that is open (and requires) the contribution of others who may have more knowledge of the specific situation and dynamics in Quelimane.

Finally, for a better understanding of the subject, this report should be read in conjunction with the report titled *The Construction Permit Process in Mozambique: Analysis and Recommendations*, issued in April, 2012, as well as the report on the implementation of the short term recommendations for the City of Maputo, issued in July, 2012.

This work was made possible thanks to the support the United States Agency for International Development, through the Mozambique Support Program for Economic and Enterprise Development (SPEED).

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The author kindly requests forgiveness to anyone who may have been misrepresented here, as well as for the omission of any person that ought to be recognized. If any of these happen, it is because of the short visit, the quick encounters and the fast pace of the work in Quelimane.



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# ABBREVIATIONS

CMCQ	<i>Conselho Municipal da Cidade de Quelimane</i>
CRP	<i>Conservatória de Registo de Propriedade</i>
DBR	Doing Business Report
DC	<i>Departamento de Cadastro</i>
DCPI	Dealing with Construction Permits Indicator
DNTF	<i>Direcção Nacional de Terras e Florestas</i>
DUAT	Direito de Uso e Aproveitamento da Terra (also known as a <i>Tombo</i> )
GOM	Government of Mozambique
MCA	Millennium Challenge Account
MCPP	Mozambique Construction permits process
MZN	Mozambique <i>Meticais</i>
PCM	<i>Presidente do Conselho Municipal</i>
PROL	<i>Projeto de Reforma dos Órgãos Locais</i>
RSU	<i>Regulamento do Solo Urbano</i>
SPEED	Mozambique Support Program for Economic and Enterprise Development
TUATU	<i>Título de uso e Aproveitamento da Terra Urbana</i>
USAID	United States Agency for International Development



## EXECUTIVE SUMMARY

As a result of the reforms in the construction licensing process that have been taking place in Mozambique's Capital of Maputo, which have been supported by the USAID through its SPEED program, the authorities of Quelimane requested the preparation of a general assessment of the situation of this municipality with respect to this same topic. At issue is the question of whether or not the solutions that are being explored in Maputo could be applicable in Quelimane.

Quelimane, the seventh municipality of Mozambique in population size, with approximately 223,410 people living in its jurisdiction, is almost evenly distributed in areas dedicated to agriculture (35%), urbanized areas (34%) and areas that cannot be urbanized because they are water bodies, marshes, wetlands and/or mangrove areas. The municipality, as illustrated in the opposite figure, is marked by an impressive, 'finger like' territory of very slight, almost imperceptible wet valleys and dry crests, of which the majority have some kind of settlement and are populated by the typical palm trees that are a key economic and cultural element of the region.

The 'urban' area of Quelimane is comprised in its majority by different types of informal residential settlements covering 70% of the area. This includes the traditional orchard areas that are essential for settlers self maintenance. The remainder, formal areas, are comprised by industrial activity (including the main port and sea salt purification plants) covering 18% of the area, residential uses covering 6% of the area and other, complementary uses, covering 5% of the area. Given this context, the construction license analyses to be carried out most likely will be associated with only 30% of the territorial 'reality' of the municipality.

A general overview of the municipality's finances seems to indicate it operates in slight deficit conditions, with the last 4 years indicating compounded growth rates of expenditures (15%) higher than revenues (11%); therefore the municipality needs to increase revenues or trim costs to be more sustainable. In this regard, it is imperative to look at the operations of Emusa, the municipal company responsible for sanitation and waste, whose cost growth rates seem to be the ones creating the above-mentioned imbalance.

The *Vereação de Infra Estrutura e Urbanizações* is the Department responsible for processing construction licenses. Financially, this department appears to be maintained with the equivalent of 45% of the total revenues it generates for the municipality.

In addressing the question of construction licensing, the author analyzed the general time lines of this process as defined by the DBR, and in comparison to Maputo; the administrative structure of the *Vereação*, and the processes this department manages, including access to land, construction licensing itself, and titling the improvements. The author also reviewed the status of municipal and land development planning, and an administrative reform that H.E. the Mayor of Quelimane is about to present to the Municipal Assembly.

The initial look at the time lines of the construction licensing process as defined by the DBR yielded in Quelimane a net time of 346 days, which is a figure strikingly similar to that of Maputo, as illustrated in Table 4 on page 12. However, further and more detailed studies provided a somewhat shorter time, with 270 days. The initial look also yielded data that

confirms the Mayor's assertion that, upon taking office, a significant backlog had to be addressed. According to the chart that accompanies Table 5 on page 14, this would be of at least 636 processes, or a year's worth of requests in Quelimane standards. The data also indicate that all the processes associated with construction licensing (except *prorrogação de licença de construção*) are decreasing, from a small rate of -2% in the case of *pedidos de aprovação do projeto de arquitetura*, to a strong rate of -16% in the case of *pedidos de aprovação de licença de construção*. Thus, it can be assumed that construction activity (at least formal) is diminishing in Quelimane.

Through a detailed analysis of a real case that contains all the five processes that are administered by the *Vereação* (see Figure 3 on page 16), it becomes evident that the most complex of them, for the number of steps they entail, are the following: first, land access; second, titling the improvements, and third, transferring the land title.

In terms of time expenditures, transferring the land title and land access take the longest, followed by the actual building of the improvements, titling the improvements and issuing the construction license. The case studied also demonstrates a total expenditure of 270 days in the different processes that comprise the DBR list, and that the process itself of construction licensing is the least 'problematic' of all.

Access to land and property in Quelimane was found to be in a very precarious conditions. As illustrated in Table 6 on page 22, of approximately 43,000 parcels of land that constitute the municipality in 2011, which grow at a rate of approximately 800 parcels per year, the city has received an average of 230 DUAT requests per year while it has issued only 139; the city has also seen requests of 51 titles per year and issued only 6.

This area is being addressed through the *Safe Access to Land* project supported by the MCA, through the *Direcção Nacional de Terras e Florestas*. This project is aimed at building a new geographic base of the municipality, carrying out a process of land regularization and formalization on four neighborhoods, creating institutional capacity to continue the job to cover 100% of the jurisdiction, and communicating and socializing the benefits of formalizing property.

Based on interviews with city officials in charge of the Cadastre, and appearing illustrated in Figure 6 on page 23, in 2011 a total of 10,211 titles were accounted in the city Cadastre; of these, 2,898 were *TUAT* documents issued by the MCA project. Therefore 7,313 should be those *Tombos* that the municipality has already issued in past years. That same year, the MCA project issued 4,042 *comprobativos*. This means that the city of Quelimane had a total formalized area of 14,253 parcels, equivalent to 33% of the total.

Based on the data reviewed, the municipality will have the following key challenges ahead:

1. Continuing to formalize and issue titles for at least 15,000 additional parcels.
2. Re-settlement of at least 4,042 families located in parcels for which no title could be issued by the MCA project. This figure is likely to increase as the remaining areas of the city are formalized.
3. Transferring approximately 7,300 paper *Tombos* to the digital data base created by the MCA project.

One of the most important contributions of the *Safe Access to Land Project* is the fact that official titles, such as the one illustrated in Figure 7 on page 24, are being issued to the legitimate settlers of the different parcels of land that are being regularized and formalized. Because these titles are being issued in accordance to the *Regulamento do Solo Urbano*, the 3-staged process of accessing a title is effectively reduced to one stage, in which the temporary document that used to be awarded (DUAT or *Tombo* in Quelimane) is converted into a definitive document that does not need to be ‘perfected’ through building and official demonstration that improvements have been built on the parcel within a previously established period of time.

In consequence, it is possible for all those *TOMBO* documents that Quelimane has issued in the past to be automatically converted in to TUATU documents in accordance to the model defined in the *Regulamento do Solo Urbano*.

Construction licensing in Quelimane was found to be carried out in a relatively ‘efficient’ way. Only one evaluation takes place, in which the land use, architectural and engineering aspects of the project are considered. There is no detailed review of structural, mechanic, electrical or hydraulic components of the project as the municipality has no personnel trained in these areas. In addition, most of the projects that seek license in the city are generally presented by technicians with mid-level education in architecture and/or civil engineering, who apply the basic elements of design and building that are customary in the area.

Although the data provided in the initial assessment illustrated in Figure 3 on page 16 seem to prove the argument just presented (only one week is seen in this case for construction licensing), further analyses like the one illustrated in Figure 9 on page 26, indicate an approximate total of three months for the total time expenditures of this process. However, as illustrated in Figure 10 on page 28, the problem appears because of the fact that the *Presidente do Conselho Municipal* has the signing authority of all municipal processes. This can entail long periods of time due to the volume of work that this represents for the Mayor. As indicated in detailed analyses of time consumption of several cases for different processes, the administration part and Mayoral signature process stand at a staggering average of 80% of the total time spent on each process.

Municipal and land development planning was found to be in a critical condition, if not completely absent from the process. A significant effort undertaken in 1998 under the auspices of the *Projeto de Reforma dos Órgãos Locais (PROL)*, which produced a *Plano de Estrutura e Plano das Acções Prioritárias para Quelimane*, was entirely lost. Of the three main products that resulted from this process (a full diagnostic, a complete *Plano de Estrutura*, and a *Plano das Acções Prioritárias*) only the third one has survived. This effort included even an administrative re-configuration to elevate the question of planning to the level of a *Vereação*.

The administrative reform that is being proposed by the Mayor to the Assembly was found to cover the fundamental areas of municipal governance. However, the reader is left with the impression of an organization addressing its basic, short term duties, but not necessarily its opportunities, or its long term, structural issues. This was demonstrated on a few examples that include the *Departamento de Indústria, Comércio e Turismo*, the *Vereação para a Área de Meio Ambiente, Saneamento, Jardins e Cemitérios*, *Vereação de Planificação de Desenvolvimento Autárquico*.

Following a brief analysis of each one of the topics addressed, seven recommendations are drawn:

1. A Seamless Continuation of the *Safe Access to Land* Project.
2. Implementing the Quelimane Municipal Planning Department
3. Implementing a streamlined construction licensing process and a strengthened development control mechanism.
4. Exploring a co-owner or PPP mechanism for managing the city's solid waste.
5. A mobile government as an option to de-concentration.
6. Some adjustments to the administrative reform in progress.
7. Enhancing the image of the municipal Government.

These recommendations are described in terms of their objective, the concrete tasks that are required and the general benefits and impact that they could bring to the municipality. This is followed by a brief discussion on the possibilities of their implementation, the implementation schedule that the municipality ought to follow, the project team that should be assembled to manage and implement the recommendations, the governance actions and mechanisms that should be put in place prior to commencement and the next steps that should follow this report.





# INTRODUCTION

His Excellency the Mayor of Quelimane, has expressed a strong interest in carrying out reforms that help the municipality clear a voluminous backlog in the area of construction licensing, and curb a situation that, because of this and other factors, easily lends itself to illegal and corrupted activities. The Mayor also expressed the keenness of his administration on introducing structural reform in the institutional setting and work-flow during their period in office.

Since October of 2011, the SPEED program has been studying and developing reforms in the construction licensing process as it takes place in the Capital of Mozambique, in pursuit of a more efficient and effective delivery of the municipal services that are associated with it. This is with the aim of improving Mozambique's position in the World Bank's *Doing Business Report*, which includes a section that is called *Dealing with Construction Permits*. Having become aware of this, the Mayor of Quelimane has requested the undertaking of a brief assessment of the situation of this municipality, to determine whether some or other reforms can also be carried out here.

Building on the experience developed in Maputo thus far, an assessment of the way in which the construction permits process operates in a city other than the Capital can offer valuable information and reform ideas that could benefit the country as a whole. This is because the challenges, costs, opportunities would seem to be more relevant to those that other cities of the interior would be experiencing.

## OBJECTIVE

Given this, the objective of this project is to conduct a general assessment of the question of construction licensing in Quelimane, and whether or not the problems and solutions that are being explored in the Capital of Maputo, where a similar project is being carried out, could be applicable in this city.

## SCOPE

Because in Mozambique construction licensing is subject, or subsidiary, to the greater and more socially, economically and politically relevant subjects of *land access* and of *property formation* as defined by the Law, construction licensing becomes a staged process that requires, at certain points, fulfilling a number or requisites associated to those processes in order that it may continue. Those requisites are the responsibility of different departments and sometimes those departments are placed in different units of the municipal government.

Given this, the assessment of construction licensing in Quelimane requires reviewing the processes just mentioned. Additionally, like in many other societies, the land development plan, particularly through its land use and zoning regulations, is also a key component of construction licensing, in the sense that during this process, compliance of the construction to-be with those regulations has to be assured.

Because of the relevance of property and construction as mechanisms of municipal finance, any assessment that aims at clarifying ways in which the administration can enhance its productivity and service delivery to its citizens, needs to look at some of the figures and issues related to this.

Given that the Mayor has prepared a reform of the administrative structure of the municipality to be submitted to the Municipal Assembly by the end of July, 2012, the author considered this to be an opportunity to offer commentaries and suggestions resulting from the assessment.

## METHOD

As indicated in the Preface, the very short nature of the work (5 days in the field and 5 of analysis), allows only for partial information to be obtained and short exchanges with key personnel and stakeholders; therefore, the result is to be a general assessment.

In order to maximize time and resources, before visiting Quelimane a document was provided to authorities with questions and data requests on numerous topics, departments and divisions<sup>1</sup>. This questionnaire served as script for interviews that were held with key personnel during the visit and later on in Maputo.

The data provided in some of the cases were either corroborated or adjusted as a result of analyses conducted by the author on several, real cases that were provided by the Cadastre. These were subsequently introduced in project database, project management and work-flow software upon which conclusions were drawn.

This was followed by an assessment of each one of the subjects that were reviewed, in which general, concluding statements were drawn. These were then summarized in a series of recommendations, which were developed in terms of their objective and the main tasks they entail.

In conducting the visit to the beautiful land of Quelimane, and in experiencing municipal life over a period of one week, the author also drew several, ‘minor’ ideas that could help the municipality provide a better service to their citizens. These resulted in recommendations on issues like the image of the municipal government, exploring mechanisms for providing mobile services instead of de-concentrating the municipal administration, and others.

## STRUCTURE OF THE REPORT

Following the scope of the project, this report includes the following Chapters:

Chapter one, *Quelimane*, offers a general look at the municipality, through brief overviews of its economic activities, land use patterns, revenue and costs data between 2008 and 2012, and

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<sup>1</sup> Despite the good will and kindness of those who were tasked with answering the questionnaire, the sheer absence of the information or the need to spend long periods of time finding one datum or another resulted in a limited number of responses,

the participation of the employee base in these figures. It also looks at the participation of the *Vereação de Infra Estrutura e Urbanizações* in the finances of the municipality, and whether or not this department is operating within the limits of the revenues it generates.

Chapter two, *Construction Licensing*, contains the body of analytical work, with a look at eight topics:

1. The general context, in which data on the licensing process is compared between Maputo and Quelimane
2. The administrative structure and processes managed by the *Vereação*. A description is provided and a project-manager model is developed on one case that has undergone all the processes managed by the *Vereação*. This yields the different stages, sub-processes and time lines that each process entails. Interestingly, it also points at a practice of ‘back dating’ communications so these become official not when the actual document is issued to the citizen, but rather, when he or she raised the request.
3. The access to land and property processes, including data on parcels, steps, and, most importantly, the characteristics and effects that the *Safe Access to Land* project that is being carried out with support from the MCA will have on Quelimane.
4. Construction licensing itself, in which a detailed description of the process is offered and mapped, demonstrating the areas where the difficulties associated with this process seem to be.
5. The process of titling the improvements, in similar terms as those included in point No. 3, above.
6. Time consumption patterns of other cases, with the purpose of confirming whether the conclusions of the processes discussed above are consistent or not.
7. The question of municipal and land development planning. This is carried on the basis of a description of the efforts that were undertaken in 1998 and the results of an interview in which the matter was discussed. Finally,
8. The administrative reform that is being proposed by the Mayor to the Municipal Assembly, in which several notes are offered. These are based on the results of the analyses and descriptions listed above and on the experiences of the author in other municipal settings.

Chapter three *Toward Reform* contains a series of analyses of the different topics listed above, concluding in an overall enunciation of the direction in which the municipality ought to move. This is translated into a series of recommendations, the possibilities of their implementation, the schedule that the municipality ought to follow, the project team that should be assembled to manage and implement the recommendations, and the governance actions and mechanisms that should be put in place prior to commencement.

Finally, Chapter Four, *Conclusions* offers a series of statements pointing at the great opportunities that Quelimane has in terms of moving forward towards a simpler, more effective, transparent and efficient government, provided the will of its leaders.



# QUELIMANE

Capital of the *Zambézia* Province in Mozambique, Quelimane is a port located 25 km from the Indian Ocean mouth of the *Río dos Bons Sinais*. With a approximately 223,000 inhabitants by 2012, it appears as the seventh city, following Maputo, Matola, Beira, Nampula, Chimoiro and Nacala. As indicated in Table 1, with this population and an area of 116 km<sup>2(1)</sup> the city stands at an urban density of 5.626 persons per km<sup>2(2)</sup>. This seems to be a very low density if compared to other cities of similar population or area<sup>3</sup>.

**Table 1 - Quelimane general information on population, area and density**

Variável	2012
População da municipalidade	223,410
Area total da municipalidade (km2)	116
Area rural da municipalidade (km2)	41
Area não urbanizável da municipalidade	35
Area urbana da municipalidade (km2)	40
Densidade urbana (hab/km2)	5,626

Sources - Population: Municipality of Quelimane and author's calculations. Municipal areas: *Inventário do Uso da Terra - Município da Cidade de Quelimane*. República de Moçambique, Direcção Nacional de Terras e Florestas, março de 2012

## ECONOMIC ACTIVITY

The main economic activities in Quelimane are those associated to the fishing industry and exports, which are shipped from the port, around of which the city grew. The coconut industry is also an important activity, processing this nut for direct exchange in the market, for commercialization in larger volumes as fresh coconut, or as *Copra*, which is the dried fruit that is used for oil and soap production. However, this industry is said to be currently affected by the aging of trees and the absence of treatment, which have contributed to the spread of plagues and disease. As a result, production has shifted from larger plantations administered by companies to small farmers who sell the produce. Sea salt is also processed in Quelimane, and there is a very large and spread-out system of informal commerce of goods that include fresh produce, clothes and garments (some of them provided by donors), as well as small tools and machinery.

