

**THE LEGAL ASSISTANCE TRUST OF NAMIBIA**  
**CONSOLIDATED**  
**ANNUAL FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED**  
**31 DECEMBER 2016**



**THE LEGAL ASSISTANCE TRUST OF NAMIBIA  
CONSOLIDATED ANNUAL FINANCIAL STATEMENTS  
FOR THE YEAR ENDED 31 DECEMBER 2016**

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**ADMINISTRATION**

<b>Trustees:</b>	<p><i>C Daniels</i> (Chairperson)</p> <p><i>T Amupadhi</i></p> <p><i>E Angula</i></p> <p><i>E Schimming-Chase</i></p> <p><i>N Tjombe</i></p> <p><i>B Uirab</i></p> <p><i>N Kaiyamo</i></p>
 <b>Director:</b>	 <i>T Hancox</i>
 <b>Auditors:</b>	 <i>Stier Vente Associates</i>
 <b>Address:</b>	 <i>PO Box 604</i> <i>Marien Ngouabi Street</i> <i>Windhoek</i>



**THE LEGAL ASSISTANCE TRUST OF NAMIBIA  
CONSOLIDATED ANNUAL FINANCIAL STATEMENTS  
FOR THE YEAR ENDED 31 DECEMBER 2016**

**STATEMENT BY THE TRUSTEES**

*The consolidated annual financial statements set out on pages 6 to 28 have been approved by the Board of Trustees and are signed on their behalf by:*



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**T HANCOX**



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**C DANIELS**

**WINDHOEK  
3 May 2017**



**REPORT OF THE INDEPENDENT AUDITORS**

**To the trustees and donors of**

**THE LEGAL ASSISTANCE TRUST OF NAMIBIA**

**Opinion**

*We have audited the consolidated annual financial statements of the The Legal Assistance Trust of Namibia set out on pages 6 to 28, which comprise the balance sheet as at 31 December 2016, the income statement, the cash flow statement for the year then ended, and the notes to the annual financial statements, including a summary of significant accounting policies.*

*In our opinion, the consolidated annual financial statements present fairly, in all material respects, the financial position of the project as at 31 December 2016, and its financial performance and cash flows for the year then ended in accordance with Namibian Statements of General Accepted Accounting Practice NAC 001: Financial Reporting for Small and Medium Sized Entities.*

**Basis for opinion**

*We conducted our audit in accordance with International Standards on Auditing (ISAs). Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are independent of the project in accordance with the independence requirements applicable to performing audits of financial statements in Namibia which is consistent with the International Ethics Standards Board for Accountants Code of Ethics for Professional Accountants (Parts A and B). We have fulfilled our other ethical responsibilities in accordance with the ethical requirements applicable to performing audits in Namibia. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.*

**Other information**

*Our opinion on the consolidated annual financial statements does not cover the other information and we do not express an audit opinion or any form of assurance conclusion thereon.*

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### **Other information (continued)**

*In connection with our audit of the consolidated annual financial statements, our responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements or our knowledge obtained in the audit, or otherwise appears to be materially misstated.*

*If, based on the work we have performed on the other information that we obtained prior to the date of this auditor's report, we conclude that there is a material misstatement of this other information, we are required to report that fact. We have nothing to report in this regard.*

### **Responsibilities of the Trustees for the consolidated annual financial statements**

*The Trustees are responsible for the preparation and fair presentation of the consolidated annual financial statements in accordance with Namibian Statements of General Accepted Accounting Practice NAC 001: Financial Reporting for Small and Medium Sized Entities, and for such internal control as the Trustees determine is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.*

*In preparing the consolidated annual financial statements, the Trustees are responsible for assessing the project's ability to continue as a going concern, disclosing, as applicable matters related to going concern and using the going concern basis of accounting unless the Trustees either intend to liquidate the project or to cease operations, or have no realistic alternative but to do so.*

### **Auditor's responsibilities for the audit of the consolidated annual financial statements**

*Our objectives are to obtain reasonable assurance about whether the consolidated annual financial statements as a whole are free from material misstatement, whether due to fraud or error and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with ISAs will always detect a material misstatement when it exists.*

*Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these consolidated annual financial statements.*

*As part of an audit in accordance with ISAs, we exercise professional judgement and maintain professional skepticism throughout the audit. We also:*

- ❖ *Identify and assess the risks of material misstatement of the consolidated annual financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.*
- ❖ *Obtain an understanding of internal control relevant to the audit 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 project's internal control.*
- ❖ *Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the Trustees.*

**Auditor's responsibilities for the audit of the consolidated annual financial statements (continued)**

- ❖ Conclude on the appropriateness of the Trustees' use of the going concern basis of accounting and based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the project's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the project to cease to continue as a going concern.
- ❖ Evaluate the overall presentation, structure and content of the consolidated annual financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- ❖ Obtain sufficient appropriate audit evidence regarding the financial information of the entities or business responsible for the direction, supervision and performance of the audit. We remain solely responsible for our audit opinion.

