

THE LEGAL ASSISTANCE TRUST OF NAMIBIA
CONSOLIDATED
ANNUAL FINANCIAL STATEMENTS
FOR THE YEAR ENDED
31 DECEMBER 2009



**THE LEGAL ASSISTANCE TRUST OF NAMIBIA
CONSOLIDATED ANNUAL FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31 DECEMBER 2009**

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ADMINISTRATION

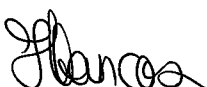
Trustees:	<p><i>D F Smuts</i> <i>H Angula</i> <i>C Daniels</i> <i>E Angula</i> <i>E Schimming-Chase</i> <i>B Uirab</i> <i>T Amupadhi</i> <i>Hon H N Kaiyamo</i></p>	<p><i>(Chairperson)</i></p>
Director:	<p><i>N Tjombe</i> <i>T Hancox</i></p>	<p><i>(resigned 28/02/2010)</i> <i>(appointed 01/03/2010)</i></p>
Auditors:	<p><i>Stier Vente Associates</i></p>	
Address:	<p><i>PO Box 604</i> <i>No 4 Körner Street</i> <i>Windhoek</i></p>	




**THE LEGAL ASSISTANCE TRUST OF NAMIBIA
CONSOLIDATED ANNUAL FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31 DECEMBER 2009**

STATEMENT BY THE TRUSTEES

The consolidated annual financial statements set out on pages 5 to 18 have been approved by the Board of Trustees and are signed on their behalf by:



DIRECTOR



D F SMUTS

WINDHOEK
20 April 2010





STIER VENTE ASSOCIATES
CHARTERED ACCOUNTANTS

Tel: 061-264440 / 60 / 80
e-mail: stihen@iafrica.com.na
Fax: 061-264490
50 Olof Palme Street
P O Box 90001, Klein Windhoek

REPORT OF THE INDEPENDENT AUDITORS

To the trustees and donors of

THE LEGAL ASSISTANCE TRUST OF NAMIBIA

We have audited the annual financial statements of The Legal Assistance Trust of Namibia which comprise the balance sheet as at 31 December 2009, the income statement, the cash flow statement for the year then ended, and a summary of significant accounting policies and other explanatory notes set out on pages 5 to 18.

Trustees' responsibility for the financial statements

The Trustees are responsible for the fair presentation of these annual financial statements in accordance with Statement of Generally Accepted Accounting Practice - NAC001: Financial Reporting for Small and Medium Sized Entities. This responsibility includes: designing, implementing and maintaining internal controls relevant to the preparation and fair presentation of annual financial statements and are free from material misstatements, whether due to fraud or error; selecting and applying appropriate accounting policies; and making accounting estimates that are reasonable in the circumstances.

Auditors' responsibility

Our responsibility is to express an opinion on these annual financial statements based on our audit. We conducted our audit in accordance with International Standards on Auditing. Those standards require that we comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the annual financial statements are free of material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the annual financial statements. The procedures selected depend on the auditors' judgement, including the assessment of the risks of material misstatement of the annual financial statements, whether due to fraud or error. In making those risk assessments, the auditors consider internal control relevant to the entity's preparation and fair presentation of the annual financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by management, as well as evaluating the overall presentation of the annual financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis of our audit opinion.

3/.....

Opinion

In our opinion, the annual financial statements present fairly, in all material respects, the financial position of the Trust at 31 December 2009 and its financial performance and its cash flows for the year then ended in accordance with Statements of Generally Accepted Accounting Practice - NAC001: Financial Reporting for Small and Medium Sized Entities in Namibia.

Stier V. & Associates

**STIER VENTE ASSOCIATES
REGISTERED ACCOUNTANTS AND AUDITORS
CHARTERED ACCOUNTANTS (NAMIBIA)**

WINDHOEK
20 April 2010



THE LEGAL ASSISTANCE TRUST OF NAMIBIA
CONSOLIDATED BALANCE SHEET AS AT 31 DECEMBER 2009

	Note	<u>2009</u>	<u>2008</u>
		N\$	N\$
<u>ASSETS</u>			
NON-CURRENT ASSETS			
<i>Ford Foundation Investment</i>	8	9 964 998	11 643 410
<i>Property, motor vehicles and equipment</i>	3	<u>3 304 409</u>	<u>2 717 648</u>
		<u>13 269 407</u>	<u>14 361 058</u>
CURRENT ASSETS			
<i>Donations receivable</i>	9	840 381	-
<i>Trade and other receivables</i>		300 398	565 621
<i>Cash and cash equivalents</i>		<u>6 672 516</u>	<u>4 132 336</u>
		<u>7 813 295</u>	<u>4 697 957</u>
TOTAL ASSETS		<u>21 082 702</u>	<u>19 059 015</u>
<u>FUNDS AND LIABILITIES</u>			
FUNDS AND RESERVES			
<i>Ford Foundation Special Reserve Fund</i>	8	9 964 998	11 643 410
<i>Accumulated funds</i>	2	<u>7 426 384</u>	<u>6 287 340</u>
<i>Funds and reserves</i>		<u>19 391 382</u>	<u>17 930 750</u>
CURRENT LIABILITIES			
<i>Bridging advance - Special Reserve Fund</i>	8	2 000 000	-
<i>Bank overdraft</i>		-	96 713
<i>Other payables</i>		636 713	522 845
<i>Donations received in advance</i>	4	<u>1 054 607</u>	<u>508 707</u>
		<u>1 691 320</u>	<u>1 128 265</u>
TOTAL FUNDS AND LIABILITIES		<u>21 082 702</u>	<u>19 059 015</u>