1 Source: *Inventário do Uso da Terra - Município da Cidade de Quelimane*. República de Moçambique, Direcção Nacional de Terras e Florestas, março de 2012

2 Please refer to the land distribution analyses that follow for clarification on how the 'urban' area that is used as basis for the calculation is determined..

3 Cali, Colombia, is a city developed on 120 km<sup>2</sup> that has a population of approximately 1.8 million. The city of Palmira, Colombia, has a population of 280,000 and occupies an area of approximately 28 km<sup>2</sup>.

Area	Classe de Uso do Solo	Area (ha)	%
Não urbanizável	Área Húmida Alagável (Pantanos)	1698.66	14.61%
Não urbanizável	Mangal	1619.52	13.93%
Não urbanizável	Recurso Hídrico (Rio, Riacho)	211.09	1.82%
Não urbanizável	Recurso Hídrico (Lago, Represa)	9.19	0.08%
Não urbanizável	Floresta	2.98	0.03%
Total não urbanizável		3541.44	30.45%
Rural	Cultivo Agrícola	4118.51	35.41%
Total rural		4118.51	35.41%
Urbano	Solo Urbanizável Residencial Não Planeado de Baixa Densidade	1233.39	10.61%
Urbano	Pomar	619.59	5.33%
Urbano	Solo Urbanizável Residencial Não Planeado de Alta Densidade	481.24	4.14%
Urbano	Solo Urbanizável Residencial Não Planeado de Media Densidade	444.84	3.82%
Urbano	Salinas	410.47	3.53%
Urbano	Solo Urbanizável Residencial Planeado de Media Densidade	130.67	1.12%
Urbano	Solo Urbanizável Residencial Planeado de Alta Densidade	118.26	1.02%
Urbano	Instalação de Aeronáutica (Aeroporto, Aeródromo, Heliporto)	114.13	0.98%
Urbano	Solo Urbanizado Residencial Planeado de Media Densidade	88.41	0.76%
Urbano	Industria	75.43	0.65%
Urbano	Solo Urbanizável Residencial Não Planeado de Alto Risco	41.43	0.36%
Urbano	Solo Urbanizável Residencial Planeado de Baixa Densidade	35.50	0.31%
Urbano	Solo Urbanizado Residencial de Alta Densidade	32.47	0.28%
Urbano	Unidade de Ensino	29.99	0.26%
Urbano	Solo Urbanizado Residencial de Baixa Densidade	24.56	0.21%
Urbano	Recreio e Lazer	16.09	0.14%
Urbano	Multifuncional (Comércio, Serviços e Equipamentos)	15.46	0.13%
Urbano	Lixeira (Aterro Sanitário)	11.98	0.10%
Urbano	Cemitério	10.16	0.09%
Urbano	Porto	8.07	0.07%
Urbano	Instituição Religiosa	6.89	0.06%
Urbano	Instalação CFM	6.17	0.05%
Urbano	Telecomunicações	3.37	0.03%
Urbano	Hospital	3.28	0.03%
Urbano	Instalação Militar	2.35	0.02%
Urbano	Estação Eléctrica	2.02	0.02%
Urbano	Estação de Água	1.51	0.01%
Urbano	Edifício Governamental	1.28	0.01%
Urbano	Terminal Rodoviário	1.24	0.01%
Total Urbano		3970.25	34.14%
Gran total		11630.20	

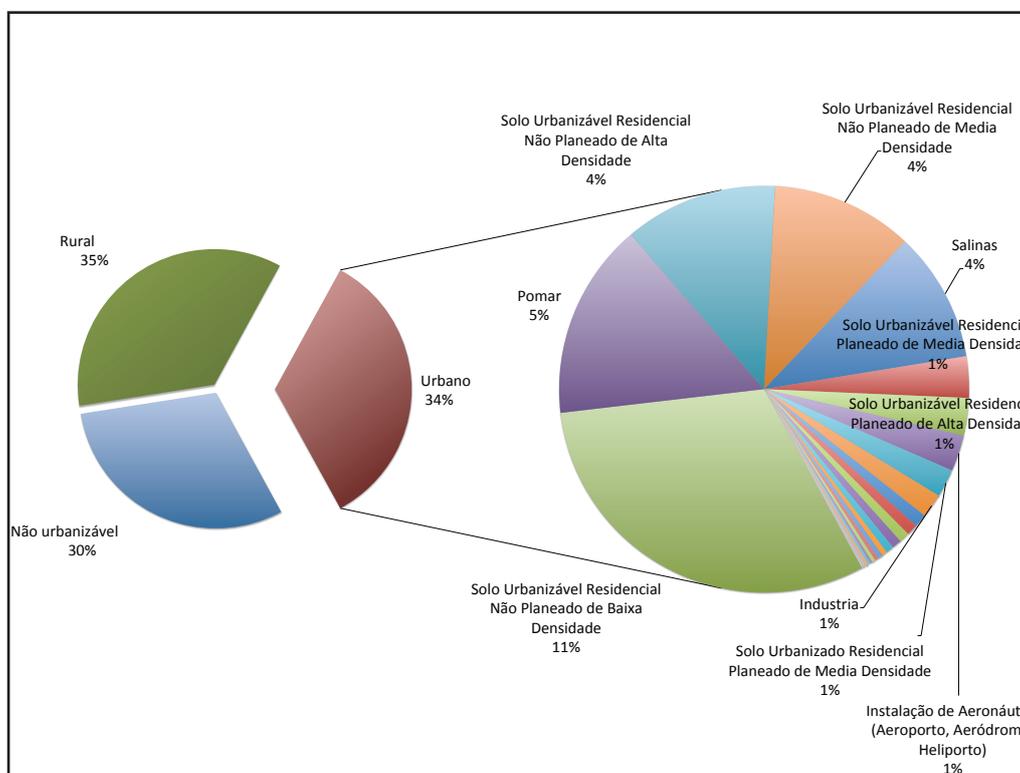


## LAND USE

Figure 1, appearing on the previous page, illustrates the distribution of land uses in the municipality, which were derived from the satellite and aerial surveys conducted by the *Safe Access to Land* project that is currently underway in Quelimane<sup>4</sup>. As illustrated in the table that accompanies the figure, the municipality is almost evenly divided into the following: rural areas (referred as agricultural uses) which occupy 35% of the jurisdiction; areas that cannot be urbanized (water bodies, wetlands, mangroves) occupying 30%, and areas that have been ‘urbanized’ at 34%.

As illustrated in Figure 2 below, the distribution of land uses in the urban area is dominated by the following categories:

1. Low density residential land that can be urbanized and has not been planned. This occupies 11% of the municipal area or 32% of the urban area.



**Figure 2 - Quelimane general distribution of land within the municipality and detailed land use distribution of the urban area.**

Source: *Inventário do Uso da Terra - Município da Cidade de Quelimane*. República de Moçambique, Direcção Nacional de Terras e Florestas, março de 2012

2. *Pomar*, that is, orchards, occupying 5% of municipal land or 15% of the urban area.
3. High density residential land that can be urbanized and has not been planned. This covers 4% of the municipal land or 12% of the urban area.

<sup>4</sup> MCA Technical Assistance to the Land Component - National Directorate of Land and Forest (DNTF), Maputo, Mozambique.

4. Mid density residential land that can be urbanized and has not been planned. This also covers 4% of the municipal land or 12% of the urban area.
5. *Salinas*, that is, plants for the processing of sea salt, occupying also 4% of the municipal area or 12% of the urban area.

Following these large categories is a group comprised of the following land uses, each one occupying 1% of the municipal land or 3% of the urban area. These are:

6. Mid density residential land that can be urbanized and has been planned.
7. High density residential land that can be urbanized and has been planned.
8. Aeronautical installations
9. Mid density residential land that can be urbanized and has been planned
10. Industry.

There is also a number of additional land uses (mostly complementary to human settlements) with less than 1% of the municipal area or 3% of the urban area. These are listed on the table that accompanies Figure 1 appearing on the previous page.

This distribution of land uses means that, in Quelimane:

- 71% of the urban area could be regarded as informal residential areas, taking into consideration that orchards are an economic activity that appears mostly in these areas and are a fundamental aspect of city life.
- Accordingly, 29% of the city could be regarded as formal.
- The distribution of the latter is dominated by industrial uses (18%), followed by residential uses (6%) and other, complementary, uses (5%).
- The construction licensing process that this assessment is about is most likely taking place on the 30% of the city that is formal.

## GENERAL FINANCE

### MUNICIPALITY

As indicated in Table 2 on the next page, between 2008 and 2012 Quelimane's has had revenues that have oscillated between 67.7 and 113.5 million Meticaís, and expenditures that have oscillated between 62.4 and 123 million Meticaís with a compounded growth of 15% for the 4 year period<sup>5</sup>.

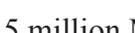
The expenditures of the municipality have been distributed as follows:

- In staff payroll, social security and other human resources allowances, which have shifted between 19.5 million (31% of total) to 46.2 million (38% of total) Meticaís. The compounded growth has been 19%.

<sup>5</sup> Data for 2012 is an estimation based on compounded growth for the 2008-11 period.

- On Goods and services. These have grown from 10.4 million Meticaís (17% of total) to 13.9 million Meticaís (11.3% of total), representing a compounded growth of 6%.
- On various transfers (including those given to Emusa, the Municipal Company that manages city cleaning, waste collection and disposal), which have evolved from 7.1 million Meticaís (11% of the total) to 21.9 million Meticaís (17% of the total). This represents a compounded growth of 25%. Note, however, the participation of Emusa's in those transfers, which ranges from 4.7 million Meticaís (66% of total transfers) to 16.9 million Meticaís (77% of total transfers). This company is, therefore, the highest growing source of municipal transfers, with a 29% compounded growth rate for the period.
- On capital investments, including buildings and construction (35% approximately), machinery (22% approximately), and other items such as road rehabilitation and water

**Table 2 - Quelimane general finances for the period 2008 - 2012 (projected).**

Variável	2008	2009	2010	2011	2012	Graph	Crecimiento Compuesto
Renda total Quelimane	67,705,762.00	65,524,625.00	76,999,614.00	102,356,036.00	113,497,270.01		11%
Despesas totais Quelimane	62,467,429.00	64,885,790.00	71,728,361.00	107,847,165.00	123,622,496.16		15%
Despesas com pessoal	19,561,182.00	25,248,321.00	31,288,361.00	39,599,290.00	47,234,625.42		19%
Bens e serviços	10,444,485.00	10,879,259.00	14,231,774.00	13,141,814.00	13,918,658.76		6%
Transferencias correntes (totais)	7,098,584.00	9,580,000.00	13,990,778.00	17,479,600.00	21,896,335.11		25%
Transferencias correntes (Emusa)	4,707,834.00	6,638,000.00	8,935,848.00	13,100,000.00	16,919,356.23		29%
Despesas de capital	28,489,564.00	39,999,454.00	42,870,400.00	49,106,200.00	56,266,378.02		15%
Numero total de empregados	621	621	621	621	621		0%
Media anual de remuneraciones por empregado	31,499.49	40,657.52	50,383.83	63,766.97	76,062.20		19%
Media anual de bens e serviços	16,818.82	17,518.94	22,917.51	21,162.34	22,413.30		6%

Source: Quelimane Finances Department + author's calculations (2012). Values in MZN

network expansion (43% approximately). These have shifted from 28.5 million Meticaís (45% of total) to 56.2 million Meticaís (45% of total), for a compounded growth of 15%.

With a total payroll of 621 employees by the end of 2011, Quelimane has a yearly average salary of MZN 63,767, and a yearly average of goods and services, per employee, of MZN 22,413.

However general, these figures point out the following issues that ought to be looked at for a sustainable financial future:

- While the compounded growth of revenues is 11%, the one for expenditures is 15%. This seems to be expressing a deficit budget and therefore the need to trim costs or increase revenues to attain a budget that is more balanced.
- Even though the participation of the different expenditure items on the total expenditures of the municipality seems balanced (45% for capital investments, 31-38% payroll, 17-11% goods and services), it would be convenient to review the areas that are changing at a faster rate and in order to manage their growth.
- In this regard, special attention should be given, in this order of priorities, to the transfers to Emusa, other transfers and payroll expenditures. Emusa is growing almost at

two times the rate at which all the expenditures are growing and almost three times the rate at which revenues are growing.

## VEREAÇÃO DE INFRA ESTRUTURA E URBANIZAÇÕES

The *Vereação de Infra Estrutura e Urbanizações* is the municipal department responsible for issuing construction licenses in Quelimane.

As indicated in Table 3, in 2011 this department generated municipal revenues of MZN 5,016,696, with a participation of construction licences and right of way occupation permits of MZN 958,756, or 19%. Other sources of revenue, accounting 81% of the total, include DUAT rights and the provision of technical services (land surveyors, mostly) required in the process of parcel legalization.

In terms of revenues, the total seems to be growing at a healthy 35% compounded rate, with both items on the expenditure list being growing well underneath this.

**Table 3 - Revenues and expenditures associated to the operation of the Vereação de Infra Estrutura e Urbanizações for the period 2008 - 2012 (projected)**

Variável	2008	2009	2010	2011	2012	Graph	Crecimiento Compuesto
Rendimento sobre licenças (de construção e ocupação de via pública)	440,495.00	570,500.00	1,117,125.00	958,756.00	1,164,527.83		21%
Rendimento de outras fontes DUC (1)	1,058,550.00	6,491,960.00	3,919,678.00	4,057,940.00	5,678,114.98		40%
Renda total DUC	1,499,045.00	7,062,460.00	5,036,803.00	5,016,696.00	6,785,292.33		35%
Numero de empregados en DUC	27	27	27	27	27		0%
Media anual de remuneraciones en DUC	850,486	1,097,753	1,360,364	1,721,708	2,053,679		19%
Media anual de bens e serviços en DUC	454,108	473,011	618,773	571,383	605,159		6%

Source: Quelimane Finances Department + author's calculations (2012). Values in MZN.

In addition, with 27 persons working in the *Vereação*, the average annual expenditures for payroll would be MZN 1,721,708 or 34% of the revenues, and the average annual expenditures for goods and services would be MZN 576,383 or 11% of the revenues. Therefore, the *Vereação* is being maintained with 45% of the resources that are generated through the services that it provides to the citizenry.

**Table 4 - Maputo and Quelimane: Time expenditures required to complete the processes included in the Dealing with Construction Permits Indicator for Mozambique.**

	<b>Processo</b>	<b>Maputo</b>	<b>Quelimane</b>
1	Pedido de DUAT	45	50
2	Pedido de plano topográfico	120	90
3	Pedido de licença de construção	60	50
4	Inspeção para o início da construção	1	45
5	Segunda inspeção	1	5
6	Pedido de licença de ocupação	95	75
7	Inspeção final	1	1
8	Inspeção de eletricidade, água e saneamento	1	1
9	Conexão a eletricidade, água e saneamento	43	60
10	Pedido de linha telefónica	2	5
11	Pedido de Certificado de benfeitorias	30	15
12	Pedido de título de propriedade	30	25
13	Registo de Propriedade	30	10
	<b>Total</b>	<b>459</b>	<b>432</b>

Sources - Maputo: Doing Business Report and author's calculations, Quelimane: Municipality response to survey provided by the author. The highlighted box identifies processes that tend to occur in parallel.

# CONSTRUCTION LICENSING

As indicated in the Introduction, construction licensing in Mozambique is so closely associated to the questions of land access and property formation, that an analysis of it, or a set of recommendations on how to improve it, alone, most likely would not render significant answers or potential transformations to the fundamental question of how effective and efficient is the process of constructing a building to carry out a business like the one defined by the *Doing Business Report*. Consequently, the analysis has to involve the questions of land access and property formation.

It could be argued that, having conducted that analysis in the case of Maputo, it would seem redundant to analyze it again in Quelimane. However, as will be seen in this Chapter, because of factors like the size of the administrative apparatus of Quelimane, the location of the relevant functions within the administrative chart, or simply the volume and number of cases that are processed, significant differences, problems and opportunities may arise. These could also provide lessons for both situations, resulting in a broader understanding of the reforms required in this area. Therefore, the comprehensive analysis discussed above remains important to conduct.

Consequently, this Chapter begins with a general context description, including a comparison of the time expenditures required to complete a process of construction permitting in Quelimane and Maputo, and an overview of the ‘demand’ and ‘supply’ of the different services provided by the *Vereação de Infra Estrutura e Urbanizações*. This is followed by overviews of the administrative structure of the *Vereação*, of the process of accessing land and property, which includes a general review of the city cadastre, and of the *Safe Access to Land* project, which is working on the modernization of these two areas.

The processes of construction licensing and titling of the improvements is addressed afterwards, followed by a series of time analyses aimed at clarifying the participation of the different divisions that are involved in the process, in the overall time expenditures that were identified.

The chapter concludes with brief analyses of the question of municipal and land development planning, which is a fundamental but almost absent element in this matter, and of an administrative reform that the Mayor of Quelimane is currently preparing for submission to the Municipal Assembly.