We communicate with the Trustees regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

We also provide the Trustees with a statement that we have complied with relevant ethical requirements regarding independence, and to communicate with them all relationships and other matters that may reasonably be thought to bear on our independence, and where applicable, related safeguards.

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

Per: B Vente  
 Partner

WINDHOEK, 3 May 2017



**THE LEGAL ASSISTANCE TRUST OF NAMIBIA**  
**CONSOLIDATED BALANCE SHEET AS AT 31 DECEMBER 2016**

	Note	<u>2016</u>	<u>2015</u>
		N\$	N\$
<b><u>ASSETS</u></b>			
<b>NON-CURRENT ASSETS</b>			
<i>Ford Foundation Investment</i>	7	12 644 360	13 962 379
<i>Property, motor vehicles and equipment</i>	3	<u>10 471 690</u>	<u>10 518 909</u>
		<u>23 116 050</u>	<u>24 481 288</u>
<b>CURRENT ASSETS</b>			
<i>Donations receivable</i>		341 285	-
<i>Trade and other receivables</i>		55 546	200 582
<i>Cash and cash equivalents</i>		<u>5 242 086</u>	<u>6 248 936</u>
		<u>5 638 917</u>	<u>6 449 518</u>
<b>TOTAL ASSETS</b>		<u>28 754 967</u>	<u>30 930 806</u>
 <b><u>FUNDS AND LIABILITIES</u></b>			
<b>FUNDS AND RESERVES</b>			
<i>Ford Foundation Special Reserve Fund</i>	7	12 644 360	13 962 379
<i>Revaluation Reserve</i>		8 532 975	8 532 975
<i>Accumulated funds</i>	2	<u>4 623 753</u>	<u>7 263 369</u>
<i>Funds and reserves</i>		<u>25 801 088</u>	<u>29 758 723</u>
<b>CURRENT LIABILITIES</b>			
<i>Donations received in advance</i>		840 230	-
<i>Other payables</i>		<u>2 113 649</u>	<u>1 172 082</u>
		<u>2 953 879</u>	<u>1 172 083</u>
<b>TOTAL FUNDS AND LIABILITIES</b>		<u>28 754 967</u>	<u>30 930 806</u>



**THE LEGAL ASSISTANCE TRUST OF NAMIBIA**  
**CONSOLIDATED INCOME STATEMENT**  
**FOR THE YEAR ENDED 31 DECEMBER 2016**

	Note	<u>2016</u>	<u>2015</u>
		N\$	N\$
<b>INCOME</b>			
Windhoek Office – core unit	4	<u>6 360 402</u>	<u>4 429 283</u>
<b>EXPENDITURE</b>			
Windhoek Office – core unit		<u>(7 166 826)</u>	<u>(5 145 636)</u>
<b>DEFICIT FOR THE YEAR</b>	5	<b>(806 424)</b>	<b>(716 353)</b>
<b>ACCUMULATED SURPLUS AT THE BEGINNING OF THE YEAR</b>		<u>2 915 735</u>	<u>3 632 088</u>
<b>ACCUMULATED SURPLUS AT THE END OF THE YEAR</b>		2 109 311	2 915 735
<b>ACCUMULATED SURPLUS - PROJECTS</b>	5,6	<u>2 514 442</u>	<u>4 347 634</u>
<b>CONSOLIDATED ACCUMULATED SURPLUS AT THE END OF THE YEAR</b>		<u>4 623 753</u>	<u>7 263 369</u>





**THE LEGAL ASSISTANCE TRUST OF NAMIBIA**  
**CONSOLIDATED CASH FLOW STATEMENT**  
**FOR THE YEAR ENDED 31 DECEMBER 2016**