**THE LEGAL ASSISTANCE TRUST OF NAMIBIA
CONSOLIDATED INCOME STATEMENT
FOR THE YEAR ENDED 31 DECEMBER 2009**

	Note	<u>2009</u>	<u>2008</u>
		N\$	N\$
INCOME			
Windhoek Office – core unit	5	<u>4 097 085</u>	<u>6 536 228</u>
EXPENDITURE			
Windhoek Office – core unit		<u>(4 096 261)</u>	<u>(3 778 760)</u>
SURPLUS FOR THE YEAR	6	824	2 757 468
ACCUMULATED SURPLUS/(DEFICIT) AT THE BEGINNING OF THE YEAR		<u>2 840 133</u>	<u>82 665</u>
ACCUMULATED SURPLUS AT THE END OF THE YEAR		2 840 957	2 840 133
ACCUMULATED SURPLUS - PROJECTS	7	<u>4 585 427</u>	<u>3 447 207</u>
CONSOLIDATED ACCUMULATED SURPLUS AT THE END OF THE YEAR		<u>7 426 384</u>	<u>6 287 340</u>



**THE LEGAL ASSISTANCE TRUST OF NAMIBIA
CONSOLIDATED CASH FLOW STATEMENT
FOR THE YEAR ENDED 31 DECEMBER 2009**

	Note	<u>2009</u>	<u>2008</u>
		N\$	N\$
CASH FLOWS FROM OPERATING ACTIVITIES			
Cash receipts from donors and SALS		13 633 384	26 839 755
Cash paid to service providers and employees		<u>(12 029 480)</u>	<u>(12 622 943)</u>
Cash generated by operations	10	1 603 904	14 216 812
Interest received		<u>147 376</u>	<u>123 144</u>
Net cash inflow from operating activities		<u>1 751 280</u>	<u>14 339 956</u>
CASH FLOWS FROM INVESTING ACTIVITIES			
Acquisition of motor vehicles and equipment		(889 349)	(600 330)
Proceeds on disposal of motor vehicles and equipment		<u>96 550</u>	<u>20 000</u>
Net cash outflow from investing activities		<u>(792 799)</u>	<u>(580 330)</u>
NET INCREASE IN CASH AND CASH EQUIVALENTS		958 481	13 759 626
CASH AND CASH EQUIVALENTS AT THE BEGINNING OF THE YEAR		<u>15 679 033</u>	<u>1 919 407</u>
CASH AND CASH EQUIVALENTS AT THE END OF THE YEAR	11	<u>16 637 514</u>	<u>15 679 033</u>



THE LEGAL ASSISTANCE TRUST OF NAMIBIA
NOTES TO THE CONSOLIDATED ANNUAL FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31 DECEMBER 2009

1. ACCOUNTING POLICIES

The annual financial statements have been prepared in accordance with Namibian general accepted accounting practice (GAAP), using the historical cost convention as modified by the revaluation of financial assets and liabilities at fair value through the profit and loss and conform to GAAP.

The preparation of the financial statements in conformity with GAAP requires the use of estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reported period based on management's best knowledge of current events and actions. Actual results may ultimately differ from these estimates.

The following are the principal accounting policies of the Trust which are consistent with those applied in prior years:

Income recognition

Revenue comprises donations received and accrued as per donor agreements.

Donation income is recognised to the extent that it is probable that the economic benefits will flow and the amount of revenue can be reliably measured.

Interest income is recognised on a time proportion basis, taking into account the principal outstanding and the effective rate over the period to maturity.

The Trust recognises other income when the Trust's right to receive payment is established.

Taxation

The Legal Assistance Trust is constituted as a trust with a not for gain motive and as such is not liable for income tax. Therefore the trust and its projects are not registered for income tax and the financial statements does not have to disclose income tax, tax liabilities and deferred tax.

Property, motor vehicles and equipment

The project carries buildings, motor vehicles and equipment at historical cost less depreciation and impairment. Historical cost includes expenditure that is directly attributable to the acquisition of the items.

Buildings, motor vehicles and equipment is depreciated on a straight line basis at rates calculated to reduce the book value of the assets to estimated residual values over their expected useful lives.

Residual values of land and buildings are estimated to equal current carrying values, therefore buildings are depreciated at a zero rate.

The depreciation rates used are shown in note 3.



THE LEGAL ASSISTANCE TRUST OF NAMIBIA
NOTES TO THE CONSOLIDATED ANNUAL FINANCIAL STATEMENTS (continued)
FOR THE YEAR ENDED 31 DECEMBER 2009

1. ACCOUNTING POLICIES (continued)

Property, motor vehicles and equipment (continued)

The assets depreciation rates and residual values are reviewed and adjusted if appropriate at each balance sheet date.

Repairs and maintenance are charged to the income statement during the financial period in which they are incurred.

Financial instruments

Financial instruments recognised on the balance sheet include cash and cash equivalents, investments, trade receivables, trade payables and borrowings.

Trade receivables

Trade receivables are carried at original invoice amount less provision made for impairment of these receivables. Such provision for impairment of trade receivables is established if there is objective evidence that the project will not be able to collect all amounts due according to the original terms of receivables.

Trade payables

Trade payables are carried at the fair value of the consideration to be paid in future for goods or services that have been received or supplied and invoiced or formally agreed with the supplier.

Related parties

All related party transactions are incurred in the ordinary course of business and at terms not more favourable than transactions with third parties.