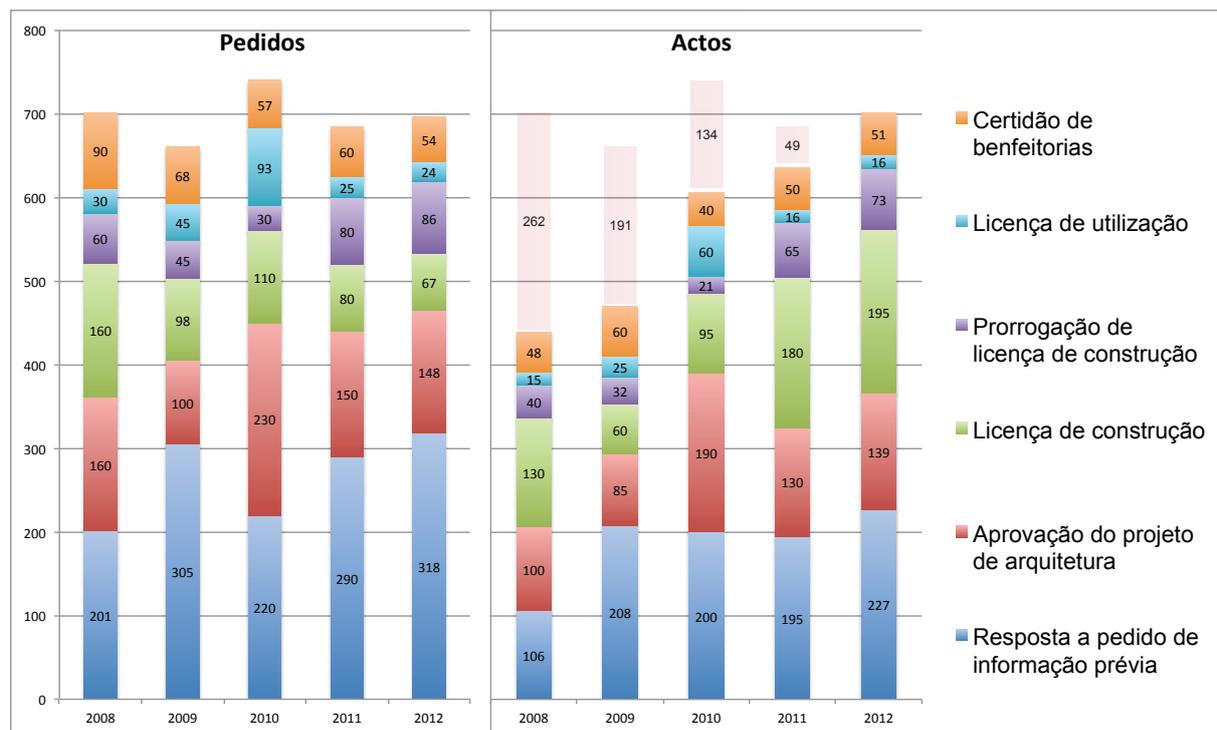
## GENERAL CONTEXT

As indicated in Table 4 on the opposite page, the time expenditures required in Quelimane and Maputo to obtain a construction license in the terms define by the *Doing Business Report*, are strikingly similar, with 459 days in Maputo and 432 days in Quelimane. However, as discussed in previous Volumes associated to this project, given that items 6 to 11 on the chart seem to occur in parallel, or some simply don’t occur, the actual or ‘net’ time expenditures tends to be reduced by 20%, putting Maputo at 381 days and Quelimane at 346 days approximately.

As indicated in Table 5 and the chart that follows it, between 2008 and 2012 the *Vereação de Infra Estrutura e Urbanizações* received 661 to 740 yearly *Pedidos* (or requests for action) for the six processes associated to construction licensing. Over the same period, it increasingly shifted from issuing 439 to 701 responses. This confirms the Mayor of Quelimane's assertion that, upon taking office, a significant backlog had to be addressed. According to the chart, this would be of at least 636 processes, or a year's worth of requests in Quelimane

**Table 5 - Quelimane: No. of Pedidos from, and responses to, the citizen, related to construction licensing, for the period 2008 - 2012**

Variável	2008	2009	2010	2011	2012	Graph	Crecimiento Compuesto
Pedido de informação prévia.	201	305	220	290	318		10%
Resposta a pedido de informação prévia	106	208	200	195	227		16%
Pedido de aprovação do projeto de arquitetura	160	100	230	150	148		-2%
Aprovação do projeto de arquitetura	100	85	190	130	139		7%
Pedido de licença de construção	160	98	110	80	67		-16%
Licença de construção	130	60	95	180	195		8%
Pedido de prorrogação de licença de construção	60	45	30	80	86		7%
Prorrogação de licença de construção	40	32	21	65	73		13%
Pedido de licença de utilização	30	45	93	25	24		-4%
Licença de utilização	15	25	60	16	16		2%
Pedido de certidão de benfeitorias	90	68	57	60	54		-10%
Certidão de benfeitorias	48	60	40	50	51		1%
Total Pedidos	701	661	740	685	697		-1%
Total Actos	439	470	606	636	701		10%



Source: Municipality of Quelimane.

standards. However, the author found an additional number of ‘unsolved’ cases from before 2008, mostly related to land access, which were not counted here and would increase the municipal backlog significantly.

Table 5 also demonstrates two interesting phenomenons and trends for the 2008 - 2012 period:

- The processes that dominate the charts are the *pedido de informação previa* and the *resposta a pedido de informação previa*, followed by the *pedido* and the *aprovação* of both, *projeto de arquitetura* and *licença de construção*.
- All the processes associated with construction licensing (except *prorrogação de licença de construção*) are decreasing, from a small rate of -2% in the case of *pedidos de aprovação do projeto de arquitetura*, to a strong rate of -16% in the case of *pedidos de aprovação de licença de construção*. Thus, it can be assumed that construction activity (at least formal) is diminishing in Quelimane.

Should the time expenditures identified here for Quelimane, which are very similar to Maputo, be ‘true’, the situation would definitely be dramatic. This is because this municipality that is at least ten times smaller than Maputo, with not more than 30% of its area being formal, 27 people (as will be seen) working in this area, and a demand of not more than 200 or 250 license requests per year, would be producing construction licences in basically the same time than Maputo. Consequently, a closer look at the structure and workings of this *Vereação* follows, in order to verify what is happening.

## ADMINISTRATIVE STRUCTURE AND PROCESSES MANAGED BY THE VERAÇÃO

The *Vereação de Infra Estrutura e Urbanizações* carries out its responsibilities through the departments of *Urbanizações*, which manages land access and administers the city’s land cadastre; *Planificação*, which is responsible for the matters associated with land development planning and controls, and *Construções*, which manages the construction licensing process, as well as matters related to public works, roads and infrastructure. Currently, the *Vereação* has 26 employees, of which 6 are administrative and 20 professional. The latter are distributed as follows: 12 in *Urbanizações*, 6 in *Construções*, and 2 in *Planificação*.

An effective way of understanding the operations associated to this *Vereação* is by illustrating a case that has undergone all the processes administered by this department. While the author searched for a process with the same profile as the one used for the *Doing Business Report*<sup>6</sup>, such case could not be found. In consequence, the case of a residential building was studied.

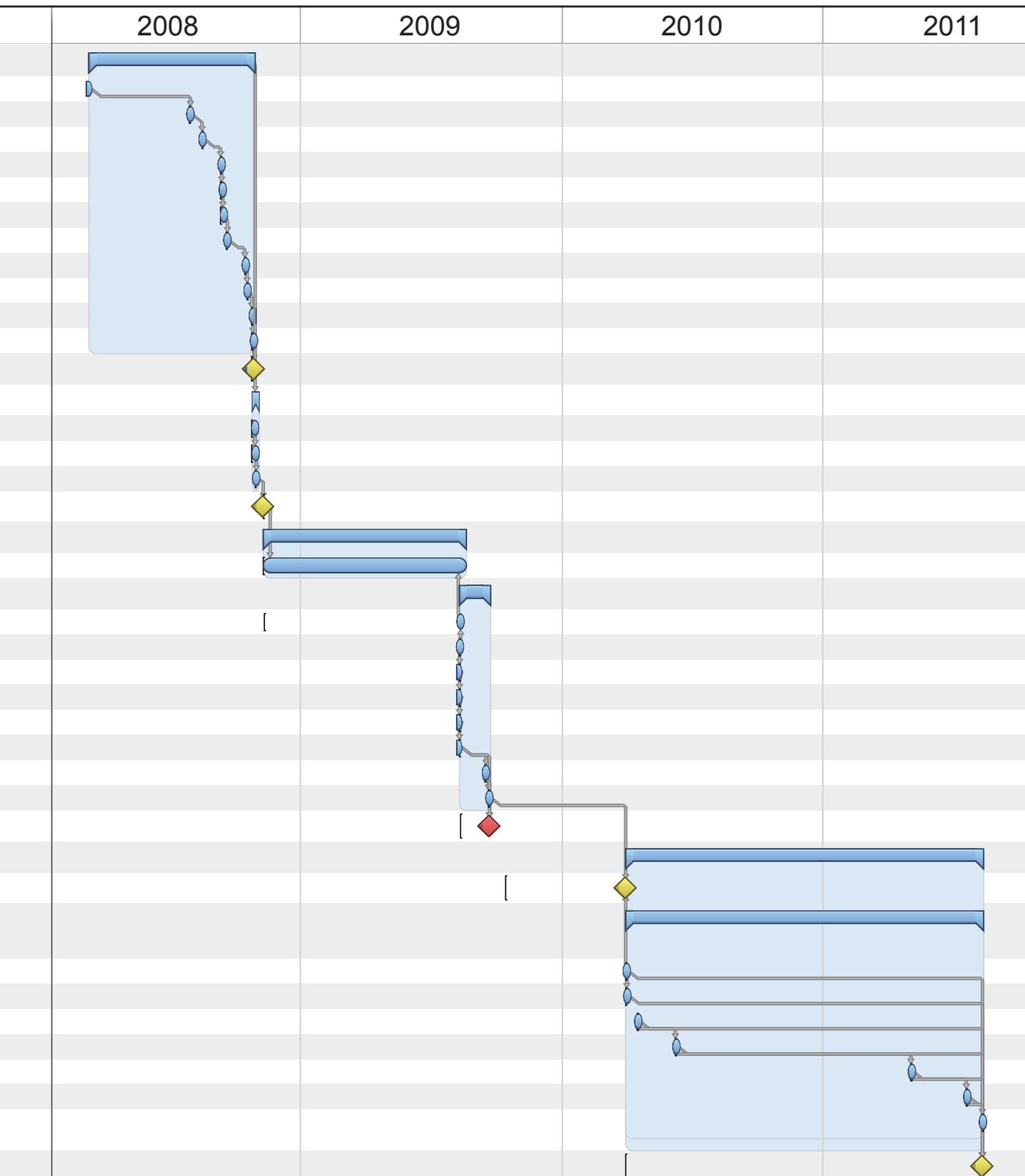
As illustrated in Figure 3 appearing on the next page, there are 5 major processes associated to this Department, in which five key acts, which appear illustrated as milestones in the chart (◆) are produced:

1. The process of access to land, which ends with the milestone of the DUAT
2. The process of obtaining a construction license, which ends (partially) with the issuance of the license.

6 A 2000 m<sup>2</sup> commercial warehouse to be destined for non-contaminating uses, such as a bakeshop.

Title	End
▼ 1) PROCESSO DE ACESSO À TERRA	10/27/08
• 1.1) Pedido de legalização de terreno	3/12/08
• 1.2) Documento formal de legalização	7/30/08
• 1.3) Mapa de localização da terra	8/15/08
• 1.4) Pedido recebido pela SG	9/11/08
• 1.5) Envio SG a DUC para parecer	9/12/08
• 1.6) Guia de receita / pagamento de tramitação de expediente	9/15/08
• 1.7) Visto de autorização de PCMQ	9/19/08
• 1.8) Autuação de Serviços de Urbanização e Construção	10/15/08
• 1.9) Memória descritiva	10/17/08
• 1.10) Envio SG a DUC para parecer	10/24/08
• 1.11) Autorização de presidente	10/27/08
◆ 2) Autuação de DUC (DUAT)	10/27/08
▼ 3) PROCESSO DE LICENÇA DE CONSTRUÇÃO	10/30/08
• 3.1) Projecto de construção de duples de duas lojas, moradia e muro de vedação	10/28/08
• 3.2) Guia de receita – pagamento de apreciação eo projecto de construção	10/29/08
• 3.3) Documento formal de aprobacion de projecto de arquitectura	10/30/08
◆ 4) Selo de licencia de construção	11/8/08
▼ 5) PROCESSO DE CONSTRUÇÃO DE EDIFICAÇÃO	8/18/09
• 5.1) CONSTRUÇÃO DE EDIFICAÇÃO	8/18/09
▼ 6) PROCESSO DE TITULAÇÃO DAS BENFEITORIAS	9/21/09
• 6.1) Carta de solicitud de titulo	8/12/09
• 6.2) Recibido carta de solicitud de titulo en SG	8/12/09
• 6.3) Envio SG a DUC para parecer sobre pedido de titulo	8/12/09
• 6.4) Nota de 'antes debe solicitarse visituria' de SU	8/12/09
• 6.5) DUC autoriza decision de Presidente	8/12/09
• 6.6) Recibo de pagamento de tramitação de expediente	8/12/09
• 6.7) Documento formal de autorizacion de pedido de titulo de uso y aprovechamiento de terra	9/16/09
• 6.8) Certidao de benfeitorias No. 51 de 2009	9/21/09
◆ 7) Titulo de propriedade	9/21/09
▼ 8) PROCESSO DE TRASPASSO DA PROPRIEDADE	8/11/11
◆ 8.1) Escritura publica de transferência	3/31/10
▼ 8.2) PROCESSO DE TRANSFERENÇA DO TITULO A O NOVO PROPRIETÁRIO	8/11/11
• 8.2.1) Guia de deposito – elaboração de titulo	3/31/10
• 8.2.2) Guia de deposito tramite de processo	4/1/10
• 8.2.3) Recibo de pagamento de concessão de talhão	4/16/10
• 8.2.4) Guia de deposito tramite de processo	6/9/10
• 8.2.5) Guia de deposito concessão de talhão 226-1	5/4/11
• 8.2.6) Guia de de deposito atribuição de talhão 226-1	7/20/11
• 8.2.7) Guia de receita / uso e aproveitamento do solo autárquico	8/11/11
◆ 9) Selo de secretário-geral sobre documento formal de autorização do título	8/11/11

**Figure 3 - Example of the processes and time spent in Quelimane from accessing a parcel of land, to building a structure, obtaining a title, and exchanging the latter.**



Source: Municipality of Quelimane Cadastre, *Tombo No. 5567*, Quelimane, June 2012.

3. The process of building on the plot of land (known as improvements)
4. The process of titling the improvements, which ends with the title issued to the beneficiary of the DUAT.
5. In the event that the property (improvements) are to be traded, the fifth process is the transfer of the title, which includes two milestones, the *Escritura Pública* (deed of land) and the re-processing of the title to be put in the name of the new owner of the improvements.

This case study evidences that, of the five processes, the most complex for the number of steps they entail are: first, land access (No. 1) - with eleven steps; second, titling the improvements (No. 4) - with eight steps, and third, transferring the land title (No. 5) - with seven steps. In terms of time expenditures, transferring the land title (No. 5) and land access (No. 1) take the longest, followed by the actual building of the improvements (No. 3), titling the improvements (No. 4) and issuing the construction license, that is, No. 2.

While in the case reviewed the five processes took approximately three years and five months, the process ending with the milestone of the property title (No. 7 in chart) is all that would be needed in terms of the *Doing Business Report* index. Therefore time consumption in this case would be one year and six months, minus nine months that the construction process took, for an approximate total of 9 months or 270 days.

In addition, if a conclusion was to be drawn from this information, it is that construction licensing is perhaps the least problematic of the processes, for in this case it took not more than one week, with the rest of the time being spent in the process of accessing land and titling the improvements.

In consequence, a more detailed analysis of these steps seems necessary and follows. These steps are presented in the order in which they appear in Figure 3 on page 16 (land access - construction licensing - titling the improvements).

## ACCESS TO LAND AND PROPERTY

In Mozambique, there are several (but two main) forms in which settlers can access a formal title to the improvements that they enjoy or wish to build on a given parcel of land, and eventually trade. One is through the process where by the State, which owns the land and remains in its possession, undertakes the subdivision, infrastructure layout and construction of any area that it decides to urbanize. This is followed by awarding rights to the use and exploitation of the resulting parcels of land to settlers, whether existing or potential. This is readily known as the process of *Concessão*.

The other process, known as *Legalização* is the process whereby a settler of an area that was not urbanized in the terms described above, requests to the State the awarding of the rights on the basis of having been enjoying and exploiting that parcel for a long period of time<sup>7</sup>. While the author was not able to identify the quantities nor the participation of these two processes in terms of the total number of rights issued by the State, the interviewed persons seemed to

<sup>7</sup> This can be a person with more than 10 years of known occupation of the parcel, someone who inherited the parcel, a community to which the individual belongs and other, customary forms of settlement.

agree that the vast majority are associated to the process of *Legalização*, for the municipality has been without land to develop for many years. In other words, all the land in the jurisdiction has either been awarded, has a settler, or is possessed by someone who claims the rights.

According to Mozambican Law, to award a title to a legitimate occupant of a parcel through the process of *Legalização*, the Municipality must officially establish the boundaries of the parcel and the foot-print of the buildings that it holds, ensure that no conflicts and/or claims exist over the boundaries or improvements that are contained therein<sup>8</sup>, and ensure access of the parcel-to-be to the road network.

To establish the parcel's boundaries, the municipality must carry out a topographic survey that results in a drawing such as those illustrated in Figure 4, as well as a verbal description of the parcel. This is an official document that constitutes the geographical basis of the title. The aggregate of these documents constitute the city cadastre.