	Note	<u>2016</u>	<u>2015</u>
		N\$	N\$
<b>CASH FLOWS FROM OPERATING ACTIVITIES</b>			
Cash receipts from donors		10 227 880	12 676 481
Cash paid to service providers and employees		<u>(12 502 437)</u>	<u>(12 874 134)</u>
Cash utilised by operations	8	(2 274 557)	(197 653)
Interest received		<u>177 951</u>	<u>148 807</u>
Net cash outflow from operating activities		<u>(2 096 606)</u>	<u>(48 846)</u>
<b>CASH FLOWS FROM INVESTING ACTIVITIES</b>			
Acquisition of motor vehicles and equipment		(146 597)	(63 406)
Proceeds on disposal of motor vehicles and equipment		<u>8 691</u>	<u>11 783</u>
Net cash outflow from investing activities		<u>(137 906)</u>	<u>(60 756)</u>
<b>CASH FLOWS FORM FINANCING ACTIVITIES</b>			
Repayment GIZ funding		<u>(90 357)</u>	-
Net cash outflow from financing activities		<u>(90 357)</u>	-
NET DECREASE IN CASH AND CASH EQUIVALENTS		(2 324 869)	(100 469)
CASH AND CASH EQUIVALENTS AT THE BEGINNING OF THE YEAR		<u>20 211 315</u>	<u>20 311 784</u>
CASH AND CASH EQUIVALENTS AT THE END OF THE YEAR	9	<u>17 886 446</u>	<u>20 211 315</u>



**THE LEGAL ASSISTANCE TRUST OF NAMIBIA**  
**NOTES TO THE CONSOLIDATED ANNUAL FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED 31 DECEMBER 2016**

1. ACCOUNTING POLICIES

*The consolidated annual financial statements have been prepared using the historical cost convention as modified by the revaluation of financial assets and liabilities at fair value through the profit and loss.*

*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 do not have to disclose income tax, tax liabilities and deferred tax.*

*Property, motor vehicles and equipment*

*The Trust 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. Land and buildings have been revalued in 2014 and are from now being carried at revalued cost.*

*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 2016**

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 2016**

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 2016**

	<u>2016</u>	<u>2015</u>			
	N\$	N\$			
<b>2. ACCUMULATED FUNDS</b>					
Windhoek Office	2 109 311	2 915 735			
LAC – Projects	<u>2 514 442</u>	<u>4 347 634</u>			
	<u>4 623 753</u>	<u>7 263 369</u>			
<b>3. PROPERTY, MOTOR VEHICLES AND EQUIPMENT</b>					
	<u>Buildings</u>	<u>Motor vehicles</u>	<u>Computer and office equipment</u>	<u>Furniture &amp; fittings</u>	<u>Total</u>
	N\$	N\$	N\$	N\$	N\$
<b>For the year ended 31/12/2016</b>					
Opening carrying Amount	10 055 000	369 415	94 211	283	10 518 909
Additions	-	-	146 597	-	146 597
Disposals	-	-	(11 563)	-	(11 563)
Depreciation	<u>-</u>	<u>(148 332)</u>	<u>(23 638)</u>	<u>(283)</u>	<u>(182 253)</u>
Closing carrying Amount	<u>10 055 000</u>	<u>221 083</u>	<u>195 607</u>	<u>-</u>	<u>10 471 690</u>
<b>At 31/12/2016</b>					
At cost	10 055 000	1 854 812	1 775 925	266 660	13 952 397
Accumulated depreciation	<u>-</u>	<u>(1 633 729)</u>	<u>(1 580 318)</u>	<u>(266 660)</u>	<u>(3 480 707)</u>
Net carrying amount	<u>10 055 000</u>	<u>221 083</u>	<u>195 607</u>	<u>-</u>	<u>10 471 690</u>



**THE LEGAL ASSISTANCE TRUST OF NAMIBIA**  
**NOTES TO THE CONSOLIDATED ANNUAL FINANCIAL STATEMENTS (continued)**  
**FOR THE YEAR ENDED 31 DECEMBER 2016**

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

	<u>Buildings</u>	<u>Motor vehicles</u>	<u>Computer and office equipment</u>	<u>Furniture &amp; fittings</u>	<u>Total</u>
	N\$	N\$	N\$	N\$	N\$
<b>For the year ended 31/12/2015</b>					
Opening carrying amount	10 055 000	517 749	74 681	3 247	10 650 677
Additions	-	-	63 406	-	63 406
Disposals	-	-	(9 132)	-	(9 132)
Depreciation	<u>-</u>	<u>(148 334)</u>	<u>(34 744)</u>	<u>(2 964)</u>	<u>(186 042)</u>
Closing carrying amount	<u>10 055 000</u>	<u>369 415</u>	<u>94 211</u>	<u>283</u>	<u>10 518 909</u>
<b>At 31/12/2015</b>					
At cost	10 055 000	1 854 812	1 651 455	266 660	13 827 927
Accumulated depreciation	<u>-</u>	<u>(1 485 397)</u>	<u>(1 557 244)</u>	<u>(266 377)</u>	<u>(3 309 018)</u>
Net carrying amount	<u>10 055 000</u>	<u>369 415</u>	<u>94 211</u>	<u>283</u>	<u>10 518 909</u>
Depreciation rate	0	20%	20%	20%	

Land and buildings comprise erf no 74, situated in Windhoek, Marien Ngouabi Street and was valued by PJJ Wilders on 28 February 2014 at estimated market value on the basis of depreciated building values with compared market value of land. The Trustees accepted this value as at 31 December 2016.



