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# Gateways to Professional Practice: A Preliminary Statutory Review of Estate Agency Entry Requirements in the SADC Region

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## Abstract

Estate agency is vital to real estate markets, yet regulatory frameworks across the Southern African Development Community (SADC) are fragmented, limiting professional mobility and market integrity. This study compares entry-to-practice requirements for estate agents in 11 English-speaking SADC countries, examining educational qualifications, mentorship duration, age thresholds, and professional assessments. Using a descriptive qualitative approach and archival data from statutory instruments and regulatory authorities, the study identifies significant disparities that create barriers to regional integration and equitable access to practice. Findings highlight the potential of harmonising standards under the SADC Qualifications Framework to standardise competence, recognise prior learning, and enhance consumer protection. The study provides policy-relevant insights to support coordinated professional regulation and strengthen the quality of estate agency services across the SADC region. By generating the first coordinated regional evidence on estate-agency regulation, this study offers empirically grounded insights to support policy harmonization and strengthen professional standards.

**Keywords:** Professional Practice; Estate Agency; Southern African Development Community; Property Broker; Assessment of Professional Competency.

## 1. Introduction

Estate agency practice plays a central and inherently public-facing role in real estate markets worldwide, facilitating transactions between developers, landlords, and tenants while frequently handling client funds (K'Akumu, 2023). Because estate agents influence high-value financial decisions and provide services directly to the public, their activities warrant robust government regulation to safeguard consumer interests, ensure ethical conduct, and promote accountability(Chung, 2022; Ingram & Yelowitz, 2021). Accordingly, many countries have instituted formal licensing systems, professional qualification requirements, and fidelity fund mechanisms to regulate access to and conduct within the profession.

However, evidence shows that across Africa (and particularly within the Southern African Development Community (SADC)) regulatory frameworks are uneven, fragmented, or weakly enforced (Ndlovu & Saurombe, 2022). Such inconsistencies create gaps that expose consumers to financial and informational risk and undermine the integrity and credibility of property markets (Ndlovu & Saurombe, 2022). Fragmented regulation also contradicts SADC's broader objective of harmonizing professional standards as part of regional economic integration. Regulatory differences restrict the cross-border movement of skilled estate agents, suppresses market competition, and entrenches disparities in access to professional practice (Pretorius, 2024).

The SADC Qualifications Recognition Manual offers a strategic framework for establishing a joint qualifications recognition area across the region, providing guidelines for credential evaluation, credit transfer, recognition of prior learning, and harmonization of qualification levels (Allais & Marock, 2026). Aligning national estate-agency regulations with the SADC Qualifications Framework (SADCQF) and implementing the Manual's recognition mechanisms could significantly reduce regulatory fragmentation, facilitate mobility, and acknowledge diverse training and experiential pathways. Furthermore, harmonized licensing, accreditation, and mentorship systems have the potential to strengthen public trust, elevate service quality, and support SADC's core priorities of human capital development, consumer protection, and regional economic integration.

Despite the centrality of estate agency practice and the increasing policy emphasis on regional skills mobility, to the best of the authors' knowledge, there remains limited empirical research on how many SADC member states regulate estate agency practice, the extent and nature of these regulatory frameworks. To address this gap, the present study conducts a comparative analysis of the regulation of real estate agency practice across selected SADC countries. It documents existing regulatory and institutional frameworks, examines entry-to-practice requirements, and evaluates their alignment with regional recognition guidelines, drawing on legislative instruments, regulatory standards, and professional policies. By generating the first coordinated regional evidence on estate-agency regulation, this study offers empirically grounded insights to support policy harmonization and strengthen professional standards.

## 2. Literature Review

Global scholarship on real estate professionalization demonstrates that regulatory design, institutional capacity, and historical context shape how professions develop across jurisdictions (Engstrom et al., 2023; Pozdnyakov, 2025). Studies from mature markets show that structured entry requirements, rigorous training, and strong professional codes enhance competence and build consumer trust, but these findings largely reflect high-capacity regulatory environments (Redert et al., 2026). Their direct transferability to the SADC is uncertain, given the region's uneven institutional capacity and enforcement systems.