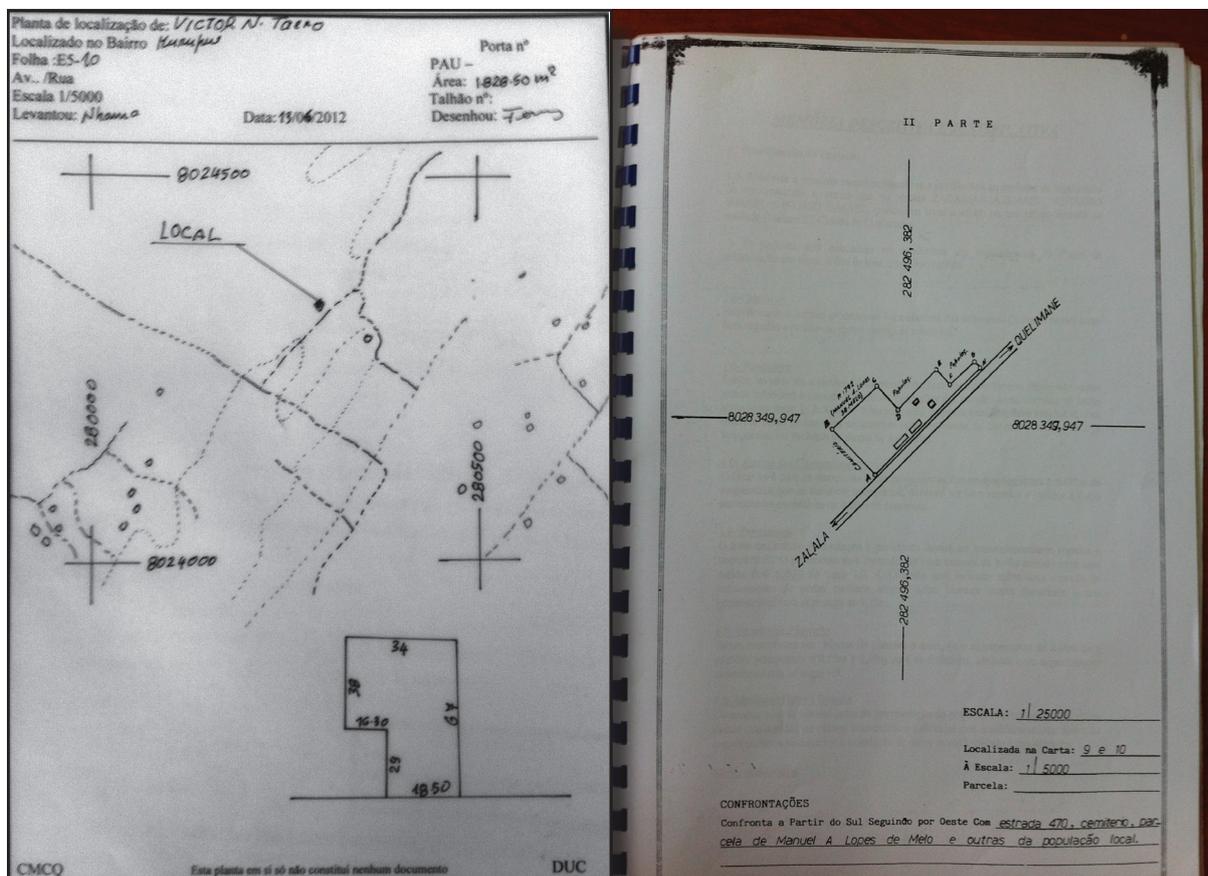


Figure 4 - Samples of two topographic surveys of two plots of land in Quelimane.

Source: Municipality of Quelimane, Department of Cadastre.

Given that in Mozambique the land is and remains public, what the Municipality can title and the individual can register and trade, are the improvements that exist or are built on a given

<sup>8</sup> This is in the case of what is known in Mozambique as *Autarquias*, which are certain Districts of the country that have autonomy to manage their resources instead of a higher governmental institution. Quelimane is one of these.



Figure 5 - Views of the municipal Cadastre and of the offices of the Safe Access to Land project supported by MCA in Quelimane.

parcel (called *benfeitorias*). These are based on the terms or rights of exploitation defined by the Municipality, and have to be based on the land uses and development parameters defined in the Municipality's official plan, better known as *Plano de Estrutura Urbana*. The rights are recorded in a document known as a *DUAT*, although, in Quelimane, this is called a *TOMBO*

Because of this, accessing a title in Mozambique involves three stages, along which several official documents are produced:

1. Obtaining the DUAT.
2. Obtaining a DUAT for the purposes of registration. This is a document that the citizen can request to the municipal authority once 50% of the works for which the DUAT was issued have been completed. (According to the law, passed this stage, the citizen is entitled to, and can be awarded, the title of the improvements, which can then be registered, traded and transferred per the citizen's desires). In Quelimane, no proof was found of this document having been issued.
3. Once the project is finalized, the citizen can request the official title to the municipality. This is a document written in quality, certified paper, with the original copy being given to the citizen for registration purposes and a second original being left at the municipal archive. However, the basis for this document is the *Certidão de Benfeitorias*, which is the certification, upon a visit conducted by city officials, that the improvements were indeed built.

## THE LAND CADASTRE

As indicated above, the aggregate of surveys constitutes the city's Cadastre. The cadastre remains in very poor conditions, as illustrated in the photographs grouped as under Figure 5 on the opposite page.

As indicated in Table 6 on page 22, by the end of 2011 Quelimane should have approximately 43,000 parcels of land. This indicates a growth since 2008 of approximately 800 parcels per year, of which a majority will more than likely be informally created<sup>9</sup>. Over the same period, the city has seen a fluctuation between 100 and 400 requests for a DUAT, for a yearly average of 230. In contrast, DUAT documents that were issued for those same years fluctuated between 10 and 316, for an average of 139 per year. In terms of title requests, there was a fluctuation between 32 and 77, for a yearly average of 51; finally, in terms of titles of property issued, there was a fluctuation between 2 and 10, for an average of 6 titles issued per year.

As illustrated in the small graphs for each one of the above mentioned variables, while the municipality continues to experience positive compound growth in settlements, the processes associated with formalization of property express a negative growth. In other words, the municipality is increasingly less capable of handling the expansion of urbanization.

However, the area of land administration in Quelimane is currently the subject of a major modernization effort which is being conducted as part of the project called *Safe Access to Land*, financed by the Millennium Challenge Account. This project, which will drastically change the numbers just mentioned, consists of:

<sup>9</sup> The data on year 2012 are a simple, linear projection of the last 4 years and therefore should be studied in greater detail.

**Table 6 - Land administration related processes in Quelimane for the period 2008 - 2012**

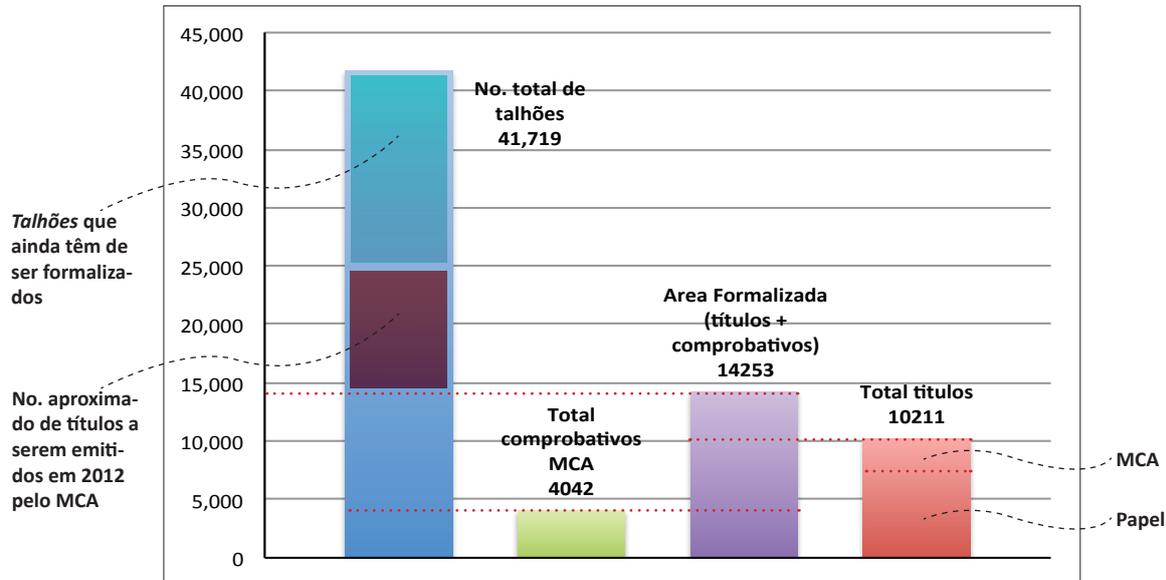
Variável	2008	2009	2010	2011	2012	Graph	Crecimiento Compuesto
No. total de talhões	37,092	38,946	40,504	41,719	42,964		3%
No. de pedidos de DUAT	100	400	200	201	239		19%
No. de DUAT expedidos	10	316	171	54	82		52%
No de pedidos de titulo de propriedade	48	46	51	32	29		-10%
No. de títulos de propriedade	3	2	6	10	14		35%

Source: Quelimane Municipality + author's calculations (2012).

1. Building a new *geographic base* of the municipality. This is a precise map containing the municipal boundaries, the rights of way of roads, the easements required for infrastructure or high-tension electrical lines, and other spatial elements that partially constitute what in Mozambique is known as the *estrutura urbana*.
2. Undertaking a process of *land regularization and formalization* on four neighborhoods. This consists of a survey of all the parcels included in the neighborhood, solving boundary and other possession or occupation related problems, defining those parcels that can be titled on the basis of certain criteria defined by the municipality (whether or not in the *plano de estrutura urbana*), and preparing and issuing titles. On those parcels that do not meet the criteria and cannot be titled, the occupants are given a document referred to as a *comprobativo*, which is a certification indicating the limits and improvements of the parcel but not conducive to the right to receive a title. (These are areas in which the municipality will have to eventually undertake processes of relocation that will have to include purchasing the improvements or exchanging them for improvements on other, habitable lands.)
3. Creating institutional capacity for managing the land administration processes and systems that will be left by the project.
4. Communicating and socializing the benefits of regularizing, formalizing and titling property.

Based on interviews with city officials in charge of the Cadastre, and appearing illustrated Figure 6, in 2011 a total of 10,211 titles were accounted in the city Cadastre (column 4); of these 2,898 were *TUATs* issued by the MCA project. Therefore 7,313 are those *Tombos* that the municipality has already given in past years. That same year, the MCA project issued 4,042 *comprobativos*. This means that the city of Quelimane had a total formalized area of 14,253 parcels, equivalent to 33% of the total. However, implementation of resettlement programs for the families living in one third of this area will have to be implemented by the municipality.

By the end of the *Safe Access to Land* project, scheduled for the middle of 2013, it is expected that approximately 10,000 additional parcels of land will have been issued a *TUAT* (currently around 2,000 have been issued). This would raise to approximately 50% the formalized area of the city.



**Figure 6 - Quelimane: approximate total number of parcels, titles, and comprovativos as of 2011.**

Source: author's calculations + MCA interviews.

Assuming this is the case, the municipality will have the following key challenges ahead:

1. Continuing to formalize and issue titles for at least 15,000 additional parcels.
2. Re-settlement of at least 4,042 families located in parcels for which no title could be issued by the MCA project. This figure is likely to increase as the remaining areas of the city are formalized.
3. Transferring approximately 7,300 paper *Tombos* to the digital data base created by the MCA project.

## LAND TITLING AND THE REGULAMENTO DO SOLO URBANO

One of the most important contributions of the *Safe Access to Land Project* is the fact that official titles, such as the one illustrated in Figure 7 on page 24, are being issued to the legitimate settlers of the different parcels of land that are being regularized and formalized as discussed in the previous sections.

Noticeably, these titles are being issued in accordance to the model provided in the *Regulamento do Solo Urbano*<sup>10</sup> and refer to the parcel of land defined therein, and not to the construction that rests on the land, which does not appear described. In addition, notice that line 6 of the Título reads *Data do despacho de Autorização Definitiva*, and that line 14, which reads *Prazo*, referring to whether or not the title has an expiration date, indicates *Não sujeito a prazo, cf alínea b) do n° 2 do artigo 17 da Lei n° 19/97, de 1 de Outubro*. Finally, notice too that line 13 of the title the land use for which the title is being issued, which is residential.

These factors mean a most significant shift in the urban land administration practice and processes in Mozambique, for they enable, as is the intention of the *Regulamento do Solo*

10 República de Moçambique, Conselho de Ministros, Decreto n.º 60/2006 de 26 de Dezembro.



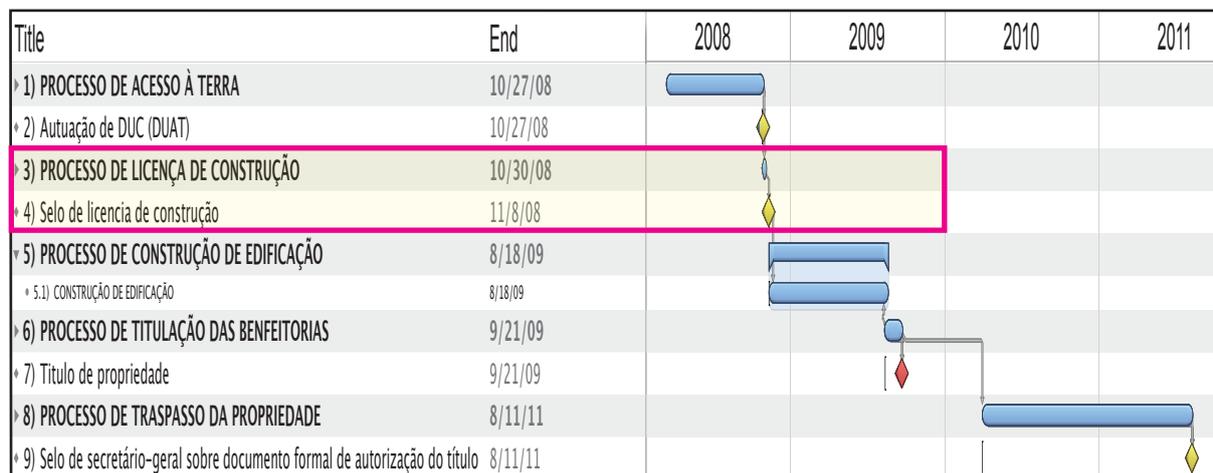
*Urbano*, the issuing of land titles on a permanent basis, on parcels destined to residential uses within urbanized settings. Therefore, once the title is in its hands, the owner will be able to register it in the *Conservatória de Registro da Propriedade*, as well as trade it in the open market. In other words, the 3-staged process of accessing a title, described at the beginning of this section, is effectively reduced to one stage, in which the temporary document that used to be awarded (DUAT or *Tombo* in Quelimane) is converted into a definitive document that does not need to be ‘perfected’ through building and official demonstration that improvements have been built on the parcel within a previously established period of time.

In consequence, it is possible for all those *TOMBO* documents that Quelimane has issued in the past to be automatically converted in to TUATU documents in accordance to the model defined in the *Regulamento do Solo Urbano*.

## CONSTRUCTION LICENSING

Construction licensing in Quelimane was found to be carried out in a relatively ‘efficient’ way. Only one evaluation takes place, in which the land use, architectural and engineering aspects of the project are considered. There is no detailed review of structural, mechanic, electrical or hydraulic components of the project as the municipality has no personnel trained in these areas. In addition, most of the projects that seek license in the city are generally presented by technicians with mid-level education in architecture and/or civil engineering, who apply the basic elements of design and building that are customary of the area.

Because of these factors, the review process lasts only a few days, therefore becoming the shortest and least complex of the five processes administered by the *Vereação*, as was illustrated in Figure 3 on page 16, and appears again summarized in Figure 8.



**Figure 8 - Summary illustration of the main five processes administered by the Vereação de Infra Estrutura e Construções. The area highlighted area corresponds to the process of issuing the construction license.**

However, different cases studied, such as the one illustrated in Figure 9 on page 26, indicate a time consumption of approximately 3 months in this process. But as demonstrated by

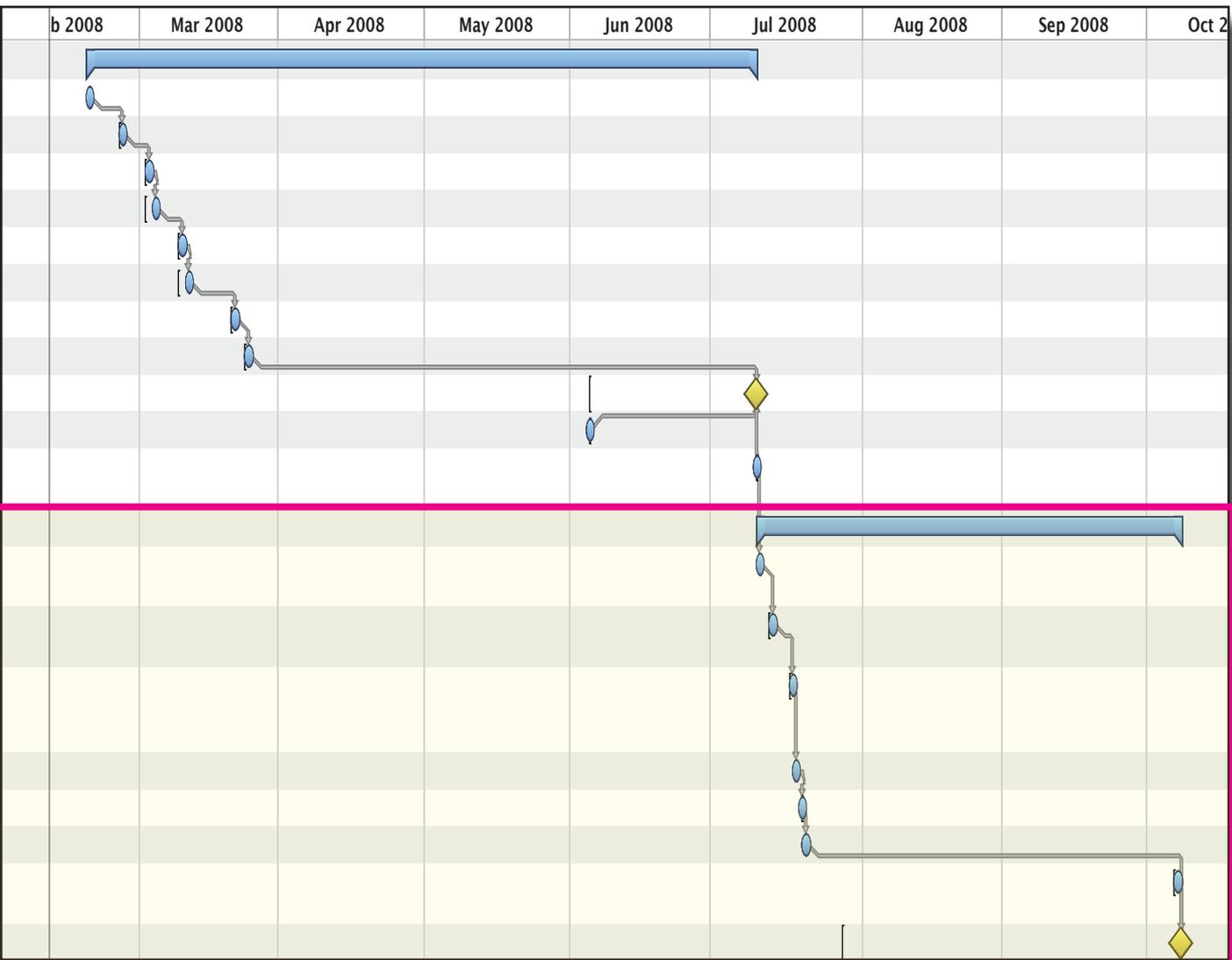
	Start	End
<b>PROCESSO DE ACESSO A TERRA</b>	<b>2/20/08</b>	<b>7/10/08</b>
1.1) Declaração jurada ante secretario de bairro	2/20/08	2/20/08
1.2) Planta de localização	2/27/08	2/27/08
1.3) Pagamento de processamento de arquivos	3/4/08	3/4/08
1.4) Guia de receita de operações de tesouraria	3/5/08	3/5/08
1.5) Pedido de legalização de talhão	3/11/08	3/11/08
1.6) SG envia a DUC para parecer	3/12/08	3/12/08
1.7) Parecer do Presidente Municipal	3/21/08	3/21/08
1.8) Ato formal de concessão (o pedido foi aprovado)	3/25/08	3/25/08
1.9) Actuação de DUC	7/10/08	7/10/08
1.10) Pedido de legalização de talhão	6/5/08	6/5/08
1.11) Pagamento por conceito de processamento e aplicação de marcas	7/10/08	7/10/08
<b>PROCESSO DE LICENÇAMENTO DA CONSTRUÇÃO</b>	<b>7/10/08</b>	<b>10/7/08</b>
1) Termo de responsabilidade de um técnico meio de construção civil	7/10/08	7/10/08
2) Parecer do centro de saúde ambiental e os exames médicos do governo provincial	7/14/08	7/14/08
3) Guia de depósito para processar o pedido de avaliação do projeto de construção	7/17/08	7/17/08
4) Visto (não identificado)	7/17/08	7/17/08
5) Envio a DUC para efeitos devidos	7/21/08	7/21/08
6) DUC emite parecer e envia a Presidente para sua decisão.	7/21/08	7/21/08
7) Guia de depósito para pagamento da licença de construção	10/7/08	10/7/08
8) Aprovação da arquitetura proposta.	10/7/08	10/7/08