**THE LEGAL ASSISTANCE TRUST OF NAMIBIA**  
**NOTES TO THE CONSOLIDATED ANNUAL FINANCIAL STATEMENTS (continued)**  
**FOR THE YEAR ENDED 31 DECEMBER 2016**

	<u>2016</u>	<u>2015</u>
	N\$	N\$
<b>3. PROPERTY, MOTOR VEHICLES AND EQUIPMENT</b> (continued)		
<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
- 1999	466 126	466 126
- 2000	<u>2 528</u>	<u>2 528</u>
	1 522 025	1 522 025
 <i>Revaluation 2014</i>	<u>8 532 945</u>	<u>8 532 945</u>
	<u>10 055 000</u>	<u>10 055 000</u>
 <b>4. INCOME</b>		
 <i>DONATIONS</i>		
<i>Africa Group of Sweden</i>	3 597 680	3 707 147
<i>Namibia Law Report</i>	170 132	240 000
<i>Embassy of Finland</i>	<u>1 456</u>	<u>-</u>
	3 709 268	3 947 147
 <i>OTHER INCOME</i>		
<i>Ford Foundation reserve contribution</i>	2 271 940	-
<i>Other income</i>	<u>319 194</u>	<u>482 136</u>
	<u>6 360 402</u>	<u>4 429 283</u>



**THE LEGAL ASSISTANCE TRUST OF NAMIBIA**  
**NOTES TO THE CONSOLIDATED ANNUAL FINANCIAL STATEMENTS (continued)**  
**FOR THE YEAR ENDED 31 DECEMBER 2016**

	<u>2016</u>	<u>2015</u>
	N\$	N\$
<b>5. (DEFICITS)/SURPLUSES FOR THE YEAR</b>		
<i>Are stated after charging/(crediting) the following consolidated income and expenditures.</i>		
<i>Auditors' remuneration</i>		
<i>- audit fees</i>	<u>241 480</u>	<u>197 300</u>
<i>Depreciation</i>	182 253	186 042
<i>Interest received</i>	(177 957)	(148 807)
<i>Loss on disposal of equipment</i>	5 477	-
<i>Profit on disposal of motor vehicles and equipment</i>	(2 606)	(2 650)
<i>Rent received</i>	<u>-</u>	<u>(36 000)</u>
<b>6. ACCUMULATED SURPLUS/(DEFICIT) - PROJECTS</b>		
<i>Huricon</i>	-	(248 055)
<i>Aids Law Unit</i>	-	-
<i>Lead Project</i>	1 814 908	3 848 990
<i>Gender</i>	<u>699 534</u>	<u>746 699</u>
	<u>2 514 442</u>	<u>4 347 634</u>
 <i>The Legal Assistance Trust (via The Legal Assistance Centre - Windhoek) manages the projects and controls the disbursements. All surpluses may be subject to refund.</i>		
<b>7. FORD FOUNDATION SPECIAL RESERVE FUND</b>		
<i>Redemption of SALS - Ford Foundation capital reserve fund</i>	15 040 547	15 040 547
<i>Interest received since inception</i>	<u>6 735 154</u>	<u>5 781 233</u>
	21 775 701	20 821 780
<i>Less: Funding of LAC Core activities - Windhoek Office- 2008</i>	4 349 067	4 349 067
<i>Funding of LAC Core activities - Windhoek Office- 2009</i>	461 233	461 233
<i>Funding of LAC Core activities - Windhoek Office- 2010</i>	49 101	49 101
<i>Funding of LAC Core activities - Windhoek Office- 2011</i>	2 000 000	2 000 000
<i>Funding of LAC Core activities - Windhoek Office- 2016</i>	<u>2 271 940</u>	<u>-</u>
<i>Special Reserve Fund at the end of the year</i>	<u>12 644 360</u>	<u>13 962 379</u>





**THE LEGAL ASSISTANCE TRUST OF NAMIBIA**  
**NOTES TO THE CONSOLIDATED ANNUAL FINANCIAL STATEMENTS (continued)**  
**FOR THE YEAR ENDED 31 DECEMBER 2016**