Cross-jurisdictional research further shows that differences in licensing, complicate professional mobility and institutional coordination (Gaffar & Al Brashdi, 2025). Political economic and ethnographic studies emphasize that professionalization is shaped not only by legal frameworks but also by informal norms and power relations (Wagner & Radujković, 2025), indicating that harmonization efforts in SADC must account for administrative and political constraints rather than assume that uniform rules alone will achieve compliance.

The literature also highlights the public-interest versus regulatory-capture debate as central to understanding occupational licensing. Public-interest theorists view professional regulation as essential to protecting consumers in information-asymmetric markets such as real estate, where agents handle client funds and influence major financial decisions (Creane et al., 2022). Capture theorists, however, argue that professional groups may use regulation to limit competition and consolidate advantage (Pagliero, 2019). Evidence shows how qualification disparities and administrative bottlenecks can restrict mobility and reinforce market dominance (Shonuga, 2026). African studies also note that credentials alone do not guarantee service quality, underscoring the role of practical experience, mentoring, and continuous professional development (Allais & Marock, 2026; Vaheesan & Pasquale, 2018). Persistent non-compliance in well-regulated systems (such as unregistered agents in South Africa) shows that statutory frameworks cannot succeed without strong enforcement(Moropane et al., 2023).

A key trade-off in occupational licensing concerns market access versus quality assurance. While some scholars argue that professional licensing restricts supply and raises practitioner earnings (Chen et al., 2025), others find that professional licensing requirements ultimately benefit consumers by improving service quality (Klein, 2022). Yet the effectiveness of licensing frameworks is highly context-dependent: in many developing economies, weak enforcement allows unlicensed agents to operate freely, undermining consumer protection and the intended benefits of regulation (O. K'Akumu, 2022).

Research shows that regulatory frameworks across the SADC region remain fragmented and inconsistently enforced, exposing consumers to risk and weakening market integrity (Ndlovu & Saurombe, 2022). This fragmentation also limits cross-border mobility and undermines SADC's objective of creating mutually recognizable professional standards. The SADC Qualifications Recognition Manual provides a mechanism for establishing a joint recognition area through guidelines on credential evaluation, credit transfer, and recognition of prior learning. Its application to estate-agency practice could reduce fragmentation, support professional mobility, and broaden access to practice pathways. The next section discusses theories that form the foundation of this study.

### 2.1 Theoretical Framework

The public-interest theory asserts that regulation is necessary to protect consumers from market failures arising from information asymmetries and knowledge gaps (Chambers & O'Reilly, 2022). In real estate, clients often rely on practitioners' expertise for property valuation, legal compliance, and contract management (Davis, 2020; Palm & Bolsen, 2021). Licensing requirements, professional codes of conduct, and examination systems are therefore designed to ensure minimum competence, protect client interests, and maintain market credibility.

By contrast, capture theory argues that professional groups may exploit regulatory mechanisms to restrict entry, suppress competition, and maintain higher fees, prioritizing self-interest over public welfare (Brown et al., 2026). SADC region, such as delays in licensing, uneven enforcement, and differing qualification standards, illustrates the potential for regulatory capture. Professionals in countries with stringent or opaque licensing rules may effectively limit cross-border mobility, consolidate incumbents' advantage while create inequities in service provision (Kleiner & Xu, 2025).

Agency theory complements these perspectives by highlighting that clients delegate complex decisions to real estate agents (Xiong & Cheung, 2021) however, if not properly regulated they may pursue their own objectives rather than acting in the clients' best interests (Lopez, 2024). Dual agency, commission structures, and limited transparency exacerbate these risks, requiring regulatory frameworks to align incentives through disclosure rules, ethical codes, and disciplinary mechanisms. In the SADC context, uneven regulation across countries increases the complexity of mitigating agency problems, particularly when professionals operate across borders without harmonized standards.