**Figure 9 - Detailed steps undertaken in the processing of a Legalização da Propriedade, and of a Licença de Construção in Quelimane for the parcel of land described in the municipal Tombo No. 5395.**

the last three rows of the chart, the technical steps that are the responsibility of the *Vereação* were cleared in less than two weeks, with the major reason for time expenditures being the steps that follow, which are the processing of the official document by the Office of the President, the drafting of the official response document by the *Vereação*, and the signature of the latter by the Secretary General on behalf of the president. For these reasons, a more detailed review follows.

The construction license process involves the following four tasks:

1. Obtaining information
2. Paying a processing fee
3. Preparing and submitting the construction plans and documents for review and approval
4. Paying for the construction license and retrieving it.



Source: Municipality of Quelimane Cadastre, **Tombo No. 5395**, Quelimane, June 2012.

Carrying out this process involves a series of steps and actions before the following six divisions of the municipality: (i) *Secretaria Geral*, (ii) *Vereação de Infra Estrutura e Urbanizações* (the office of the director), (iii) *Repartição de Urbanizações*, (iv) *Repartição de Construção*, (v) the Office of the *Presidente do Conselho Municipal (PCM)*, and (vi) *Contabilidade*.

As illustrated in Figure 10 appearing on the next page, the process is as follows:

1. The *município* requests information and retrieves a form from *Secretaria Geral*.
2. The *município* fills the form and visits *Contabilidade*, where a fee is paid for processing the construction licence and a *Guia de Pagamento* (receipt) is issued.
3. The *município* prepares and assembles all the plans and documents required, including the *Termo de Responsabilidade* (sworn declaration certifying professional practice authorization), copy of the property topographic plan and of the *Tombo*, plus any other certificate, such as a certificate on the sanitary conditions of the parcel.

## CIDADE DE QUELIMANE OBTENÇÃO DE UMA LICENÇA DE CONSTRUÇÃO

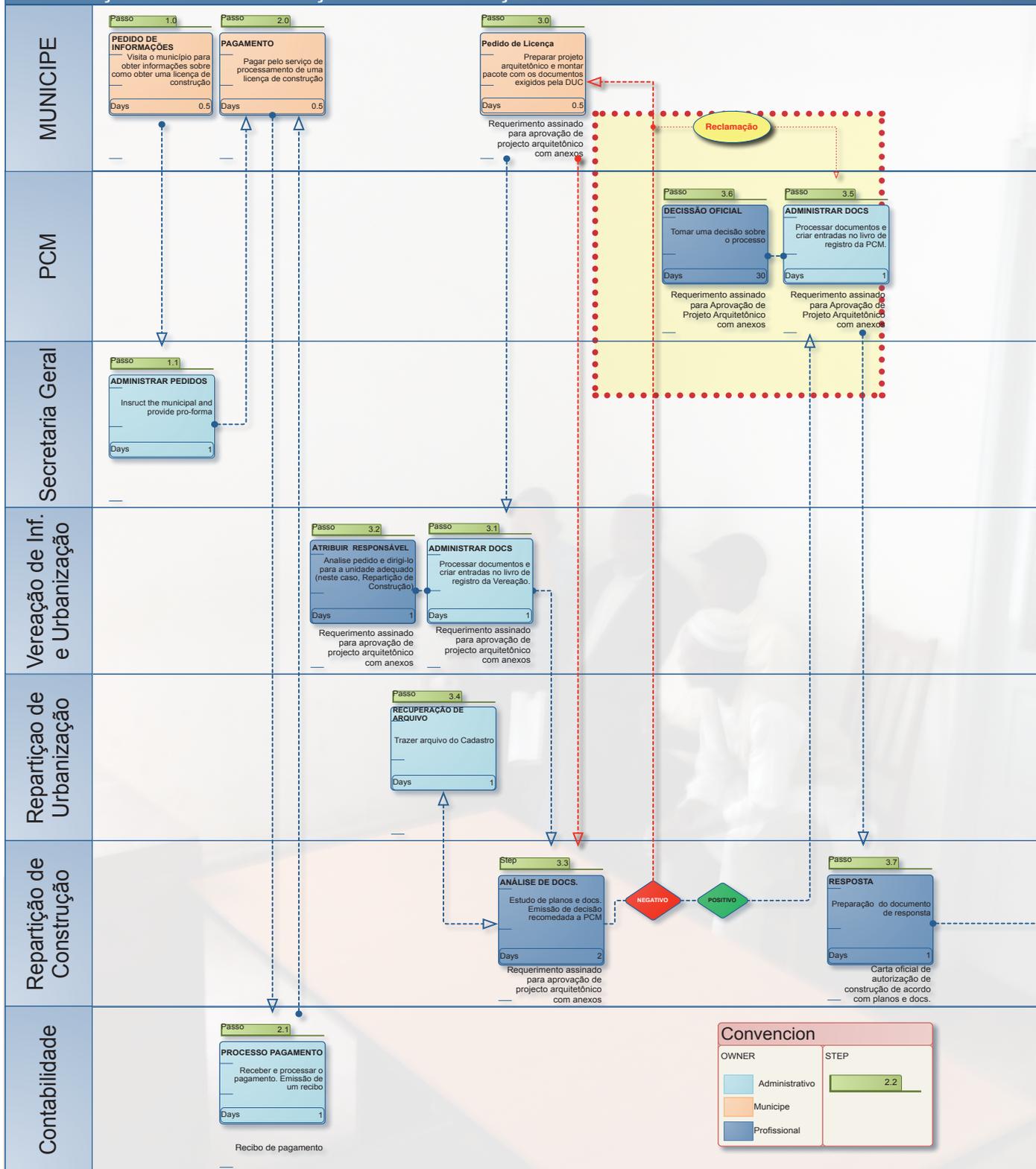
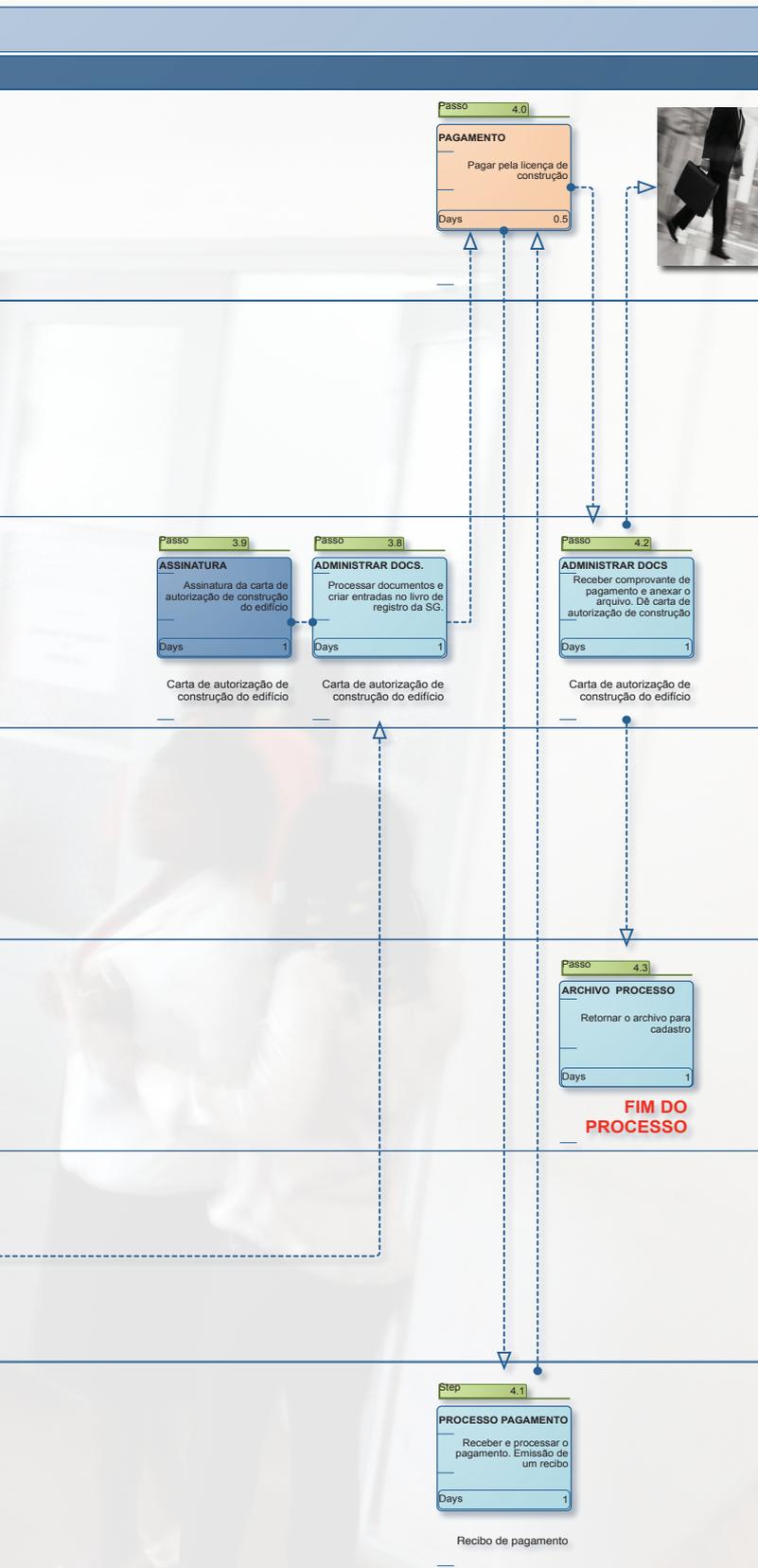


Figure 10 - Process involved in obtaining a construction license in Quelimane, Mozambique.



4. The *município* submits the documents, form and receipt directly to the *Vereação*, where it is registered in the log book of this department and transferred to the *Vereador*, who assigns a responsible for the process<sup>11</sup>.

5. Upon receipt of the request, the Official from the *Repartição de Construção* retrieves, from the *Repartição de Urbanizações* (which is responsible for the Cadastre), the file containing the originals of the *Tombo* and of the topographic plan. Having verified the correspondence between copies and originals, the Official proceeds to the evaluation of the plans and construction documents. As indicated previously, one evaluation takes place, in which the land use, architectural and engineering aspects of the project are looked at.

6. If the Official has questions or the results of the evaluation are negative, he communicates with the *município* to have any clarifications or modifications made. This can lead (depending on the severity of the case) to a ‘complaint’ that is raised directly to the Mayor, who eventually will have to rule on the decision of the Official.

7. If the evaluation of the project is positive, the process is sent with a note on a recommended decision to the Office of the Mayor, where it is registered in the log book of this Office and transferred to the *Mayor*, for concurrence and authorization to issue the license. Once this has taken place, the file is returned to the *Repartição de Construção*, for preparation of the official response (the actual license is a letter approving the plans and construction documents).

8. Upon receipt of the file, the Official prepares the letter of response, which is then sent to the *Secretaria Geral*, for signature of the *Secretario* on behalf of the Mayor<sup>12</sup>. Once signed, the *município* is

11 To save time, the Official who receives files at the front desk of the *Vereação* already has instructions to forward directly certain types of requests (including construction licensing) to the official in charge.

12 Technically, the license is the hand written approval of the Mayor, which normally appears on the submission

informed of the requirement to pay for the construction license.

9. The *município* visits *Contabilidade*, where a fee is paid for processing the construction licence and a *Guia de Pagamento* (receipt) is issued. The *Guia* is presented back to *Secretaria Geral*, where the official letter is handed out.
10. The folder containing copies of the documents is returned to the Cadastre located in the *Repartição de Urbanizações*.

Because the *Presidente do Conselho Municipal* has the signing authority, each process needs to pass through his office. In consequence, this can take long periods of time, which, according to the officials that were interviewed, can be several weeks or months.

## TITLING THE IMPROVEMENTS

Titling the construction or improvements (better know as the *benfeitorias*) also a critical component of the construction licensing process in Mozambique, for the latter is what can be registered in the *Conservatória de Registro da Propriedade* and exchanged in the open market. It is for this reason, too, that is included in the survey that defines the country's performance in the *Dealing with Construction Permits* index that is part of the *Doing Business Report*.

Obtaining this document involves the same tasks and steps illustrated in Figure 10 on page 28, with two differences:

1. Instead of analyzing the construction plans and documents (step 3.3 in the graph), what takes place is an inspection of the works by the Official from the *Repartição de Construção*, followed by a formal annotation on the file indicating the results of this. Back in the office, the *Certidão de Benfeitorias* is prepared and sent to the Office of the Mayor, where it is registered in the log book of this Office and transferred to the *Mayor*; for concurrence and authorization to issue the title.
2. Once this has taken place, the file is returned to the *Repartição de Urbanizações*, (instead of *Construção*) for preparation of the official title. Afterwards, the process follows the same steps of transfer to *Secretaria Geral*, notification to the *município*, payment for the title, retrieval and filing of the process back in the Cadastre.

## OTHER TIME ANALYSES

For a better understanding of the distribution of time between the different departments, nine different cases randomly selected were studied, divided into three cases per three processes administered by the *Vereação de Infra Estrutura e Urbanizações*. Based on the information contained in the folders for each case, it was possible to identify the following dates per case, which appear illustrated in the figures that appear in page 31:

- Date of ingress to the municipality, occurring in the *Secretaria Geral*
- Date of ingress to the *Vereação de Infra Estrutura e Urbanizações*, for processing.

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letter from the *Município*. The letter is a formality that communicates this decision.

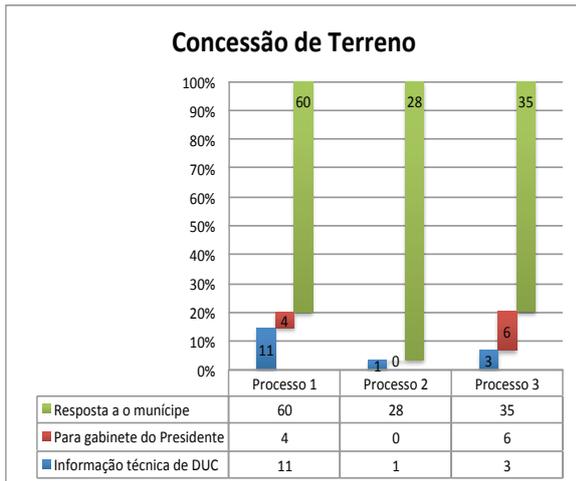


Figure 11 - Time expenditures (in days) and distribution among departments (in %) for three cases seeking a Concessão de Terreno

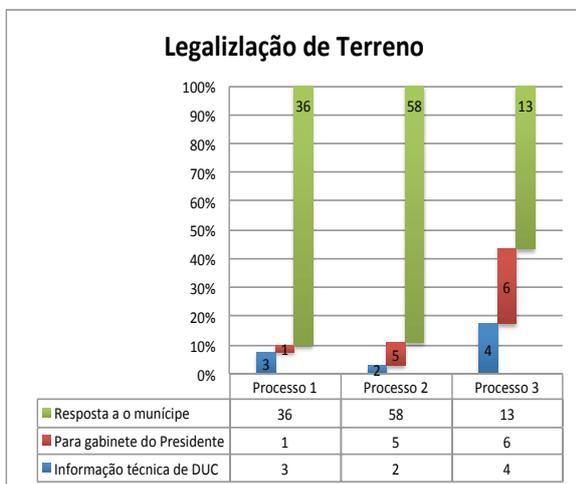


Figure 12 - Time expenditures (in days) and distribution among departments (in %) for three cases seeking a Legalização de Terreno.