Impairment of assets

Assets are reviewed for impairment whenever events or changes in circumstances indicate that the carrying value may not be recoverable. An impairment loss is recognised for the amount by which the carrying amount of the asset exceeds its recoverable amount, which is the higher of an asset's net selling price and value in use. For the purpose of assessing impairment, assets are grouped at the lowest level for which there are separately identifiable cash flows.

Cash and cash equivalents

For the purposes of the cash flow statement cash and cash equivalents comprise cash on hand, deposits held at call with banks, other short term highly liquid investments with original maturities of three months or less, and bank overdrafts. In the balance sheet, bank overdrafts are separately disclosed under current liabilities.



THE LEGAL ASSISTANCE TRUST OF NAMIBIA
NOTES TO THE CONSOLIDATED ANNUAL FINANCIAL STATEMENTS (continued)
FOR THE YEAR ENDED 31 DECEMBER 2009

1. ACCOUNTING POLICIES (continued)

Leases (lessor)

Assets leased out under operating leases are included in property, plant and equipment in the balance sheet. They are depreciated over their expected useful lives on a basis consistent with similar owned property, plant and equipment. Rental income (net of any incentives given to lessees) is recognised on a straight-line basis over the lease term.

Foreign currency transactions

Foreign currency transactions are translated into the functional currency using the exchange rates prevailing at the dates of the transactions. Foreign exchange gains and losses resulting from the settlement of such transactions and from the translation of monetary assets and liabilities denominated in foreign currencies at year-end exchange rates are recognised in the income statement.

Computer software

Computer software is expensed in the year it is incurred.

Employee benefits

The Trust recognises in full employees' right to annual leave entitlement in respect of past service.

Staff bonuses are accounted for in the period to which they relate.

The Legal Assistance Trust operates a defined contribution plan. The Trust pays contributions to a publicly administered pension insurance plan and has no further payment obligations once the contributions have been paid. The contributions are recognised as employee benefit expenses when they are due.

Provisions

Provisions are recognised when:

- the Trust has a present legal or constructive obligation as a result of past events and
- it is probable that an outflow of resources embodying economic benefits will be required to settle the obligation and
- a reliable estimate of the amount of the obligation can be made.



THE LEGAL ASSISTANCE TRUST OF NAMIBIA
NOTES TO THE CONSOLIDATED ANNUAL FINANCIAL STATEMENTS (continued)
FOR THE YEAR ENDED 31 DECEMBER 2009

	<u>2009</u>	<u>2008</u>			
	N\$	N\$			
2. ACCUMULATED FUNDS					
Windhoek Office	2 840 957	2 840 133			
LAC – Projects	<u>4 585 427</u>	<u>3 447 207</u>			
	<u>7 426 384</u>	<u>6 287 340</u>			
3. PROPERTY, MOTOR VEHICLES AND EQUIPMENT					
	<u>Buildings</u>	<u>Motor vehicles</u>	<u>Computer and office equipment</u>	<u>Furniture & fittings</u>	<u>Total</u>
	N\$	N\$	N\$	N\$	N\$
For the year ended 31/12/2009					
Opening carrying amount	1 909 898	639 603	149 169	18 978	2 717 648
Additions	-	603 078	269 790	16 481	889 349
Disposals	-	-	(5 697)	-	(5 697)
Depreciation	<u>-</u>	<u>(208 014)</u>	<u>(80 856)</u>	<u>(8 021)</u>	<u>(296 891)</u>
Closing carrying amount	<u>1 909 898</u>	<u>1 034 667</u>	<u>332 406</u>	<u>27 438</u>	<u>3 304 409</u>
At 31/12/2009					
At cost	1 909 898	1 953 680	1 474 731	240 909	5 579 218
Accumulated depreciation	<u>-</u>	<u>(919 013)</u>	<u>(1 142 325)</u>	<u>(213 471)</u>	<u>(2 274 809)</u>
Net carrying amount	<u>1 909 898</u>	<u>1 034 667</u>	<u>332 406</u>	<u>27 438</u>	<u>3 304 409</u>



THE LEGAL ASSISTANCE TRUST OF NAMIBIA
NOTES TO THE CONSOLIDATED ANNUAL FINANCIAL STATEMENTS (continued)
FOR THE YEAR ENDED 31 DECEMBER 2009

3. **PROPERTY, MOTOR VEHICLES AND EQUIPMENT (continued)**

	<u>Buildings</u>	<u>Motor vehicles</u>	<u>Computer and office equipment</u>	<u>Furniture & fittings</u>	<u>Total</u>
	N\$	N\$	N\$	N\$	N\$
For the year ended 31/12/2008					
Opening carrying amount	1 909 898	258 091	156 050	22 009	2 346 048
Additions	-	547 990	48 640	3 700	600 330
Depreciation	<u>-</u>	<u>(166 478)</u>	<u>(55 521)</u>	<u>(6 731)</u>	<u>(228 730)</u>
Closing carrying amount	<u>1 909 898</u>	<u>639 603</u>	<u>149 169</u>	<u>18 978</u>	<u>2 717 648</u>
At 31/12/2008					
At cost	1 909 898	1 350 602	1 217 942	224 429	4 702 771
Accumulated depreciation	<u>-</u>	<u>(710 999)</u>	<u>(1 068 773)</u>	<u>(205 451)</u>	<u>(1 985 223)</u>
Net carrying amount	<u>1 909 898</u>	<u>639 603</u>	<u>149 169</u>	<u>18 978</u>	<u>2 717 648</u>
Depreciation rate		25%	20%	20%	

Land and buildings comprise erf no 74, situated in Windhoek, No 4 Körner Street and buildings in Ongwediva.