	<u>2016</u>	<u>2015</u>
	N\$	N\$
<b>7. FORD FOUNDATION SPECIAL RESERVE FUND (continued)</b>		
<i>The Special Reserve Fund is represented by:</i>		
SBN Cashplus	4 056 510	3 763 836
Pointbreak Money Market Unit Trust	4 054 205	4 888 349
Old Mutual Nedbank Namibia Corporate Fund	4 271 577	3 776 245
First National Bank of Namibia Limited		
- call account	<u>1 797 264</u>	<u>5 508 520</u>
	14 179 556	17 936 950
Less: AIDS LAW unit investment included	-	30 360
LEAD project investment included	1 115 351	1 749 471
LAT Windhoek - core unit cash investment included	418 695	1 145 798
LEAD - Brot für die Welt project	<u>1 150</u>	<u>1 048 942</u>
	<u>12 644 360</u>	<u>13 962 379</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 2008, 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 2016**

	<u>2016</u>	<u>2015</u>
	N\$	N\$
<b>8. RECONCILIATION OF DEFICIT TO CASH UTILISED BY OPERATIONS</b>		
Net deficit for the year	(2 639 619)	(1 768 826)
Adjusted for:		
Depreciation	182 253	186 042
Transfer from reserve funds	(2 271 940)	-
Ford Foundation Special Reserve interest received	953 921	895 095
Interest received	(177 957)	(148 807)
Loss/(profit) on sale of motor vehicles and equipment	2 874	(2 650)
Repayment of GIZ funding	<u>90 357</u>	<u>-</u>
Operating cash flow before working capital changes carried forward	(3 860 111)	(839 146)
Increase in donation receivable	(341 285)	-
Decrease/(increase) in trade and other receivables	145 036	139 309
Increase in trade and other payables	941 561	639 534
Movement in donations received in advance	<u>840 230</u>	<u>(137 350)</u>
Cash utilised by operations	<u>(2 274 557)</u>	<u>(197 653)</u>
<b>9. CASH AND CASH EQUIVALENTS</b>		
Cash and cash equivalents comprise of:		
First National Bank of Namibia Limited		
- call account	1 797 264	5 508 520
Old Mutual Nedbank Namibia Corporate Fund	4 054 205	3 776 245
Pointbreak Money Market Unit Trust	4 271 577	4 888 349
Standard Bank Namibia Cashplus Fund	4 056 511	3 763 836
First National Bank of Namibia Limited		
- current accounts	<u>3 706 889</u>	<u>2 265 232</u>
	<u>17 886 446</u>	<u>20 202 182</u>
<b>10. PROJECTS ADMINISTERED BY THE LEGAL ASSISTANCE TRUST</b>		
<u>Human Rights Constitutional Unit</u>		
European Union granted N\$ 255 571 and The Legal Assistance Center partly via the Ford Reserve N\$ 1 189 867 to the project for the 2016 financial year.		



**THE LEGAL ASSISTANCE TRUST OF NAMIBIA**  
**NOTES TO THE CONSOLIDATED ANNUAL FINANCIAL STATEMENTS (continued)**  
**FOR THE YEAR ENDED 31 DECEMBER 2016**

10. PROJECTS ADMINISTERED BY THE LEGAL ASSISTANCE TRUST

Aids Law Unit

*Aids and Rights Alliance for Southern Africa Trust (ARASA) have granted this project with N\$ 151 439 and the Legal Assistance Centre partly via the Ford Reserve contributed N\$ 658 600.*

Gender Research and Advocacy

*Konrad Adenauer Stiftung granted the project N\$ 157 115. OSISA Dual Citizenship sponsored N\$ 341 185 and UNICEF Responsibility (Part 2) granted N\$ 141 287, Ministry of Gender N\$ 196 880 and the Embassy of Finland N\$ 105 017.*

Land, Environment and Development Project

*Brot für die Welt is the main sponsor of the project with N\$ 1 329 780 for 2016 and a contract covering the period 2014 to 2016.*

*OSISA granted the project N\$ 480 048 and European Development Fund donated N\$ 836 327 for the financial year.*

*International Work Group for Indigenous Affairs (IWGIA) granted the project N\$ 319 548.*

11. 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.*



**THE LEGAL ASSISTANCE TRUST OF NAMIBIA**  
**NOTES TO THE CONSOLIDATED ANNUAL FINANCIAL STATEMENTS (continued)**  
**FOR THE YEAR ENDED 31 DECEMBER 2016**