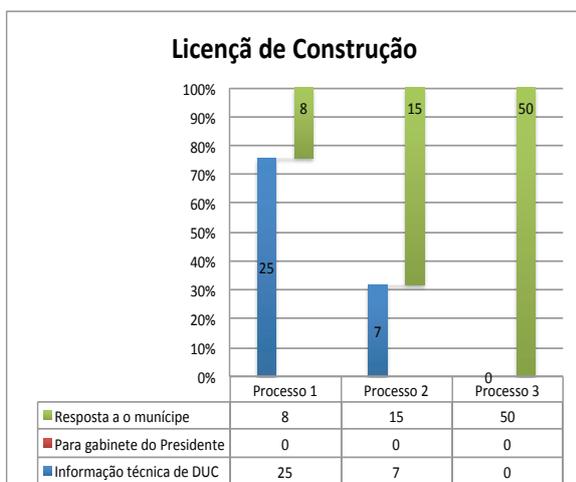


Figure 13 - Time expenditures (in days) and distribution among departments (in %) for three cases seeking a Licença de Construção.

- Date of routing, from the latter to the Office of the *Presidente do Conselho Municipal*
- Date of egress from the municipality.

The dates in which the files returned from the Office of the Presidente to the department in charge of preparing the official document, as well as when the latter was routed to *Secretaria Geral* for the final actions do not appear on file. Only the date in which the official document is handed out to the município.

However, the author was able to identify that the date marked on the Mayor’s endorsement signature of a decision proposed by the department that is responsible for the process, corresponds to the date in which the document was received in that Office. In addition, the letter from the *Secretaria Geral* that communicates the Mayor’s decision to the município corresponds to the date marked in the Mayor’s decision. Consequently, there is a great gap between the ‘marked dates’ and the actual date in which the file leaves the municipality.

Based on this, and on the information that was available, it is possible to conclude that:

1. Except for one instance (Process 3 under *Licença de Construção*), all processes seem possible to compare, setting the universe to 8 processes.
2. Except one process (of 8), the technical work does not go beyond 30% of the time expenditures. Furthermore, in 6 out of the 8 processes, this kind of work remains underneath 20%.
3. The latter means that in the majority of cases (6 out of 8) 80% of the time is being spent on administrative matters.
4. The average time for a *Concessão de Terreno* is 50 days, for a *Legalização de Terreno* is 42 days, and for a *Licen-*

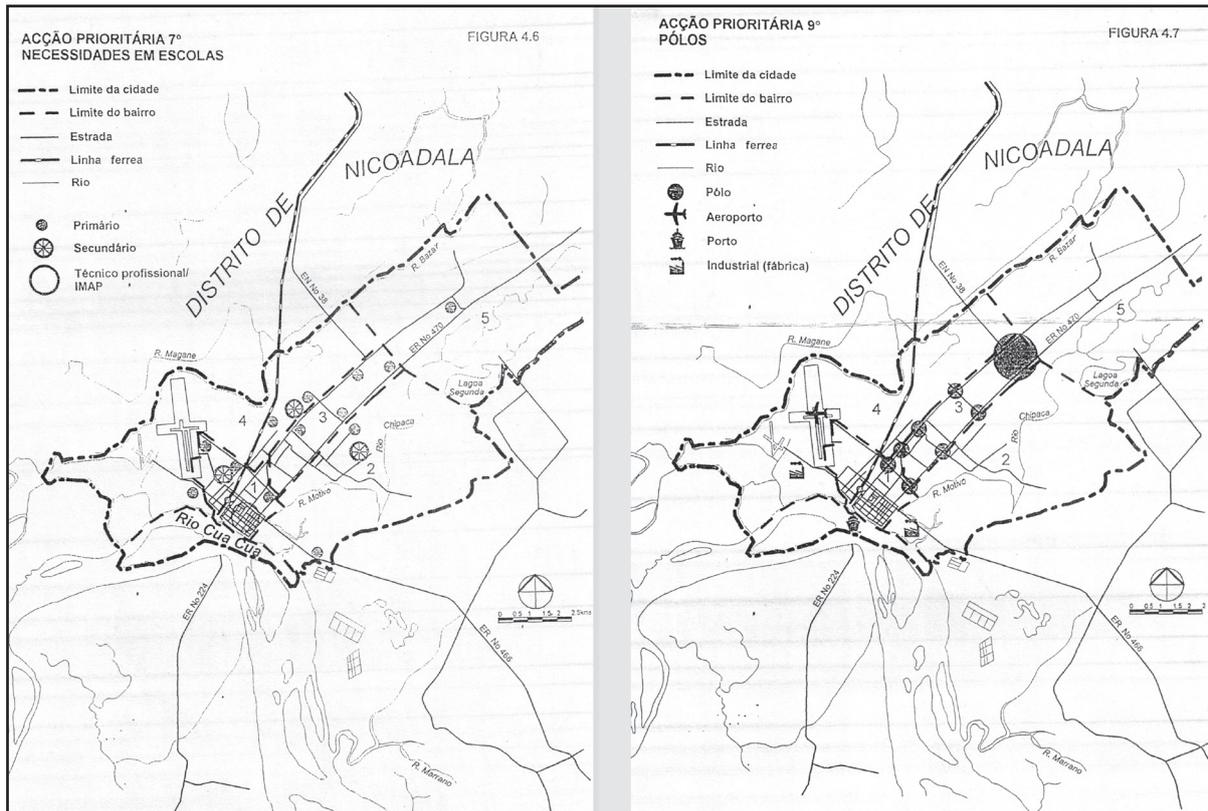


Figure 14 - City-wide priority actions defined by the 1998 Plano de Estrutura Urbana.

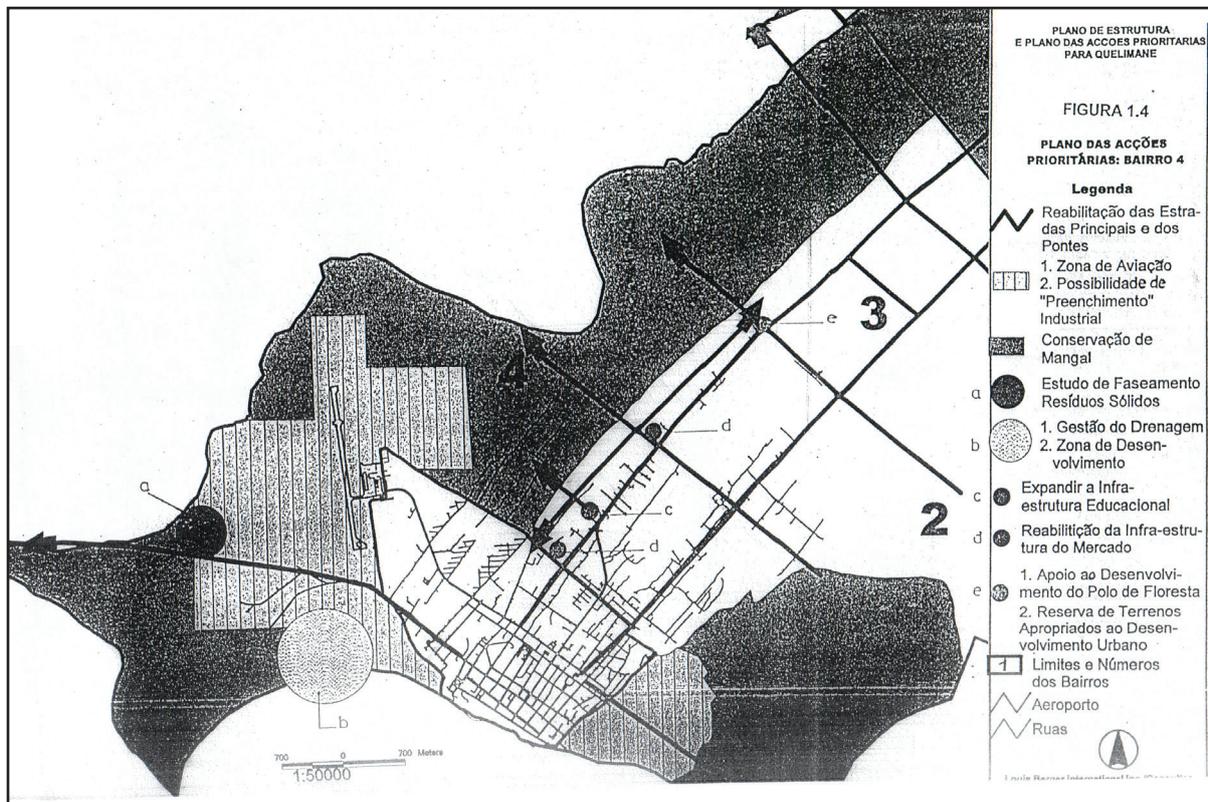


Figure 15 - Neighborhood interventions resulting from the city-wide and community consultation process for Bairro 4 in Quelimane.

*çã de Construção* is 35 days. This confirms that the latter is the process that consumes the least amount of time.

5. Because of the ‘date management’ procedures described previously, and the absence of information on the dates corresponding to the return of the file to the department in charge of the process for preparation of official response and its routing to *Secretaria Geral*, it is not possible to break down the long periods between the Office of the Mayor and the answer to the *município*.
6. Nevertheless, because of the fact that the Mayor retains signing authority over all municipal acts, it seems possible that the voluminous work load that this must represent be at the center of the long periods described in the previous paragraph. While his could not be studied due to the short term of this work, it should be looked at in greater detail.

## MUNICIPAL AND LAND DEVELOPMENT PLANNING

In the City of Quelimane, the area of land planning has not developed in the way that it should, and was envisioned in 1998, when the *Plano de Estrutura Urbana* was issued<sup>13</sup>. This plan, which was prepared as part of the World Bank financed *Projeto de Reforma dos Órgãos Locais (PROL)*, provided a comprehensive assessment of the development challenges facing the municipality and the most effective policies and measures to address them. More precisely, the *Plano* included the following three components:

1. A comprehensive analysis of the urban conditions in Quelimane at the time, in which the main needs, problems and opportunities for development were identified. This included thorough evaluations of population growth and economic perspectives, of the environment, and of the sectors of housing, transport, water, sanitation and electricity.
2. The *Plano de Estrutura* properly speaking, which analyzed several, strategic alternatives for developing the municipality and provided further detail on the recommended alternative. This included spatial measures, such as the identification of adequate areas for urban expansion (and consequently those that are not adequate), areas that should be subject of improvements, and areas that should be the focus of consolidation. The plan also defined infrastructure, social services and socioeconomic development measures. The above were defined taking into account the main physical and environmental constraints of the territory.
3. A *Plano das Acções Prioritárias* that resulted from the analyses and the strategic alternative discussed above. This includes a series of priority, municipal-wide actions that are required in order to implement the series of projects that are proposed for the different neighborhoods of the city.

The priority actions were defined in the same areas / sectors that had been the subject of study, that is, roads, water, sanitation, drainage, solid waste, health, education, environmental and urban management, and economic development. The actions were defined at city-wide level in order to structure systems such as the ones illustrated in Figure 14 on page 32.

13 República de Moçambique, Ministerio da Administração Estatal, Direcção Nacional de Administração Local. *Plano de Estrutura e Plano das Acções Prioritárias para Quelimane*. Louis Berger International Inc. / Consultec. November, 1998

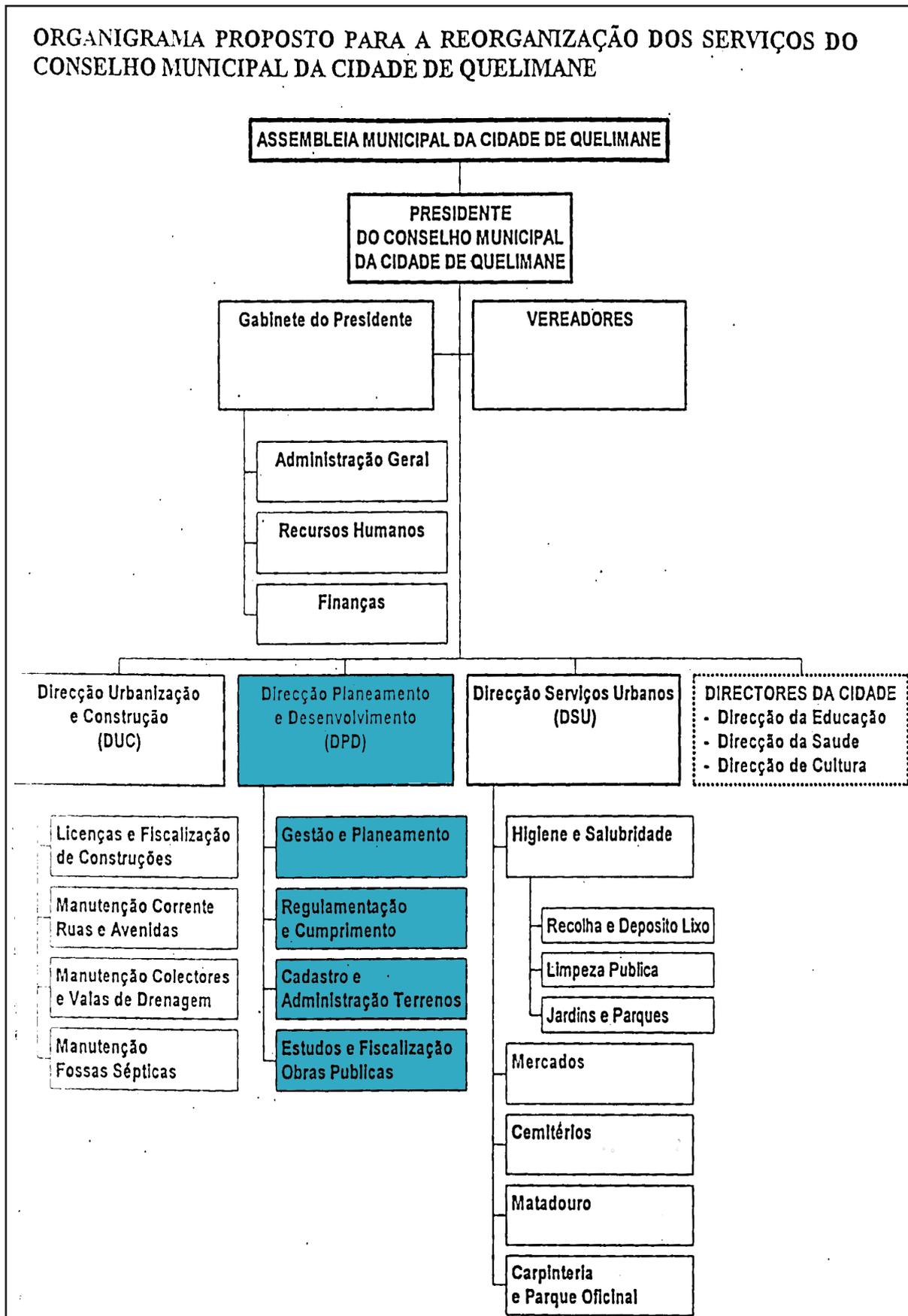


Figure 16 - Proposed organization chart for Quelimane by the 1998 Projeto de Reforma dos Órgãos Locais (PROL).

At the neighborhood level, the priority actions as well as numerous interventions that were defined through consultation with, and participation of, the community, resulted in a series of plans for each neighborhood, such as the one illustrated in Figure 15 on page 32.

The *Plano* included a series of management and institutional measures required for its implementation. These included better salaries for employees, a continued capacity building program for employees and community groups, and, most significantly, the creation of a separate planning Direction.

As illustrated in Figure 16 on the opposite page, this Direction should consist of the Divisions of (i) Planning and Management, (ii) Regulations and Enforcement (iii) Cadastre and Land Administration, and (iv) Public Works Studies and Control.

Despite this important effort, the situation is bleak:

- Two of the three volumes that constituted the final report of the plan, covering the first two components described previously, have disappeared.
- A photostatic copy of the third volume, covering the priority actions, remains in bad condition and does not seem to be used, neither for reference nor for programming investments.
- There are no maps or plans in large format to inform officials about land uses, roads, easements, protected areas, which are essential references to their daily business.

Because of this, and of the fact that there does not seem to be any systematic planning activity in the offices of the *Vereação*, it is fair to say that there is no planning framework in effect.

## ADMINISTRATIVE REFORM

As stated in the Introduction, the Mayor of Quelimane is in the process of submitting an administrative reform for consideration of the Municipal Assembly. Because of this, an opportunity arises to introduce some of the ideas resulting from this analysis. Based on the general review afforded by the short extent of this project, the issues described ahead stand out.

The reform establishes the division of municipal responsibilities into the following *Vereações* (Directorates)

1. *Vereação para a Área de Planificação de Desenvolvimento Autárquico*
2. *Vereação para a Área de Administração e Finanças*
3. *Vereação para a Área de Infra Estrutura e Habitação*
4. *Vereação para a Área de Educação, Saúde, Mulher e Ação Social*
5. *Vereação para a Área de Cultura, Juventude e Desportos*
6. *Vereação para a Área de Indústria, Comercio, Turismo, Mercados e Feiras*
7. *Vereação para a Área de Meio Ambiente, Saneamento, Jardins e Cemitérios*
8. *Vereação para a Área de Polícia Municipal, Fiscalização e Transportes.*

While these seem to cover the fundamental areas of municipal governance, the reader is left with the impression of an organization addressing its basic, short term duties, but not necessarily its opportunities or its long term, structural issues.

For example, the *Departamento de Indústria, Comércio e Turismo* (which is part of the Directorate listed above as No. 6) is assigned the responsibilities of managing the activities of household bread and pastry fabrication, ensure the sanitary conditions of the workplace, stimulate greater dynamics, diversity and efficiency of the informal sector, authorize the informal activity, control informal activity, promote tourism, and create a database of commercial activity.