THE LEGAL ASSISTANCE TRUST OF NAMIBIA
NOTES TO THE CONSOLIDATED ANNUAL FINANCIAL STATEMENTS (continued)
FOR THE YEAR ENDED 31 DECEMBER 2009

	<u>2009</u>	<u>2008</u>
	N\$	N\$
3. PROPERTY, MOTOR VEHICLES AND EQUIPMENT <i>(continued)</i>		
<i>Buildings, Ongwediva</i>	<u>387 873</u>	<u>387 873</u>
 <i>Land and buildings, erf no 74, Windhoek</i>		
- at cost 1993	709 621	709 621
 <i>Improvements at cost</i>		
- 1993	167 736	167 736
- 1994	5 791	5 791
- 1995	157 916	157 916
- 1996	12 307	12 307
- 2007	466 126	466 126
- 2008	<u>2 528</u>	<u>2 528</u>
	<u>1 522 025</u>	<u>1 522 025</u>
	<u>1 909 898</u>	<u>1 909 898</u>
 4. DONATIONS RECEIVED IN ADVANCE		
<i>HIVOS</i>		
- <i>Human Rights and Constitution</i>	703 126	-
 <i>Ford Foundation</i>		
- <i>Aids Law Unit Project and Human Rights and Constitutional Unit</i>	325 127	508 707
 <i>Ministry of Gender Equality and Child Welfare</i>		
- <i>Gender Issues Project</i>	<u>26 354</u>	<u>-</u>
	<u>1 054 607</u>	<u>508 707</u>



THE LEGAL ASSISTANCE TRUST OF NAMIBIA
NOTES TO THE CONSOLIDATED ANNUAL FINANCIAL STATEMENTS (continued)
FOR THE YEAR ENDED 31 DECEMBER 2009

	<u>2009</u>	<u>2008</u>
	N\$	N\$
5. INCOME		
<i>Africa Group of Sweden</i>	1 586 791	1 289 406
<i>Amnesty International</i>	-	55 856
<i>Basler Africa Bibliographien</i>	-	500
<i>Black Opal</i>	5 993	-
<i>Embassy of Finland</i>	1 189 000	-
<i>European Commission</i>	31 325	-
<i>Legal Resource Foundation</i>	156 814	7 919
<i>Namibia Law Report</i>	80 186	211 692
<i>Nassau Community College</i>	-	346
<i>Pupkewitz Holdings</i>	1 500	1 500
<i>SALAN</i>	800	-
<i>Special Reserve Fund drawings</i>	461 233	4 349 067
<i>Stanford University</i>	<u>36 800</u>	<u>30 064</u>
	3 550 442	5 946 350
OTHER INCOME	<u>546 643</u>	<u>589 878</u>
	<u>4 097 085</u>	<u>6 536 228</u>
6. SURPLUS FOR THE YEAR		
<i>Is stated after charging:</i>		
<i>Auditors' remuneration</i>		
- <i>audit fees - current year</i>	70 750	70 705
- <i>audit fees - prior year underprovision</i>	62 635	24 688
- <i>accounting services</i>	<u>4 500</u>	<u>2 300</u>
	<u>137 885</u>	<u>97 693</u>
<i>Depreciation</i>	296 891	228 730
<i>Interest received</i>	(147 376)	(123 144)
<i>Profit on disposal of motor vehicles and equipment</i>	(90 853)	(20 000)
<i>Rent received</i>	<u>(6 500)</u>	<u>(53 289)</u>
7. ACCUMULATED SURPLUS PROJECTS		
<i>Community Paralegal Volunteer Training</i>	-	376 105
<i>Aids Law Unit</i>	427 665	(103 869)
<i>Lead Project</i>	2 710 884	1 962 108
<i>Gender</i>	1 201 256	990 993
<i>Human Rights and Constitutional Unit</i>	<u>245 622</u>	<u>221 870</u>
	<u>4 585 427</u>	<u>3 447 207</u>



THE LEGAL ASSISTANCE TRUST OF NAMIBIA
NOTES TO THE CONSOLIDATED ANNUAL FINANCIAL STATEMENTS (continued)
FOR THE YEAR ENDED 31 DECEMBER 2009

7. ACCUMULATED SURPLUS PROJECTS (continued)

The Legal Assistance Trust (via The Legal Assistance Centre - Windhoek) manages the projects and controls the disbursements.

All surpluses may be subject to refund.

	<u>2009</u>	<u>2008</u>
	N\$	N\$
8. FORD FOUNDATION SPECIAL RESERVE FUND		
Redemption of SALS - Ford Foundation capital reserve fund	15 040 547	15 040 547
Interest received since inception	<u>1 734 751</u>	<u>951 930</u>
	16 775 298	15 992 477
Less: Funding of LAC Core activities - Windhoek Office - 2008	4 349 067	4 349 067
Funding of LAC Core activities - Windhoek Office - 2009	461 233	-
Bridging advance - Windhoek Office	<u>2 000 000</u>	<u>-</u>
Special Reserve Fund at the end of the year	<u>9 964 998</u>	<u>11 643 410</u>
 The Special Reserve Fund is represented by:		
First National Bank of Namibia Limited		
- call account	11 467 217	12 817 670
Less: LEAD project investment included	1 143 622	1 065 586
Gender project investment included	<u>358 597</u>	<u>108 674</u>
	<u>9 964 998</u>	<u>11 643 410</u>

The Ford Foundation Special Reserve Fund originates from a donation of the Ford Foundation of US\$ 1 000 000 in 1995 and was invested for the benefit of the LAC by the Southern African Legal Service Foundation.