11. **FINANCIAL RISK MANAGEMENT (continued)**

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 2016**

	<u>2016</u>	<u>2015</u>
	N\$	N\$
<b>DONATIONS RECEIVED</b>		
<i>Africa Groups of Sweden</i>	3 597 680	3 707 147
<i>Embassy of Finland</i>	1 456	-
<i>Namibia Law Reports - various contributions</i>	<u>170 132</u>	<u>240 000</u>
	<u>3 769 268</u>	<u>3 947 147</u>
<b>OTHER INCOME</b>		
<i>Consultation income</i>	166 808	34 968
<i>Etosha-Haikom-Buch</i>	4 330	4 820
<i>Income from Ford Reserve</i>	2 271 940	-
<i>Interest received</i>	70 258	307
<i>Management fee income</i>	66 645	394 785
<i>Photocopy income</i>	2 778	-
<i>Profit on sale of motor vehicles and equipment</i>	200	1 250
<i>Rent received</i>	-	36 000
<i>Sundry income</i>	5 775	4 474
<i>Transport income/refunds</i>	<u>2 400</u>	<u>5 532</u>
	<u>2 591 134</u>	<u>482 136</u>
<b>TOTAL INCOME</b>	6 360 402	4 429 283
<i>Less: EXPENDITURE (page 21)</i>	<u>(7 166 826)</u>	<u>(5 145 636)</u>
<b>DEFICIT FOR THE YEAR</b>	(806 424)	(716 353)
<b>SURPLUS AT THE BEGINNING OF THE YEAR</b>	<u>2 915 735</u>	<u>3 632 088</u>
<b>SURPLUS AT THE END OF THE YEAR</b>	<u>2 109 311</u>	<u>2 915 735</u>



**THE LEGAL ASSISTANCE TRUST OF NAMIBIA**  
**WINDHOEK OFFICE**  
**SCHEDULE OF EXPENDITURE**  
**FOR THE YEAR ENDED 31 DECEMBER 2016**

	<u>2016</u>	<u>2015</u>
	N\$	N\$
<i>Auditors' remuneration</i>	80 500	70 150
<i>Bank charges</i>	39 325	31 716
<i>Cleaning expense</i>	23 655	21 145
<i>Computer support</i>	140 246	141 378
<i>Consultants</i>	11 700	175 053
<i>Contributions to project administered</i>		
- Gender	682 657	346 113
- Gender	-	26 350
- Aids Law Unit - core support 2015	658 600	405 506
- Human Rights and Constitutional Unit - core support 2015	1 189 867	34 224
- Lead	-	56 979
<i>Counsel fees</i>	-	45 713
<i>Depreciation</i>	36 033	38 070
<i>Insurance and licenses</i>	46 382	30 510
<i>Legal fees</i>	-	225 000
<i>Litigation costs</i>	42 890	1 144
<i>Maintenance</i>		
- vehicles	10 989	8 538
- yard	15 582	22 704
<i>Municipal expenses</i>	100 538	111 887
<i>Office expenses</i>	2 767	9 326
<i>Petrol</i>	36 317	32 174
<i>Publications</i>	58 102	30 331
<i>Professional fees</i>	240 000	120 000
<i>Salaries and staff benefits</i>	3 390 839	2 826 660
<i>Security costs</i>	198 493	174 928
<i>Seminars and workshops</i>	47 483	46 314
<i>Stationery and printing</i>	28 991	29 421
<i>Membership to National and Regional bodies</i>	19 396	6 894
<i>Telephone, telefax and postage</i>	39 222	64 762
<i>Travelling and accommodation</i>	<u>26 252</u>	<u>12 646</u>
	<u>7 166 826</u>	<u>5 145 636</u>



**THE LEGAL ASSISTANCE TRUST OF NAMIBIA**  
**LAND, ENVIRONMENT AND DEVELOPMENT PROJECT**  
**INCOME STATEMENT**  
**FOR THE YEAR ENDED 31 DECEMBER 2016**

	<u>2016</u>	<u>2015</u>
	N\$	N\$
<b>INCOME</b>		
<i>Donations received</i>		
- Brot für die Welt	1 329 780	1 829 815
- GIZ - European Development Fund	1 071 710	836 327
- Open Society Initiative for Southern Africa (OSISA)	480 048	584 327
- European NYAE NYAE & N = AJAGNA income	-	110 959
- Wildlife Conservation Network – Save the Elephants	90 197	-
- GIZ donation	-	11 693
- International Work Group for Indigenous Affairs (IWGIA)	319 548	512 455
- World Wild Life Fund	-	230 000
- Contribution from:		
LAT	-	56 979
Gender	-	388
ALU	-	549
	<u>3 291 283</u>	<u>4 173 492</u>
<i>Consulting income</i>		
- ILO	-	34 000
- Programme for Land and Agrarian Studies (PLAAS)	<u>76 979</u>	<u>277 186</u>
	<u>76 979</u>	<u>311 186</u>
<i>Other income</i>		
- interest received - European NYAE	326	149
- interest received	89 166	110 358
- publication income	6 110	410
- profit on sale of fixed assets	2 406	1 400
- sundry income	<u>48 964</u>	<u>57 144</u>
	<u>146 972</u>	<u>169 461</u>
	<u>3 515 234</u>	<u>4 654 139</u>