While these activities are fundamental aspects of urban commercial life in Quelimane, this seems to limit the possibilities of that department to explore additional opportunities of economic development of the locale. For example, the author noted (albeit generally), that there is an opportunity to explore a way of transforming the waste management municipal enterprise into an employee owned company that could take responsibility of the assets, provide services not only to Quelimane but also to its neighbors, and most importantly, serve as vehicle for solving what appears to be a heavy labor load that the municipality has to bear in this area.

Another example is the *Vereação para a Área de Meio Ambiente, Saneamento, Jardins e Cemitérios*. While the name of the department suggests a broad mandate that includes the critical responsibilities of environmental planning and climate change mitigation and adaptation.

However, the department is assigned responsibilities such as supporting civil society in the creation of programs that benefit the environment, ensure that the city is embellished through the maintenance of parks and gardens, ensure the supply of children's playgrounds, ensure the hygiene of the city, keep storm water catches clean, and other activities of similar, operational nature. There is no indication of any area that will be looking at the strategic, long term issues associated to this important subject.

The case of the *Vereação de Planificação de Desenvolvimento Autárquico* is another example. While this Directorate seems adequately defined, it includes a *Departamento de Estudos e Projetos* whose mandate is to prepare the municipality's work plan, conduct studies on juvenile policy and its inclusion in the municipal strategies, provide technical appreciation of requests for proposals, harmonize investments in the areas of youth and sports, and collaborate with the *Departamento de Planeamento y Gestão Urbanística*, in the elaboration of land development plans.

However, this *Departamento* does not appear listed anywhere under the *Vereação de Infra Estrutura e Habitação*, which is where it seems to be included.

Finally, the author notices several structure inconsistencies in the draft of the proposed *Estatuto*. Some *Vereações* appear listed in the initial sections with one name and in subsequent sections are given different names. The names themselves seem long and confusing. In the Chapter of *Tarefas* some Departments appear listed that are not included in the earlier chapters that provide the overall structure of the organization.





# TOWARD REFORM

As indicated in the introduction, based on the study and interviews conducted in Quelimane, the recommendations that are described ahead were drawn. These are followed by a brief assessment of the possibility to implement them within the time limits of the current Administration, the mechanism of implementation that would be recommendable, a description of the small team that would be necessary to manage the effort, and the government mechanisms that should be in place, in order that the products and changes may be swiftly adopted by the relevant areas of the organization.

## ANALYSIS

Even within the limitations posed by the short-term nature of this work, the following issues have become apparent, which, properly addressed, should contribute towards a more simple, effective and efficient management of the municipal services associated to the construction license process in Quelimane.

## GENERALITIES

Although this pattern is similar to other cities in Mozambique, the formal - informal divide in Quelimane is no less striking to see. Neither is the low density of the city, which results in a very large spread of the urbanized area on a territory that seems to have very limited carrying capacity. In this context, whichever solution is implemented on the processes associated to this study are essentially covering or addressing just one sixth of the municipal area or one third of the urban area of the municipality. In consequence, the potential outcomes of changes in the areas that have been assessed will also be very limited.

However, this must not prevent the municipality from undertaking the necessary actions, especially for three reasons:

1. Because, as a result of the *Safe Access to Land* project, and hopefully through the continuation of its work to cover the entire jurisdiction, the municipality will progressively be formalizing its informal areas. If the dynamics, time lines, and processes identified by the author are associated with only the third of the area that is formal, it is therefore expected that the formalization of the other two thirds will pose very serious pressures on the municipal services that have been analyzed. Therefore, reform needs to begin.
2. If a reform that is more appropriate to the reality that is being faced today is implemented soon, the administration will be much more capable of managing the increased demand and pressures that the future will likely bring. And,
3. Because the small-scale nature of both, the situation and the reforms that might emerge, may provide Quelimane with a solution that could eventually be shared with the many municipalities that are similar in Mozambique.

As indicated above, the very low density and spread of the population over the municipal

territory is also a striking phenomenon that the municipality should address sooner rather than later. While some patterns, like orchards, are associated to the very essence of African and Mozambican life, the municipality must explore mechanisms whereby these traditions may still continue within a structure of greater population density.

One mechanism that could be explored is the definition by municipal law of the ‘definitive’ urban boundary of the municipality and the creation of a mechanism, even if simple and of very low cost to the citizen, of land taxation that reflects the urban - rural divide.

## FINANCES

With respect to the finances of the municipality, the participation of the *Vereação* in the revenue and costs of the administration seems balanced, especially with respect the costs of the *Vereação* as a percentage of the revenues that it generates, which is 45%. This is significant if compared to Maputo, where this does not happen<sup>14</sup>. However, further economic, cost benefit, and fiscal studies of construction activity and licensing are required, in order that sound recommendations may be drawn with regards this topic.

## TIME CONSUMPTION

While the official responses from the municipality to the questionnaire provided by the author indicate 430 ‘gross’ or 346 ‘net’ days as the time required to fulfill the process of obtaining a construction license as defined by the *Doing Business Report*, per the analysis of case study that is presented in Figure 8, the actual time is 270 days. This can also be demonstrated (partially), by the time analyses of several cases of several processes administered by the *Vereação*, in which the time expenditures coincide with those included in Figure 8.

Nevertheless, such amount of time should still be a matter for great concern, especially because of the reduced area of the city in which it actually happens (not more than 30%) and the small and negative growth trend of the demand for this service. The bottleneck in all the cases studied is demonstrated to occur in the management of workflow, in which 70 to 80% or the time is consumed by administrative matters and only 20 - 30% of the time is consumed in technical activities.

In addition, although the number of backlog of cases without resolution seems to be reducing, no mechanism seems to be in place that prevents this from happening in the first place. This matter should be looked at in more detail.

This underlines the need to implement an electronic work-flow system. This tool has demonstrated effective reductions of time in the handling of processes in many situations.

## LAND ACCESS AND PROPERTY FORMATION

The *Vereação de Infra Estrutura e Urbanizações* does not stand out as performing neither more or less effectively than other *Vereações* of the Municipality that were briefly visited

<sup>14</sup> See Volume I of this project.

by the author<sup>15</sup>. However, the presence within its offices of the *Safe Access to Land Project* is creating an entirely new dynamic that is significantly raising current levels of precision, effectiveness and efficiency in the delivery of the very important service that land administration is. Therefore, the question of how will the newly created instruments and dynamics be merged into the existing ones has to be addressed.

The author was not able to identify if, in addition to the concept of ‘training on the job’ applied by this project, in which 3 to 5 professionals of the municipality are receiving the necessary training to conduct the tasks once the external consultants leave, any other deployment or escalation mechanisms have been planned by the municipality.

Therefore the municipality must plan and begin implementing a process of deployment of the new, effective and highly technical tools that the new Cadastre is bringing into the municipality. This plan will likely require additional human and consulting services, so that the municipality may properly address the challenges of continuing to formalize and issue titles, managing the effects of re-settling the numerous families that may not be the beneficiaries of *Títulos de Uso e Aproveitamento da Terra* (thus far more than 4,000), and transfer the approximately 7,300 paper *Tombos* to the digital data base created by the MCA’s *Safe Access to Land* project.

## CONSTRUCTION LICENSING

As in Maputo, in Quelimane the construction licensing process itself (i.e., studying the project, issuing the license and issuing the final occupation permit) is ‘trapped’ amidst the more complex land access and property formation processes. Therefore, as proposed in Maputo, ‘unlocking’ the construction licensing process from these two is necessary and the reforms proposed in that City would seem applicable. In fact, the most important is already in progress, which is eliminating the concept (and process) that property is only perfected when the construction is terminated, by means of issuing the *Título de Uso e Aproveitamento da Terra Urbana*, as described in the previous Chapter.

The division of *Construções* seems limited as well, with 6 out of 20 professional officials that are mostly occupied with issues associated to road, infrastructure and other construction works that are carried out or outsourced by the municipality, as well as several garages and workshops belonging to the municipality. There is only one professional visibly handling construction licences, who is also in charge of the roles of planning municipal and land development.

However, and as discussed previously, even within these limitations the division of *Construções* is operating effectively and efficiently. This could be attributed to three factors:

1. The elementary level of plans and construction documents that are normally submitted by local professionals, who tend to have only mid-level education credentials;
2. The ‘integral’ (i.e., one-time) review of those plans and projects. In other words, both sides (citizen and municipality) operate at the basic levels at which buildings and con-

<sup>15</sup> Although entirely perceptual, and based on very short visits, the author found that all departments provide good services to the citizenry and perform properly. People in the different offices appear to be conducting their jobs, supervisors appear to be on top of their subalterns, and their leader, the Mayor, also seems to be infusing a sense of team and of mission, all of which are perceived as very positive by the author.

structions are being designed and produced in Quelimane; and,

3. An ‘automatic’ sign-off with respect to the consistency of the projects with the land development plan of the municipality.

Factors (1) and (2) are NOT negative, for they could serve as an example of how ‘simple mechanisms with simple regulations’ are the way in which business should be conducted in this particular area of municipal administration. In other words, Quelimane may already be acting within the desired parameters of a limited intervention of the State in the preliminary review of plans and construction documents. If this was the case, it would require formalization and consolidation (possibly through a *Postura Municipal*) as well as support by those promoting a more limited intervention of the State in this area of municipal administration.

Notwithstanding these arguments, those issues should be studied in more detail to determine their applicability within the statutes of limitations and accountability regulations that govern them. For instance, what happens today seems to be due to the absence of an expert-base in the municipality, which results in, (a) projects being designed mostly by professionals with basic or mid-level education that practice the traditional ways of constructing and (b) a severe lack of qualified professionals that the municipality would have to hire in order to carry out these tasks.

However, factor (3) IS negative, for it represents a ‘de facto’ process of land transformation that can be at the root of grave, long term costs to society and to the environment. This is because the municipality does not have a current *Plano de Estrutura Urbana*, nor the professional skills and institutional structure to properly carry out its role and responsibilities associated to municipal development planning. This issue is discussed in the following section.

Based on these arguments, the regulatory framework for action of architects and engineers has to be studied to determine the extent to which these professionals can take full responsibility of all technical aspects of their projects. This should also include the extent to which the municipality has authority to regulate professional action such that a ‘liberalized’ framework as the one suggested here could be defined through a *postura municipal*. A study of a simplified code of construction of easy application could also be highly beneficial.

Different to the case of Maputo, where the construction licensing service was shifted away from the Department that managed this process with those of land development planning, land access and property formation<sup>16</sup>, in Quelimane the *Vereação de Infra Estrutura e Urbanizações* keeps this integrated structure. While shifting the construction licensing function to another department was regarded positive in the case of Maputo, in Quelimane it would seem better to retain it. This is because there is no other organic area within the municipality that could take over this service, and creating a Department or *Vereação* for this sole purpose would not be convenient for the limited scope of the process as well as the very low demand for this service.

## MUNICIPAL AND LAND DEVELOPMENT PLANNING

The role of social, economic, and physical planning is critical and structural to any munic-

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<sup>16</sup> See Volume I of this project.

pality. The municipality is the most important form of governance for the citizen, and planning is the most important tool for projecting the collective needs, problems, and opportunities, as well as the capacity of the land to hold them without causing irreparable damage. A municipality without a planning framework and an institutional and social setting to administer it will progress in ways that will most likely result in much higher costs to society, the environment and the future generations.

In Quelimane, this critical function is clearly on the lower levels of the priority list, simply because of its long-term nature, and of the fact that it is a subject that does not create immediate pressures on the limited resources that have to be allocated to much more pressing, daily issues. This could be the main reason for which the division of *planificação* carries only 2 of 20 professionals that comprise the *Vereação*. One of them is also responsible for construction licensing. It can also be demonstrated by the fact that 1998 *Plano de Estrutura Urbana* was never implemented, nor was the proposal already made in that year of implementing the *Direção de Planeamento e Desenvolvimento* discussed in the previous Chapter.

In consequence, one of the most important actions in Quelimane should be to instate a new municipal and land development planning unit.

For two reasons, this should be instated as a new Department or *Vereação*:

1. Because the system will progress towards a situation in which the *Plano de Estrutura Urbana* will be less affected by the pressures of economic development than it is today (case of Maputo), and,
2. Because the *Vereação de Infra Estrutura e Urbanizações* is a unit based on managing the pressing, daily topographic, engineering and construction issues that demand more time and resources than those it has. Therefore, if additional human resources were available, they would most likely be ‘swallowed’ into addressing those demands. A good planning unit does not need to be big; it only needs space and conditions that allow it to operate with independence.

This separation would create a much clearer division between the ‘judge’ and the ‘parties’, that is, an arms-length relationship that is recommendable between those who plan how development occurs inside the jurisdiction, and those who (a) administer it - the government, and (b) execute it - the different economic actors.

Even though positive, it seems the structure of the *Vereação* that was proposed in 1998 (consisting of the divisions of *Gestão e Planeamento, Regulamento e Cumprimento, Cadastro e Administração de Terrenos* and *Estudios e Fiscalização Obras Públicas*) was more a way of redefining the actual processes that were in place at the time. With the advances in the understanding of land use, environmental and sustainable development planning, climate change and others, the planning department should be based on the following parameters:

1. The department should be supported by on three areas: social and economic development; environment climate change and adaptation; and land use and physical planning.
2. This department should be the one supervising cadastre and geomatic services to be provided the planning and other departments of the municipality.
3. Looking towards the future, when indicators and results-based planning could be

implemented, but also to make use of the projects that have already been identified in previous planning exercises, the department should have a ‘project bank’ division. By systematizing the project base of the municipality, a more effective allocation of resources is ensured.

Given this, it would be recommendable that the new department be called *Vereação para a Área de Desenvolvimento Municipal (VDM)*.

Although further study is required to effectively demonstrate it, this administrative division would seem to be more likely of success in the city of Quelimane than it is in Maputo. This is because in the Capital a recent reform aimed at this failed for a number of factors of the political economy of the city, which may be more easy to manage in Quelimane or simply non-existent<sup>17</sup>.

As indicated in the next section, some divisions belonging to other *Vereações* should be transferred to the newly created unit, and some modifications should be made to the headings that identify some of those *Vereações* as well.

## ADMINISTRATIVE REFORM

The administrative reform proposed by H.E. the Mayor of Quelimane represents a substantial step in the right direction. However, per the short evaluation of the draft reform, it is evident that the need for a strong department looking at the long term is not addressed as it should.

Therefore, it would be of great convenience to utilize the opportunity of this effort to implement the proposed *Vereação para a Área de Desenvolvimento Municipal (VDM)*. This department would be mandated with long term planning based on socioeconomic, environmental, climate change, adaptation and physical studies and projections for the municipality.

In consequence, the area of *Meio Ambiente* of the *Vereação para a Área de Meio Ambiente, Saneamento, Jardins e Cemitérios* should be transferred to the new department, as should be the *Departamento de Estudos e Projetos* that is part of the *Vereação para a Área de Planificação de Desenvolvimento Autárquico*.

In order that the administrative reform being proposed be more simple to understand, several changes to the titles of the *Vereações* would also be recommendable. These are indicated in the next section.

## RECOMMENDATIONS

The above analysis results in the following seven recommendations:

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<sup>17</sup> The economic ‘boom’ that Maputo is experiencing is leading to continued alterations and what seems to be a lack of rigor in defining and preserving the land use plans that are in effect. Consequently, planning continues to be closely linked to those that are deciding on the land access and property formation processes that the city administers. This is clearly not the case in Quelimane, which does not have a plan in effect and does not have pressing economic development issues constantly demanding modifications to its land development plan.

## ONE: A SEAMLESS CONTINUATION OF THE SAFE ACCESS TO LAND PROJECT

The objective is to ensure the continuity of the work carried out by the MCA *Safe Access to Land* project, which finalizes in September 2013. In preparation for this, Quelimane should carry out the following tasks:

1. Defining the requirements and seeking resources to extend the Safe Access to Land project to cover 100% of the Municipal Jurisdiction. As indicated previously in this document, the MCA project will have covered four different areas of the city of Quelimane and issued approximately 12,000 titles. This raises the question of how will this methodology be continued such that the entire municipality is covered, with the reduced human and technical support that will be left when the program leaves.
2. Defining the following three categories of land for the municipal jurisdiction, in accordance with the *Regulamento do Solo Urbano*:
  - A. Urbanized
  - B. Apt for urbanization, and
  - C. Not apt for Urbanization (rustic, environmental protection, etc).
3. Converting existing *Tombos* to Titles in accordance with the *Regulamento do Solo Urbano*.
4. Implementation of the new process of *Averbamento do Titulo* in replacement of the transfer of title beneficiary, in accordance with the *Regulamento do Solo Urbano*.
5. Massive campaign to issue and hand out converted *Tombos*.

This actions should enable the sustainability of the very sophisticated tools and mechanisms that were put in place by the MCA project.

## TWO: IMPLEMENTING THE QUELIMANE MUNICIPAL PLANNING DEPARTMENT

The objective is to bring the (almost inexistent) municipal development planning service of Quelimane to a level at which it can perform this critical function in accordance to the law and basic good practice levels, as well as to effectively use the new land information management tools that are being prepared and implemented through the *Safe Access to Land* project. To attain this, the municipality must:

1. Create the *Vereação para a Área de Desenvolvimento Municipal (VDM)*. The fact that the Mayor is pursuing the approval of a new *Estatuto Organico do Conselho Municipal* is a provides a unique opportunity to do this. The new *Vereação para a Área de Desenvolvimento Municipal* should be comprised of the following Divisions:
  - A. Social and Economic Development Division (SED)
  - B. Environment, Climate Change and Adaptation Division (ECC)
  - C. Land Development Planning Division (LDP)

- D. Cadastre and Geographical Information Division (CGI)
- E. Project Bank Division (PBD)
- 2. Implement the new *Vereação de Desenvolvimento Municipal* by carrying out the following steps in the order in which they are presented:
  - A. Hiring new, highly qualified personnel. This could be attained through a mechanism similar the one in place in Maputo, in which the World Bank supports certain professionals through salary bonuses commensurate to their skills.
  - B. Building the databases of land use, occupation area, and construction index of the municipality, on the geographical database provided by the *Safe Access to Land* project.
  - C. Designing a new *Plano de Estrutura Urbana*, having it cover the entire municipal jurisdiction and thus changing its name to *Plano de Estrutura Municipal*.
- 3. Transform the *Vereação para Área de Infra Estrutura e Habitação* into a *Vereação de Engenharia Municipal (VIM)*. This should be comprised by the following Divisions:
  - A. Public Works Division (bridges, roads and infrastructure design, management and control)
  - B. Development Licensing and Control Division
    - i. Urbanization and Land Subdivision
    - ii. Construction and buildings

These actions would enable a much needed, healthy division of roles between those who plan the municipal development and those who apply the precepts contained in the plans. The first is a task that is fundamental for envisioning a sustainable, equitable development of the municipality that should not be tied to equally important, but daily, activities that applying the planning and land development precepts entail.