On 8 February 2009, The Legal Assistance Trust and the Southern African Legal Services signed an agreement to transfer the Capital Reserve Fund to Namibia. An amount of US\$ 1 953 326,32 was transferred.

The fund is under control of the Trustees of the Legal Assistance Trust and may only be utilised to cover LAC Core Unit - Windhoek expenditure. Trustees resolutions are necessary to utilise funds of the Ford Foundation Special Reserve.



THE LEGAL ASSISTANCE TRUST OF NAMIBIA
NOTES TO THE CONSOLIDATED ANNUAL FINANCIAL STATEMENTS (continued)
FOR THE YEAR ENDED 31 DECEMBER 2009

	<u>2009</u>	<u>2008</u>
	N\$	N\$
9. DONATIONS RECEIVABLE		
UNICEF		
- Gender Issues Project	<u>314 992</u>	<u>-</u>
African Group of Sweden	523 889	-
Pupkewitz Holding	<u>1 500</u>	<u>-</u>
Windhoek Office – core unit	<u>525 389</u>	<u>-</u>
TOTAL	<u><u>840 381</u></u>	<u><u>-</u></u>
10. RECONCILIATION OF INCOME BEFORE TAXATION TO CASH GENERATED BY OPERATIONS		
Net income for the year	3 139 044	4 056 436
Adjusted for:		
Depreciation	296 891	228 730
Ford Foundation Special Reserve	(1 678 412)	11 643 410
Interest received	(147 376)	(123 144)
Profit on sale of assets	<u>(90 853)</u>	<u>(20 000)</u>
Operating cash flow before working capital changes	1 519 294	15 785 432
Increase in donations receivable	(840 381)	-
Decrease in trade and other receivables	265 223	24 731
Increase/(decrease) in trade and other payables	113 868	(173 029)
Increase/(decrease) in donations received in advance	<u>545 900</u>	<u>(1 420 322)</u>
CASH GENERATED BY OPERATIONS	<u><u>1 603 904</u></u>	<u><u>14 216 812</u></u>
11. CASH AND CASH EQUIVALENT		
Cash and cash equivalent comprise of:		
First National Bank of Namibia Limited		
- call account	11 467 217	12 817 670
First National Bank of Namibia Limited		
- current accounts	<u>5 170 297</u>	<u>2 861 363</u>
	<u><u>16 637 514</u></u>	<u><u>15 679 033</u></u>



THE LEGAL ASSISTANCE TRUST OF NAMIBIA
NOTES TO THE CONSOLIDATED ANNUAL FINANCIAL STATEMENTS (continued)
FOR THE YEAR ENDED 31 DECEMBER 2009

12. **PROJECTS ADMINISTERED BY THE LEGAL ASSISTANCE TRUST**

Community Paralegal Training Project

This project came to an end on 31 December 2009. No additional funding was received. The project utilised the surplus from the prior year and core funding was received by LAT. All assets and liabilities were transferred to LAT at the close off of the project.

Human Rights Constitutional Unit

The Ford Foundation granted US\$ 200 000.00 to the project for the period of two years from 1 July 2008 to 30 June 2009. The Humanist Institute for co-operation with developing countries (HIVOS) granted € 240 000.00 to the project for the period of two years from July 2009 to August 2011.

Aids Law Unit

The Ford Foundation agreed to fund the project with USD 200 000 for the period of two years from 1 September 2009 until 31 May 2010. Matching grants have to be secured from other sources. IBIS Wus Denmark funded the project for the year under review with N\$ 984 516 and PACT Agencies Collaborating Together with N\$ 2 051 969. UNDP with N\$ 889 200 and Social Marketing Association with N\$ 357 155. Various other smaller grants have been received towards this project covering the remaining third party contribution towards this project.

Gender Research and Advocacy

UNICEF granted N\$ 1 574 961.00 to the project for the period February 2009 to December 2009.

The Dutch Ministry – MDG3 agreed to fund the project with € 749 991.67 for the period of two years from June 2009 to June 2011.

An amount of N\$ 150 365.00 from other donors was received.

Land, Environment and Development Project

The Evangelischer Entwicklungsdienst (EED) granted Euro 490 000 to the project for the period of two and a half years from September 2008 to June 2010. This grant covers 83,76% of the budgeted project expenses up to a maximum of Euro 490 000. During the current period these other expenses have been covered by grants of the Embassy of Finland and HIVOS.

All unspent funds at the end of a project may be subject to refund at the discretion of the donors.



THE LEGAL ASSISTANCE TRUST OF NAMIBIA
NOTES TO THE CONSOLIDATED ANNUAL FINANCIAL STATEMENTS (continued)
FOR THE YEAR ENDED 31 DECEMBER 2009

13. FINANCIAL RISK MANAGEMENT

In the normal course of its operations, the Trust is exposed to credit, liquidity, interest rate, currency and operational risk. The Trust manages these risks as follows:

Credit risk:

The Trust has policies in place to ensure that sales and services are made to organisations with an appropriate credit history. The Trust has policies that limit the amount of credit risk exposure to any one financial institution, and cash transactions are limited to high credit quality financial institutions.

Liquidity risk:

Prudent liquidity risk management implies maintaining sufficient cash and marketable securities and the availability of funding through an adequate amount of committed credit facilities.