**THE LEGAL ASSISTANCE TRUST OF NAMIBIA**  
**LAND, ENVIRONMENT AND DEVELOPMENT PROJECT**  
**INCOME STATEMENT (continued)**  
**FOR THE YEAR ENDED 31 DECEMBER 2016**

	<u>2016</u>	<u>2015</u>
	N\$	N\$
<b>EXPENDITURE</b>		
Auditors' remuneration	76 455	67 235
Bank charges	3 385	6 972
Depreciation	135 386	129 801
Insurance	58 420	60 456
Management fees	187 463	261 309
Maintenance		
- motor vehicle	28 700	9 717
Office expenses	36 516	53 649
Professional fees	608 575	430 013
Research		
- publications	486 500	47 323
- travel	262 690	280 057
Staff remuneration	3 330 223	2 793 102
Telephone, fax and postage	15 775	20 483
Workshops and conferences	<u>228 871</u>	<u>863 554</u>
	<u>5 458 959</u>	<u>5 023 671</u>
<b>DEFICIT FOR THE YEAR</b>	<b>(1 943 725)</b>	<b>(369 532)</b>
<b>FUNDS RETURNED TO GIZ</b>	<b>(90 357)</b>	<b>-</b>
<b>ACCUMULATED FUNDS AT THE BEGINNING OF THE YEAR</b>	<b><u>3 848 990</u></b>	<b><u>4 218 522</u></b>
<b>ACCUMULATED FUNDS AT THE END OF THE YEAR</b>	<b><u>1 814 908</u></b>	<b><u>3 848 990</u></b>





**THE LEGAL ASSISTANCE TRUST OF NAMIBIA**  
**GENDER RESEARCH AND ADVOCACY PROJECT**  
**INCOME STATEMENT**  
**FOR THE YEAR ENDED 31 DECEMBER 2016**

	Note	<u>2016</u>	<u>2015</u>
		N\$	N\$
<b>INCOME</b>			
<i>Donations received</i>			
- AGS income		-	346 113
- British High Commission		153 116	-
- Sundry income		-	38 597
- Embassy of Finland		105 018	-
- KAS Parliamentary Support Project		157 115	1 224 991
- Ministry of Gender Equality & Child Welfare		196 880	-
- Open Society Initiative for Southern Africa (OSISA)		341 185	332 648
- UNICEF Social Responsibility CCPA – 2016 (Part 2 - 2015)		141 287	245 260
- United Nation High Commission for Refugees		42 000	-
- US Embassy		780 521	120 869
Consulting fees received		161 668	246 184
Contribution from LAT – Ford Foundation Funds		682 657	56 618
Interest received		17 661	15 087
Motor vehicle costs recovered		14 541	9 093
Publication sales		<u>3 770</u>	<u>7 340</u>
		<u>2 797 419</u>	<u>2 642 800</u>
 <b>EXPENDITURE</b>			
Administration costs		35 606	12 374
Auditors remuneration		24 150	24 150
Consultancy fees expenditure		-	27 480
Contribution to LEAD		-	388
Contribution ex Finland budget not received		-	29 258
Depreciation		4 837	4 837
Insurance		26 638	-
Motor vehicle maintenance (Repairs and maintenance)		6 843	26 117
Project expenses			
- British High Commission		79 235	11 727
- UNICEF - Social Responsibility funds returned		-	900
- UNHCR		16 410	-
- US Embassy projects		<u>532 725</u>	<u>404 837</u>
<b>BALANCE CARRIED FORWARD</b>		726 444	542 068



**THE LEGAL ASSISTANCE TRUST OF NAMIBIA  
GENDER RESEARCH AND ADVOCACY PROJECT  
INCOME STATEMENT (continued)  
FOR THE YEAR ENDED 31 DECEMBER 2016**