Harmonization of licensing requirements and professional standards depends not only on legal frameworks but also on functional institutions capable of implementation, monitoring, and enforcement. Within SADC, regional integration objectives, such as facilitating skilled labor mobility and standardizing qualifications under the SADCQF, require institutions to coordinate across multiple legal systems, cultural contexts, and capacity level. The institutional lens highlights that formal regulatory alignment must be complemented by operational capacity, mentoring systems, and quality assurance mechanisms to achieve meaningful professionalization.

Drawing on these theoretical perspectives, the study develops several expectations. First, countries with clearly defined licensing pathways, harmonized qualifications, and effective enforcement mechanisms are likely to exhibit higher professional mobility and more consistent service quality. Second, regulatory fragmentation, inconsistent enforcement, or opaque licensing processes are expected to impede mobility, reduce compliance, and exacerbate inequities across the region. Third, harmonization of entry requirements in line with SADCQF standards should facilitate regional integration by reducing barriers to labour while preserving public trust in professional competence. Together, these propositions provide a coherent framework to assess real estate professionalization in SADC, considering both the potential benefits of licensing and the risks of regulatory capture and uneven institutional capacity. The following section discusses a conceptual framework for this study.

### 2.2 Conceptual Framework

As shown in Figure 1, the road map to professional life begins when one obtains an academic qualification. The minimum educational qualifications required for entry to practice typically vary depending on the type of membership required. For some countries, the educational qualifications required for registration as an estate agent or property practitioner differ from those necessary for registration as a valuer or property manager. A lower-level qualification (usually at the national certificate or diploma level) is required for estate agents, whereas a higher qualification is required, for example, for registration as a property valuer.


**Figure 1.** Conceptual Framework (authors' illustration).

After obtaining an academic qualification, one joins the profession as a candidate and is expected to receive guided training by working under a registered or licensed practitioner (a mentor). Again, the period of guided training may differ depending on the type of membership that one seeks to attain. Usually, estate agents and property practitioners have a shorter period compared to property managers and valuers.

Qualifying as a professional is not the end of the professional journey, but rather the beginning. Most professional institutions, including those governing real estate practice, promote lifelong learning, popularly known as continuous professional development (CPD). This is done so that professionals can improve and reskill, remaining competent in their area of specialization.

## 2. Materials and Methods

### 2.1 Research Design

This study employed a qualitative comparative research design based on document analysis. The design was considered appropriate because the study sought to systematically compare statutory entry-to-practice requirements for real estate professionals across multiple jurisdictions. Given the limited comparative scholarship on professional entry standards in the SADC region, a document-based comparative approach provided a suitable means of identifying similarities, differences, and opportunities for regional harmonisation. The use of document analysis was appropriate because entry-to-practice requirements are established through statutory and regulatory instruments, making legislation the primary source of authoritative data.

### 2.2 Data Sources

The study relied exclusively on secondary data obtained from legislative and regulatory documents governing estate agency practice in the selected countries. These documents included Acts of Parliament, regulations, statutory instruments, and professional registration requirements. To ensure authenticity and reliability, all documents were sourced from the official websites of government agencies, professional regulators, and statutory bodies responsible for regulating real estate practice in each jurisdiction.

### 2.3 Population and Sampling
The target population comprised all 16 SADC member states. Purposive sampling was employed to select the 11 English-speaking countries: Botswana, Eswatini, Lesotho, Malawi, Mauritius, Namibia, Seychelles, South Africa, Tanzania, Zambia, and Zimbabwe. The five non-English-speaking countries (Angola, Mozambique, Comoros, Madagascar, and the Democratic Republic of the Congo) were excluded because language barriers limited the reliable interpretation of legislative documents. Although this exclusion constrains regional coverage, the selected countries provide substantial representation of regulatory approaches within SADC.

### 2.4 Data Collection Protocol
A document review protocol was developed to ensure consistency in data extraction across jurisdictions. For each country, legislation regulating estate agency practice was identified and reviewed. Information was then extracted using a structured coding framework that captured the principal entry-to-practice requirements prescribed by law. The coding framework focused on five indicators: state of regulation, minimum educational qualifications, mentorship or internship requirements, minimum age requirements, and professional assessments or examinations. These indicators were selected because they constitute the core regulatory mechanisms for assessing professional eligibility and competence.