Interest rate risk:

As part of managing interest rate exposure, interest rate characteristics of borrowings will be positioned according to expected movements in interest rates

Foreign currency risk:

Foreign currency risk is created due to the influence of exchange rate fluctuations. The Trust has a policy to take out cover on foreign currency transactions only as agreed by the Board.

Operational risk:

Operational risk is inherent in the Trust's operation. The goal is to manage the risk to acceptable levels and to minimise unexpected events.



THE LEGAL ASSISTANCE TRUST OF NAMIBIA
WINDHOEK OFFICE
INCOME STATEMENT
FOR THE YEAR ENDED 31 DECEMBER 2009

	<u>2009</u>	<u>2008</u>
	N\$	N\$
DONATIONS RECEIVED		
<i>Africa Group of Sweden</i>	523 889	1 289 406
<i>Amnesty International</i>	-	55 856
<i>Basler Africa Bibliographien</i>	-	500
<i>Black Opal</i>	5 993	-
<i>Embassy of Finland</i>	1 189 000	-
<i>European Commission</i>	31 325	-
<i>Legal Resource Foundation</i>	156 814	7 919
<i>Namibia Law Report</i>	80 186	211 692
<i>Nassau Community College</i>	-	346
<i>Pupkewitz Holdings</i>	1 500	1 500
<i>Drawing from Ford Foundation - Special Reserve Fund</i>	461 233	4 349 067
<i>SALAN</i>	800	-
<i>Stanford University</i>	36 800	30 064
<i>Swedish International Development Agency - SIDA</i>	<u>1 062 902</u>	<u>-</u>
	<u>3 550 442</u>	<u>5 946 350</u>
OTHER INCOME		
<i>Arbitration income</i>	128 289	-
<i>Bookkeeping and management fees</i>	102 400	120 158
<i>Consulting income</i>	120 881	-
<i>Council meeting income</i>	2 400	1 200
<i>Foreign exchange gain</i>	27 498	-
<i>Gala dinner</i>	250	62 570
<i>Interest received</i>	2 484	6 027
<i>Labour manuals, booklets and manuals</i>	-	70
<i>Legal fees recovered</i>	2 000	500
<i>Photocopy income</i>	331	46 715
<i>Profit on sale of motor vehicles and equipment</i>	-	20 000
<i>Rent received</i>	80 767	183 295
<i>Sundry income</i>	5 306	64 066
<i>Transport income</i>	<u>74 037</u>	<u>85 277</u>
	<u>546 643</u>	<u>589 878</u>
TOTAL INCOME	4 097 085	6 536 228
<i>Less: EXPENDITURE (page 6)</i>	<u>(4 096 261)</u>	<u>(3 778 760)</u>
SURPLUS FOR THE YEAR	824	2 757 468
SURPLUS AT THE BEGINNING OF THE YEAR	<u>2 840 133</u>	<u>82 665</u>
SURPLUS AT THE END OF THE YEAR	<u>2 840 957</u>	<u>2 840 133</u>



THE LEGAL ASSISTANCE TRUST OF NAMIBIA
WINDHOEK OFFICE
SCHEDULE OF EXPENDITURE
FOR THE YEAR ENDED 31 DECEMBER 2009

	<u>2009</u>	<u>2008</u>
	N\$	N\$
<i>Amnesty expenses</i>	-	47 359
<i>Auditors' remuneration</i>	60 030	50 170
<i>Bad debts</i>	34 595	-
<i>Bank charges</i>	31 805	29 088
<i>Computer support</i>	91 692	81 548
<i>Consultancy fees</i>	219 240	70 576
<i>Contributions</i>		
- <i>Community Paralegal Volunteer Training</i>	61 793	-
<i>Counsel fees</i>	46 985	39 278
<i>Depreciation</i>	88 512	103 049
<i>Entertainment</i>	8 613	2 822
<i>Insurance and licences</i>	70 748	53 048
<i>Legal fees</i>	5 963	3 436
<i>Maintenance</i>		
- <i>other expenses</i>	54 819	89 431
- <i>vehicles</i>	26 313	39 863
- <i>yard</i>	40 772	27 660
<i>Municipal expenses</i>	96 266	61 547
<i>Namdeb</i>	15 819	2 000
<i>Office expenses</i>	30 920	22 359
<i>Petrol</i>	158 360	170 906
<i>Publications</i>	14 711	35 765
<i>Recruiting of professional and administrative staff</i>	72 094	43 119
<i>Salaries and staff benefits</i>	2 236 784	2 243 459
<i>Security costs</i>	137 071	130 113
<i>Seminars and workshops</i>	68 321	93 032
<i>Staff development costs</i>	18 908	26 909
<i>Stationery and printing</i>	133 016	117 939
<i>Subscriptions to legal publications</i>	1 000	500
<i>Telephone, telefax and postage</i>	178 099	98 979
<i>Travelling and accommodation</i>	93 012	94 805
	<u>4 096 261</u>	<u>3 778 760</u>



**THE LEGAL ASSISTANCE TRUST OF NAMIBIA
LAND, ENVIRONMENT AND DEVELOPMENT PROJECT
INCOME STATEMENT
FOR THE YEAR ENDED 31 DECEMBER 2009**