	<u>2016</u>	<u>2015</u>
	N\$	N\$
<i>EXPENDITURE (continued)</i>		
<i>BALANCE BROUGHT FORWARD</i>	726 444	542 068
<i>Project expenses (continued)</i>		
- Embassy of Finland Project expenditure	184 769	235 427
- OSISA Six Legislate	133 061	-
- KAS Project expenditure	34 354	165 710
- Publication expenses	-	5 492
<i>Pupkewitz expenditure in respect of prior year income</i>	21 000	-
<i>Salaries and staff benefits</i>	<u>1 744 956</u>	<u>1 752 511</u>
	<u>2 844 584</u>	<u>2 701 208</u>
<i>(DEFICIT)/SURPLUS FOR THE YEAR</i>	(47 165)	(58 408)
<i>SURPLUS AT THE BEGINNING OF THE YEAR</i>	<u>746 699</u>	<u>805 107</u>
<i>SURPLUS AT THE END OF THE YEAR</i>	<u>699 534</u>	<u>746 699</u>



**THE LEGAL ASSISTANCE TRUST OF NAMIBIA  
HUMAN RIGHTS AND CONSTITUTIONAL UNIT  
INCOME STATEMENT  
FOR THE YEAR ENDED 31 DECEMBER 2016**

	<u>2016</u>	<u>2015</u>
	N\$	N\$
<b>INCOME</b>		
European Union	255 571	1 122 625
United Nations Voluntary Fund for Victims Of Torture	-	227 855
Contribution LAT Windhoek Core funds	1 189 867	34 223
Consulting income	206 916	-
Interest received	<u>74</u>	<u>12 755</u>
	<u>1 652 428</u>	<u>1 397 458</u>
<b>EXPENDITURE</b>		
Administration costs	5 175	6 854
Auditors' remuneration	36 685	12 075
Counsel and legal fees (including books and publications)	52 021	148 824
Depreciation	2 140	3 445
Insurance	-	10 487
Publications	1 694	15 171
Staff remuneration	1 284 856	1 441 353
Telephone, fax, postage and stationery	5 544	27 921
Training	3 383	7 798
Travel and accommodation	<u>12 875</u>	<u>13 853</u>
	<u>1 404 373</u>	<u>1 687 781</u>
<b>SURPLUS/(DEFICIT) FOR THE YEAR</b>	248 055	(290 323)
<b>ACCUMULATED (DEFICIT)/FUNDS AT THE BEGINNING OF THE YEAR</b>	<u>(248 055)</u>	<u>42 268</u>
<b>ACCUMULATED DEFICIT AT THE END OF THE YEAR</b>	<u>-</u>	<u>(248 055)</u>



**THE LEGAL ASSISTANCE TRUST OF NAMIBIA**  
**AIDS LAW UNIT**  
**INCOME STATEMENT**  
**FOR THE YEAR ENDED 31 DECEMBER 2016**

	<u>2016</u>	<u>2015</u>
	N\$	N\$
<b>INCOME</b>		
<i>Donations received</i>		
- Aids and Rights Alliance for Southern Africa (ARASA)	151 439	
- Embassy of Finland	47 771	-
- Society of Family Health	-	110 078
- Legal Assistance Centre	<u>658 600</u>	<u>405 506</u>
	857 810	515 584
<b>OTHER INCOME</b>		
<i>Interest received</i>	472	10 151
<i>Training fees</i>	<u>9 125</u>	<u>21 212</u>
<b>TOTAL INCOME</b>	867 407	546 947
<b>EXPENDITURE (page 28)</b>	<u>(867 407)</u>	<u>(881 157)</u>
<b>DEFICIT FOR THE YEAR</b>	-	(334 210)
<b>ACCUMULATED SURPLUS AT THE BEGINNING OF THE YEAR</b>	<u>-</u>	<u>334 210</u>
<b>SURPLUS AT THE END OF THE YEAR</b>	<u><u>-</u></u>	<u><u>-</u></u>



**THE LEGAL ASSISTANCE TRUST OF NAMIBIA**  
**AIDS LAW UNIT**  
**INCOME STATEMENT (continued)**  
**FOR THE YEAR ENDED 31 DECEMBER 2016**

	<u>2016</u>	<u>2015</u>
	N\$	N\$
<b>EXPENDITURE</b>		
<i>Auditors' remuneration</i>	23 690	23 690
<i>Bank charges</i>	3 089	4 197
<i>Depreciation</i>	3 856	9 889
<i>Impairment of Inter-office Fund receivable</i>	-	550
<i>Litigation costs</i>	-	32 846
<i>Loss on disposal of equipment</i>	5 477	-
<i>Office expenses</i>	15 277	92 706
<i>Staff remuneration</i>	650 393	534 076
<i>Stationary</i>	452	2 593
<i>Telephone, fax and postage</i>	660	5 869
<i>Travelling</i>	9 887	10 479
<i>Workshops</i>	<u>154 626</u>	<u>164 262</u>
<b>TOTAL EXPENDITURE</b>	<u>867 407</u>	<u>881 157</u>