### 2.5 Data Analysis
The extracted data were analysed using qualitative content analysis. Legislative provisions relating to state of regulation, minimum educational qualifications, mentorship internship and minimum age requirements were coded and categorised according to the predefined framework. A cross-country comparative analysis was then undertaken to identify patterns, similarities, differences, and regulatory gaps among the selected jurisdictions. The findings were subsequently synthesised to assess the extent of convergence and divergence in entry-to-practice requirements across the region. By applying a common analytical framework to multiple jurisdictions, the study provides an original regional perspective on regulatory convergence and divergence.

### 2.6 Limitations
The exclusion of non-English-speaking SADC countries limits the comprehensiveness of the regional analysis. Future studies should incorporate multilingual document analysis or collaborate with local experts to include all member states. Such an approach would provide a more complete understanding of professional entry requirements and strengthen evidence-based discussions on the harmonisation of real estate professional standards within SADC. Also, only select entry-to-practice indicators (educational qualifications, mentorship duration, minimum age, and professional assessments) were examined, omitting factors such as fees, CPD, and disciplinary procedures. Finally, the descriptive qualitative design does not allow causal inferences, nor does it incorporate stakeholder perspectives, which could provide deeper insight into the practical impact of regulatory variation.

## 3. Results
### 3.1 Regulatory and Institutional Framework for Estate Agency Practice in the SADC region
The study revealed significant heterogeneity in the regulatory and institutional frameworks governing estate agency practice across the 11 English-speaking SADC countries. Botswana, South Africa, Malawi, Mauritius, Namibia, Zambia, Zimbabwe, and Seychelles have established statutory bodies regulating estate agency practice, whereas Lesotho lacks formal regulation, and Eswatini and Tanzania are in transitional phases, with legislative frameworks recently introduced but not yet operational.

Botswana's Real Estate Advisory Council exemplifies a statutory authority with comprehensive oversight, requiring applicants to hold a certificate in property management, estate agency, or real estate auctioneering, and to be members of the Real Estate Institute of Botswana or recognized international bodies such as the Royal Institute of Chartered Surveyors (RICS). Notably, no local programs in Botswana are accredited by RICS, highlighting a gap between domestic training and international standards. Malawi and Mauritius also maintain regulatory authorities, though with nuanced differences in professional recognition and age requirements.

These differences highlight the fragmented nature of regulatory oversight in the region. Established authorities provide mechanisms for consumer protection, standardized professional competence, and market credibility, aligning with public-interest theory. Conversely, countries without functional statutory frameworks leave consumers exposed to unregulated practice and reduce professionalization of estate agency as a recognized occupation. Table 1 is a summary of the regulatory and institutional framework for estate agency registration in the selected SADC countries.

**Table 1:** The regulatory framework for estate agency practice in the SADC region.

| Country | Registration/Licensing Authority | Establishing Legislation |
|---|---|---|
| Botswana | Real Estate Advisory Council | Real Estate Professionals Act of 2013 (Chapter 61:07) |
| The Kingdom of Eswatini | Not available | Not available |
| Lesotho | Not available | Not available |
| Malawi | Real Estate Management Council | Real Estate Management Act, 2024 Act 28 of 2024 |
| Mauritius | Real Estate Agent Board | Real Estate Agent Authority Act 2020 (Act No. 10) (REAAA) of 2020 |
| Namibia | Namibia Estate Agents Board | Estate Agents Act 112 (EAA) of 1976 |

| | | |
|---|---|---|
| Seychelles | Estate Agents Board and the Licencing Authority | Estate Agents Act (Chapter 73) Act 8 of 2004. |
| South Africa | Property Practitioners Regulatory Authority | Property Practitioners Act, 2019 (Act No. 22) of 2019 |
| Tanzania | Not available | Not available |
| Zambia | Zambia Institute of Estate Agents | Estate Agents Act (EAA) 2000 (No. 21) of 2000 |
| Zimbabwe | Estate Agency Council of Zimbabwe | Estate Agents Act (EAA) (Chapter 27:17) of 2007 |