	<u>2009</u>	<u>2008</u>
	N\$	N\$
INCOME		
<i>Donations received</i>		
- Embassy of Finland	765 000	570 000
- H I V O S	464 700	558 862
- Evangelischer Entwicklungsdienst (EED)	1 413 851	2 091 191
- Namibian Association of Norway (NAMAS)	-	33 834
<i>Consulting income</i>		
- Namibia Institute of Democracy (NID)	-	3 800
- WIMSA	-	10 000
- Gesellschaft für Technische Zusammenarbeit (GTZ)	-	152 614
- Land matters	110	79 786
- Ethosha Haikom	1 890	74 700
- Stiftung Open Society	-	6 720
- Programme for Land and Agrarian Studies (PLAAS)	125 184	87 989
- Institute for Security Studies (ISS)	-	20 000
- German Embassy	-	23 980
- Namibia Economic Policy Research Unit (NEPRU)	-	4 000
<i>Other income</i>		
- interest received	82 159	77 164
- publication income	46 545	6 761
- profit on sale of fixed assets	90 853	-
	<u>2 990 292</u>	<u>3 801 401</u>
EXPENDITURE		
Auditors' remuneration	21 620	12 506
Bad debts	980	-
Bank charges	15 660	12 206
Communications	20 584	37 401
Depreciation	39 196	63 603
Insurance	41 615	38 822
Management fees	64 400	90 000
Maintenance		
- motor vehicle	<u>26 377</u>	<u>53 716</u>
BALANCE CARRIED FORWARD	230 432	308 254



THE LEGAL ASSISTANCE TRUST OF NAMIBIA
LAND, ENVIRONMENT AND DEVELOPMENT PROJECT
INCOME STATEMENT (continued)
FOR THE YEAR ENDED 31 DECEMBER 2009

	<u>2009</u>	<u>2008</u>
	N\$	N\$
<i>EXPENDITURE (continued)</i>		
BALANCE BROUGHT FORWARD	230 432	308 254
Professional fees	519 568	245 909
Research		
- publications	99 201	55 770
- travel	60 132	54 317
Rent paid	-	14 400
Staff remuneration	1 019 866	1 088 723
Stationery and subscription	3 941	21 715
Water and electricity	-	7 440
Workshops and conferences	<u>308 376</u>	<u>536 574</u>
	<u>2 241 516</u>	<u>2 333 102</u>
SURPLUS FOR THE YEAR	748 776	1 468 299
ACCUMULATED FUNDS AT THE BEGINNING OF THE YEAR	<u>1 962 108</u>	<u>493 809</u>
ACCUMULATED FUNDS AT THE END OF THE YEAR	<u>2 710 884</u>	<u>1 962 108</u>



**THE LEGAL ASSISTANCE TRUST OF NAMIBIA
GENDER RESEARCH AND ADVOCACY PROJECT
INCOME STATEMENT
FOR THE YEAR ENDED 31 DECEMBER 2009**

	<u>2009</u>	<u>2008</u>
	N\$	N\$
INCOME		
<i>Donations received</i>		
- HIVOS	-	558 863
- Royal Danish Embassy	-	294 380
- Namibia Institute for Democracy	-	45 916
- The Social Development Fund (SDF):		
French Embassy	45 807	412 261
- Royal Netherlands Embassy	-	18 507
- Dutch Ministry – MDG3	1 761 792	-
- UNICEF	1 574 961	232 100
- Ministry of Gender Equity and Child Welfare	104 558	-
<i>Interest received</i>	54 881	16 573
<i>Consulting fees received</i>	22 500	37 910
<i>Legal fees recovered</i>	-	30 000
<i>Publication sales</i>	<u>18 174</u>	<u>28 466</u>
	<u>3 582 673</u>	<u>1 674 976</u>
EXPENDITURE		
<i>Administration costs</i>	127 097	73 967
<i>Bookkeeping fees</i>	18 000	15 000
<i>Computer costs</i>	35 298	1 530
<i>Consultants</i>	396 875	175 094
<i>Court settlement</i>	-	5 000
<i>Depreciation</i>	60 296	5 693
<i>Field research</i>	34 965	1 000
<i>Litigation</i>	-	20 700
<i>Management fees</i>	20 000	-
<i>Office rent</i>	56 346	27 000
<i>Publications</i>	943 873	367 853
<i>Salaries and staff benefits</i>	1 257 205	496 929
<i>Telephone and fax</i>	3 710	3 620
<i>Workshops</i>	<u>418 745</u>	<u>126 796</u>
	<u>3 372 410</u>	<u>1 320 182</u>
SURPLUS FOR THE YEAR	210 263	354 794
SURPLUS AT THE BEGINNING OF THE YEAR	<u>990 993</u>	<u>636 199</u>
SURPLUS AT THE END OF THE YEAR	<u>1 201 256</u>	<u>990 993</u>



**THE LEGAL ASSISTANCE TRUST OF NAMIBIA
HUMAN RIGHTS AND CONSTITUTIONAL UNIT
INCOME STATEMENT
FOR THE YEAR ENDED 31 DECEMBER 2009**

	<u>2009</u>	<u>2008</u>
	N\$	N\$
INCOME		
<i>Donations received</i>		
- HIVOS	464 700	-
- Ford Foundation	671 270	853 527
- US Embassy	-	248 961
Legal fees reimbursed	-	19 957
Interest received	4 978	9 157
Other donations	-	7 681
	<u>1 140 948</u>	<u>1 139 283</u>
EXPENDITURE		
<i>Administration costs</i>	4 796	32 182
<i>Auditors' remuneration</i>	9 200	9 056
<i>Council and legal fees</i>	236 187	36 340
<i>Foreign exchange loss</i>	68 044	-
<i>Insurance</i>	10 763	13 728
<i>Publications</i>	71 662	-
<i>Rent</i>	-	25 000
<i>Repairs and maintenance</i>		
- motor vehicles	11 950	2 136
<i>Staff remuneration</i>	618 629	708 125
<i>Telephone, fax, postage and stationery</i>	42 166	8 785
<i>Text books and subscriptions</i>	43 049	57 919
<i>Travel and accommodation</i>	750	24 142
	<u>1 117 196</u>	<u>917 413</u>
SURPLUS FOR THE YEAR	23 752	221 870
ACCUMULATED FUNDS AT THE BEGINNING OF THE YEAR	<u>221 870</u>	<u>-</u>
ACCUMULATED FUNDS AT THE END OF THE YEAR	<u>245 622</u>	<u>221 870</u>