This would also allow for a much clearer profile of both Departments to emerge: one is a department with a long-range, forecasting, planning and envisioning profile, whereas the other is a department with a much more engineer-based profile.

### **THREE: IMPLEMENTING A STREAMLINED CONSTRUCTION LICENSING PROCESS AND A STRENGTHENED DEVELOPMENT CONTROL MECHANISM**

The objective is to design and implement the changes for the municipality to begin applying the ‘streamlined’ land development and construction licensing mechanism that is also being pursued for the Capital of Maputo, as well as an effective control of the urbanization and building activity inside the jurisdiction. This includes the following tasks:

1. Delegation, to professionally registered architects, engineers and civil works technicians, of the certification of compliance to the land use and technical aspects of urbanization and/or building projects that they intend to carry out within the jurisdiction.
2. Investing the majority of available human and technical resources on the Division that

will be responsible for ‘ex-post’ control of urbanization and building developments in the jurisdiction.

3. Legal work aimed at determining municipal limitations to implement these mechanisms through *Posturas Municipais*, and, if it is possible, preparation and submission of these to the Municipal Assembly.
4. Design of the new database and work-flow model for carrying out the activities as defined above.
5. Defining the human and physical resource requirements to implement the new database and work-flow, and pursuit of funds for hiring and acquiring them.

These actions could leave Quelimane in a unique position in the country, as it could become a real case in which governmental action focuses on more controlling development as it happens (under clear rules of practice) and less on controlling it before it happens, which is where much of the difficulties of markets reside.

#### **FOUR: EXPLORING A CO-OWNER OR PPP MECHANISM FOR MANAGING THE CITY’S SOLID WASTE.**

The objective is to define a model and a mechanism to modernize solid waste collection and disposition as well as reduce the burdens associated to the large labor force of the Quelimane-owned municipal company that carries out the service.

1. Conduct a preliminary economic study of solid waste in Quelimane to determine levels of production, cost structure, costs of modernization, potential sources of revenue from transfers, donors, recycling, tariffs, delivery of services to other jurisdictions and others.
2. Evaluate the legal and economic possibility of transforming the municipal company into a private company, structuring it as a co-owner company with all or some of its employees, transferring all the assets and liabilities and signing an exclusive contract for a number of years to properly transition to an open market.
3. Evaluate other possibilities, such as developing a public private partnership.

These actions could put Quelimane in a good position to handle not only its solid waste but also to potentially provide services to neighboring municipalities. It could also reduce the weight of large personnel base expenditures without the difficulties that traditional mechanisms of reducing the labor force entail.

#### **FIVE: A MOBILE GOVERNMENT AS AN OPTION TO DE-CONCENTRATION**

The objective is to design and implement mechanisms that enable the municipal government to be and work closer to the citizen it serves without engaging in fixed, costly solutions.

1. Carry out an analysis of the municipal processes that are more relevant to the citizen of Quelimane.
2. Design a mechanism to systematically mobilize the municipal administration of those

services to the different neighborhoods of the city. Some of the services that seemingly could be performed (due to their relatively low complexity) include delivery of land titles, receipt of land formalization requests, *averbamentos* to the newly established land titles, receipt and approval of construction licensing requests, tax collection, and others)

3. Seek the resources to implement a pilot.

## SIX: SOME ADJUSTMENTS TO THE ADMINISTRATIVE REFORM IN PROGRESS

The objective is to collaborate with the authorities of Quelimane in designing and implementing a new *Estatuto Organico do Conselho Municipal* that is about to be presented to the Municipal Assembly.

A preliminary reading of this document allowed the author to suggest the changes to the names of the Departments that appear in Table 7, as well as the internal characteristics of some of them. (See recommendation No. 2, above).

However, further work is required to properly assess the proposed reform. This should include the following tasks:

1. Conduct a thorough analysis of the municipal structure and departmental division that is included in the *Estatuto Organico do Conselho Municipal* to be presented to the Municipal Assembly.
2. Evaluate the latter on the basis of its potential to consolidate a streamlined, effective and efficient government.
3. Recommend changes to be included in the *Estatuto Organico do Conselho Municipal*, similar to those that appear in recommendation 2, above.

These actions could be carried out by means of a brief process of consultation with experts on key areas and could provide much benefit to the currently proposed *Estatuto*.

## SEVEN: ENHANCING THE IMAGE OF THE MUNICIPAL GOVERNMENT

The objective is to project an image of an organized municipal government, especially in the areas that have daily interaction with the citizen.

1. Providing simple but clear signs.
2. Providing visible billboards with clear instructions to the citizen.
3. Providing a one-stop point of information for the citizen, which sorts all entries. Currently, the service is partially provided by the General Secretariat office, although in very limited circumstances.

**Table 7 - Departmental Division included in the Estatuto Orgânico do Conselho Municipal and Division proposed by the author.**

No.	Nome de acordo com o projeto de Postura Municipal	Nome e sigla proposta
a.	Vereação para a Área de Planificação de Desenvolvimento Autárquico	Vereação para a Área de Desenvolvimento Autárquico (VDA)
b.	Vereação para a Área de Administração e Finanças	Vereação para a Área de Administração e Finanças (VAF)
c.	Vereação para a Área de Infra-Estruturas e Habitação	Vereação para a Área de Engenharia Municipal (VEM)
d.	Vereação para a Área de Educação, Saúde, Mulher e Ação Social	Vereação para a Área de Desenvolvimento Social (VDS)
e.	Vereação para a Área de Cultura, Juventude e Desportos	Vereação para a Área de Cultura e Recreação (VCR)
f.	Vereação para a Área de Indústria, Comercio, Turismo, Mercados e Feiras	Vereação para a Área de Indústria y Comercio (VIC)
g.	Vereação para a Área de Meio Ambiente, Saneamento, Jardins e Cemitérios	Vereação para a Área de Saneamento e Jardins (VAS)
h.	Vereação para a Área de Polícia Municipal, Fiscalização e Transportes.	Vereação para a Área de Polícia Municipal e Trânsito (VPT)
i.	<b>Nova Vereação</b>	<b>Vereação para a Área de Desenvolvimento Municipal (VDM)</b>

Source: Municipality of Quelimane.

## POSSIBILITIES OF IMPLEMENTATION

The above recommendations are based on an assessment carried out in Quelimane over a very short period of time; therefore, they require further and more detailed analysis. This also has to take into account the knowledge of local experts and key players about the different areas being addressed and potential actions being recommended.

However, for the general reasons that appear in Table 8 on page 50, recommendations one, two, three, six and seven seem to be possible to implement within the time that is left to the current Administration. In addition, because none of these recommendations is subject to, or contingent from another, they could all be carried out in parallel.

In consequence, the constraints that could limit their implementation would be associated with their cost and the ability of the Administration to obtain resources to finance them. However, given the relatively small size of the Government and its condition of being located in a single building, these resources would not necessarily be very high. This is also because the main investments, especially those required to build information systems, have already been allocated and are in the process of being implemented. The technical and professional quality of the personnel base has also been enhanced with recent appointments and through the training ‘on the job’ services that the *Safe Access to Land* project is providing.

## IMPLEMENTING THE RECOMMENDATIONS

Although the recommendations described above could be implemented independently from each other, it would be more convenient to group them and establish a mechanism to carry them out along a planned path. This could be referred to as the *Quelimane Land Development, Planning and Licensing Modernization* program.

**Table 8 - Possibility of implementation of the different recommendations**

No.	Recommendation	Possibility of implementation
1	A Seamless Continuation of the Safe Access to Land Project	Should be possible to implement since the majority of the investments have taken place and staff have been trained on the processes.
2	Implementing the Quelimane Municipal Planning Department	Should be possible to implement given the intention to reform the organization of the Municipal Government and because there is sufficient information to begin operations.
3	Implementing a Streamlined Construction Licensing and a Strengthened Control Process	Should be possible to implement because the work-flow is simple and the demand for this service is not very high. It will still require resources for setting up the technological platform, equipment
4	Exploring a Co-owner mechanism for Solid Waste Management	Would require more analysis and therefore may not be possible to implement during current Administration period.
5	A Mobile Government as an alternative to Decentralization	Would require more analysis and would require financial support that may not be possible to obtain immediately.
6	Some Adjustments to the Administrative Reform in Progress	Should be possible to implement because there is already a document ready for presentation to the Assembly.
7	Enhancing the Image of the Municipal Government	Should be possible to implement if the municipality is able to obtain resources.

In addition, because of the relatively small size and centralized location of Quelimane’s municipal Administration (which limit its capacity to receive additional tasks but at the same time makes it easier to access various departments and offices), it is recommendable to structure a mechanism whereby a small project team provides continued, ongoing support to the authorities for defining, choosing and implementing the recommendations. This team should be tasked with a planned path of activities that should fall into the three phases that are described ahead.

## PHASE I: DETAILED SCOPE AND COST OF RECOMMENDATIONS

Implementing all the recommendations would unquestionably place the City of Quelimane in a much better position to handle its development opportunities and challenges from what it is today. However, because of the limited resources and time that is left before the Administration changes, it is likely that the latter will be able to effectively address some of the recommendations, while others will have to be looked at in a longer term.

In consequence, the first step must be to undertake a rapid but thorough analysis to determine the scope and cost of the different (or alternative) recommendations outlined in this document. The scope will be based on a more detailed analysis of the areas that are being addressed in this document (land administration, land planning, construction licensing and control, and solid waste management), including the ‘realistic’ time that their implementation would entail. The cost will be based on a direct survey of the current human, technical and financial resources allocated by the municipality for the delivery of the services, and a projection of the minimum requirements to adequately carry them out. As far as possible, in this context of limited availability of information, the analysis would include studies of demand and supply of these services for the specific situation of Quelimane.

## PHASE II: CHOICE OF RECOMMENDATIONS AND IMPLEMENTATION PLAN

Based on the results of the scope and cost of implementing the recommendations, a process should follow of selection of those that should and could be implemented with the available resources (including additional resources that may be identified during the process) and within the time frame set for the project.

In order to establish the recommendations that will be implemented, a rapid but thorough, and collectively-based selection process would also be carried out. This would center on discussing all the recommendations from the points of view of feasibility (legal, political, economic) and their impact. This discussion would take place through a process of workshops with key actors in Quelimane.

The results of this process would be the set of recommendations selected for implementation and a work plan for carrying them out.

## PHASE III: IMPLEMENTATION

The implementation phase will follow with the actions set for in the plan. This will take place during the time frame that results from the discussions of Phase II, such that all tasks and completion reports be finished by the date in which the Administration changes.

## PROJECT TEAM

Although it should be studied in more detail, it appears that a simple project team comprised of the following roles and responsibilities could carry out the work and tasks that would be required for implementing the *Quelimane Land Development, Planning and Licensing Modernization Program*:

1. Senior Project Advisor (part time)
2. Local Project Director - liaison with Mayor and project management. (Full time)
3. Economist (part time, specific tasks)
4. Lawyer (part time, specific tasks)
5. Project Assistant (logistics)

## GOVERNING MECHANISM

In order to ensure success, the following governing mechanisms should be in place at the time the project commences:

1. An Executive Order (EO) by the Mayor in which the project is officially established. This should outline the project's goals and objectives, components, products and schedule of activities. The EO should also name the city Officials that will be responsible for providing information as well as those that will be working for the project. This in-

cludes delegation of responsibilities, if necessary.

2. The project should be attached directly to the Office of the Mayor, with direct access to the Mayor of the project Director and the Senior Advisor.
3. The Mayor should be aware that a number of official documents, such as executive orders, specific instructions to personnel, changes to the organization chart that are within the Mayor's realm of attributions, and others, will have to be issued during the entire process.

## NEXT STEPS

Given the short term of this work and therefore the general nature of the analyses and recommendations that have been drawn, the following steps should be taken to better understand and address the situation:

1. Review and internal discussion of the recommendations in the city of Quelimane. This should include a presentation of the results of the assessment to the Mayor, his Cabinet the Municipal Assembly, and key stakeholders. This should yield greater insight with regards to the analyses and recommendations.
2. Because of the time ranges of the different recommendations, the time that is left for this administration and the costs that implementing all the recommendations may entail, it is likely that only some of the recommendations will have to be chosen for implementation. This should result from a second round of discussions with the officials and stakeholders listed in the previous point.
3. Based on the results of these discussions, a detailed project document should be elaborated, including a full work plan, a detailed budget, products to be delivered and project management team.
4. Having defined the project in detail, the project team and governing mechanism must be setup. This includes issuing the EO's, assigning and hiring the personnel, and providing space for the operations.
5. Having fulfilled these steps, the project can then begin operations.





# CONCLUSIONS

This study was requested to look at construction licensing in Quelimane. However, as in Maputo and the rest of the country, construction licensing is so closely tied to the questions of land access and property formation that it cannot be understood nor acted-upon independently from these.

Two most significant findings are the issuing of *Titulos de Uso e Aproveitamento da Terra Urbana* currently underway, and the effects that this entails, that is, the removal of the need to process a *Certidão de Benfeitorias* or a *Visitória* in order that a title to the improvements may be issued by the municipality. While the *Visitória* will still be required in order to finalize the construction process and obtain a *Licença de Ocupação*, to not have to undergo a process as cumbersome as the *Legalização* or the *Concessão* is a major step in diminishing the complexity of the construction licensing process.

In consequence, two significant opportunities are left by the *Safe Access to Land* Project: the first is the possibility to undertake a process of basic regularization and formalization of the informal areas that have not been addressed, to issue *TUAT* documents for the parcels of land that can be the subject of those treatments. The second is the possibility to automatically convert the more than 7,000 *Tombos* that are in the Cadastre of the city into *TUATs*, eliminating with this the need for all those in possession of this document to have to undergo the old process of titling the improvements. These opportunities are within reach of the municipality and could be implemented with minor investments, since the major ones have already been carried with support from the MCA.

However, this situation also poses serious challenges, such as how will the municipality continue the work without the strong, technical support that is being provided by external sources. Is the ‘on the job’ training that is being given to technical personnel of the municipal Cadastre sufficient? Is there a need for more municipal officials, especially Senior ones, to become knowledgeable of the new tools, processes and benefits in order that these may be fully realized?

For instance, one of the major, long term changes that the formalization of land tenure will bring is the creation of a formal land tax base. Today, work should already be underway on how to progressively and fairly begin instating a land tax that can represent enormous benefits for Quelimane’s society, economy and territory. Is this being done?

Construction licensing itself does not seem to be as problematic as other areas of municipal administration that have to deal with the direct effects of poverty and informality, as the one described above. However, the process is, like in Maputo, trapped between the processes of land access and of property formation. In addition, responses in this process are, like many others, subject to the work volumes and availability of the Mayor, who is the sole signing authority. Simply delegating signing authority does not seem to be appropriate currently, because of the levels of perceived and in some cases demonstrated corrupted practices. Therefore, what has been recommended is the implementation of an electronic work flow system that can effectively reduce some of the time delays associated with the handling of paper files.

Even though it does not seem problematic, immediate action is required towards establishing mechanisms such as the one described above. This is because with twice the number of formal titles that the municipality has traditionally dealt with, it is very likely that the demand for construction licensing services will also increase. Therefore, the Mayor is advised to ‘think ahead’ and establish this and other mechanisms that may ‘separate’ construction licensing as well as modernize its processes.

A major opportunity that the Quelimane has right in front of it, is the ‘formalization’ of what is already a ‘de facto’ or ‘tacit’ simplified construction license process. This is the case today, since projects are reviewed only once and ‘integrally’, many of them are simply signed off because they apply known techniques, and the municipality really does not have resources to go further. This is the perfect situation in which to simply state in formal terms what is there already. The municipality should therefore seek the way in which, legally, the professional is given the responsibility on the technical aspects of projects. This enables the municipality to not have to review projects ‘ex-ante’ and focus on reviewing them during and at the end of the construction phase.

The opportunities discussed above hold a more important, yet subtle, opportunity for Quelimane: to demonstrate, through action, that some of the most significant reforms that are being sought in Mozambique with regards to these matters, can in fact be implemented.

However, the municipality is faced with a major threat: the fact that it does not have a visible department, and an active one, dedicated to the very important, almost critical, role of ‘thinking in the long term’, of envisioning a future in which society, economy and territory are much more integrated, more balanced and more fair for all inhabitants. The absence of a municipal and land development department has to be taken seriously and the implementation of such department is an imperative that cannot wait any longer.

Therefore, back to the question posed at the beginning of this document, that is, whether or not the problems and solutions that are being explored in the Capital of Maputo, where a similar project is being carried out, could be applicable in this city, the answer is positive. Not only because, as demonstrated here, recommendations such as separating the municipal and land development planning function from the functions of land access, property formation and construction licensing are also applicable here. But also because in Quelimane, ‘big changes’ such as transferring the responsibilities of technical veracity and validity of construction plans are easier to demonstrate (as in fact happens), would seem to be less difficult to implement and therefore could provide the example for others to lead.

The recommendations presented in this document point in the directions that have been drafted here. It is in the political will of H.E. the Mayor of Quelimane, and the members of the Honorable Municipal Assembly, where they ways to obtain the desired changes are resting.

## A NOTE ON REFERENCES

As indicated in the Introduction, the analyses carried out in Quelimane were based on a questionnaire sent in advance by the author and subsequent interviews with the persons who appear listed in the Acknowledgements. Some documents that were consulted, such as the *Plano do Uso do Solo* were properly referenced in the corresponding footnotes.

Therefore, this document does not contain a section on references.

END OF THIS DOCUMENT