THE LEGAL ASSISTANCE TRUST OF NAMIBIA
AIDS LAW UNIT
INCOME STATEMENT
FOR THE YEAR ENDED 31 DECEMBER 2009

	Note	<u>2009</u>	<u>2008</u>
		N\$	N\$
INCOME			
<i>Donations received</i>			
- IBIS		984 516	823 675
- Ford Foundation		670 606	616 915
- Population Service		-	106 537
- Open Society Initiative for Southern Africa (OSISA)		45 000	2 189
- Other		-	18 995
- Social Marketing Association		357 155	96 408
- Tusano – Human Rights PLWHA Program		71 430	-
- United Nations Development Programme		889 200	-
- Del Mundo PA		46 355	-
- ARASA		99 500	-
 <i>Presentation income</i>			
- PACT Agencies Collaborating Together		2 051 969	1 272 168
 <i>Other income</i>		48 369	61 470
 <i>Interest received</i>		<u>219</u>	<u>2 736</u>
		<u>5 264 319</u>	<u>3 001 093</u>
 EXPENDITURE			
<i>Auditors' remuneration</i>		11 730	8 855
<i>Bank charges</i>		40 613	36 247
<i>Depreciation</i>		105 620	53 266
<i>Education and training material</i>		337 531	123 788
<i>Institutional strengthening</i>		168 607	350 381
<i>Insurance</i>		63 075	66 665
<i>Legal fees</i>		214 889	5 108
<i>Maintenance</i>			
- equipment		38 516	42 370
- vehicles		41 520	53 950
<i>Meetings</i>		4 785	15 995
<i>Office expenses</i>		32 901	31 873
<i>Professional fees</i>		337 304	27 925
<i>Recruiting</i>		10 290	10 569
<i>Rent</i>		<u>32 100</u>	<u>33 600</u>
 BALANCE CARRIED FORWARD		1 439 481	860 592



THE LEGAL ASSISTANCE TRUST OF NAMIBIA
AIDS LAW UNIT
INCOME STATEMENT (continued)
FOR THE YEAR ENDED 31 DECEMBER 2009

	Note	<u>2009</u>	<u>2008</u>
		N\$	N\$
<i>EXPENDITURE (continued)</i>			
BALANCE BROUGHT FORWARD		1 439 481	860 592
Staff remuneration		2 222 270	1 637 602
Stakeholders meetings		-	15 397
Stationery		14 874	42 903
Subscription		850	-
Telephone, fax and postage		88 155	110 786
Travelling		108 610	222 573
Water and electricity		39 312	35 321
Workshops		<u>688 094</u>	<u>777 440</u>
		<u>4 601 646</u>	<u>3 702 614</u>
SURPLUS/(DEFICIT) FOR THE YEAR		662 673	(701 521)
UNUTILISED FUNDS PAID BACK TO - PACT Agencies Collaborating Together		(131 139)	-
ACCUMULATED FUNDS AT THE BEGINNING OF THE YEAR		<u>(103 869)</u>	<u>597 652</u>
ACCUMULATED FUNDS/(DEFICIT) AT THE END OF THE YEAR		<u>427 665</u>	<u>(103 869)</u>

**THE LEGAL ASSISTANCE TRUST OF NAMIBIA
COMMUNITY PARALEGAL VOLUNTEER TRAINING
INCOME STATEMENT
FOR THE PERIOD ENDED 31 DECEMBER 2009**

	<u>2009</u>	<u>2008</u>
	N\$	N\$
INCOME AND CONTRIBUTIONS		
- The Legal Assistance Trust of Namibia – Core funds	61 792	-
Interest received	<u>2 874</u>	<u>11 487</u>
	<u>64 666</u>	<u>11 487</u>
EXPENDITURE		
Administration		
Audit fee	7 130	6 900
Bank charges	1 411	1 090
Computer maintenance and support	3 267	3 117
Insurance	2 126	-
Photocopies and stationery	-	14
Telephone, fax and internet	<u>5 779</u>	<u>-</u>
Total administration	<u>19 713</u>	<u>11 121</u>
Activities		
Training and workshops - Communities	207 343	-
Training and workshops - Paralegals	6 715	415
AGM of NPA	54 550	3 850
Support to service points	<u>54 429</u>	<u>-</u>
Total activities	<u>323 037</u>	<u>4 265</u>
Personnel		
Coordinator - CPVT salary and benefits	<u>98 021</u>	<u>40 575</u>
Total personnel	<u>98 021</u>	<u>40 575</u>
Total expenditure	<u>440 771</u>	<u>55 961</u>
DEFICIT FOR THE YEAR	(376 105)	(44 474)
SURPLUS AT THE BEGINNING OF THE YEAR	<u>376 105</u>	<u>420 579</u>
SURPLUS AT THE END OF THE YEAR	<u>-</u>	<u>376 105</u>