Source: Research findings

### 3.2 Entry-to-Practice Requirements

#### 3.2.1 Age Requirements

Minimum age thresholds, where stipulated, ranged from 18 years in Zimbabwe and Seychelles to 22 years in Malawi, reflecting different assumptions about professional maturity and readiness. Age requirements may serve a dual purpose: protecting the public from immature practitioners and safeguarding the reputation of the profession. However, critics argue that age restrictions can function as gatekeeping mechanisms, potentially excluding talented young entrants and limiting cross-border mobility. For instance, a 21-year-old qualified estate agent from Mauritius would not meet Malawi's 22-year age requirement, even if temporary registration were permitted, demonstrating practical barriers to regional mobility.

#### 3.2.2 Educational Requirements

Educational thresholds vary widely across countries. Botswana requires a certificate in estate agency or related fields, Mauritius mandates a diploma, and South Africa prescribes tiered National Qualification Framework (NQF) levels depending on principal or non-principal status. Zimbabwe requires five ordinary level passes plus additional qualifications or mature entry. Namibia and Seychelles provide minimal statutory guidance. These disparities generate cross-border challenges, as qualifications accepted in one country may be insufficient for registration elsewhere. This aligns with capture theory concerns, where stringent educational thresholds can act as barriers to entry, even while enhancing public trust and professional quality.

#### 3.2.3 Mentorship and Practical Experience

Guided professional practice periods differ substantially, ranging from one year in Botswana to five years in Mauritius, with Namibia and Seychelles providing limited statutory guidance. Longer mentorship periods may improve competence but could delay market entry, whereas shorter periods may risk insufficient practical experience. Effective mentorship is critical in real estate due to principal-agent risks, where clients rely heavily on agents' knowledge and professional judgment.

#### 3.2.4 Comparative Summary

Table 2 summarize the differences in age, educational qualifications, and mentorship duration, illustrating the variation and misalignment across SADC. These differences present clear obstacles to professional mobility and highlight the need for harmonization under the SADCQF to establish common minimum standards, recognize prior learning, and accommodate diverse national systems.

**Table 2:** A summary of requirements for registration.

| Country | Minimum Academic requirement | Practical experience | Minimum age requirement |
|---|---|---|---|
| Botswana | Certificate in Property Management or Estate Agency, or a Certificate in Real Estate Auctioneering. | 1 year | No mimimum age |
| The Kingdom of Eswatini | Not applicable | Not applicable | Not applicable |
| Lesotho | Not applicable | Not applicable | Not applicable |
| Malawi | Diploma in real estate, or an equivalent qualification | Required but period not stated | No minimum age |
| Mauritius | Diploma in real estate | 5 years | 21 years |
| Namibia | Grade 12 certificate | Not specified in the statutes. | Not stated |
| Seychelles | Not specified in the statutes. | Not specified in the statutes. | 18 years |
| South Africa | Certificate in real estate. | 2 years | 21 years |
| Tanzania | Not applicable | Not applicable | Not applicable. |
| Zambia | Grade 12 certificate | 3 years | Not stated |
| Zimbabwe | Five (5) Ordinary Levels | 2 years | 18 years |

Source: Research findings

### 4. Discussion

Findings of this study extend previous observations by Ndlovu and Saurombe (2022), who argued that professional regulation across Africa remains uneven and fragmented. However, the present study moves beyond general observations by demonstrating that fragmentation exists not only in the presence or absence of regulatory authorities but also in the substantive requirements governing entry into the profession. Consequently, regulatory divergence in SADC should be understood as a multidimensional phenomenon encompassing institutional arrangements, educational requirements, practical training obligations, and eligibility criteria. This distinction is important because harmonisation efforts that focus solely on the establishment of regulatory authorities may fail to address deeper inconsistencies that continue to restrict professional mobility.

From a public-interest perspective, the findings suggest that most SADC countries recognise the need to regulate estate agency practice to protect consumers and improve professional standards. The widespread establishment of statutory councils, boards, and regulatory authorities reflects a common acknowledgement that real estate transactions involve significant information asymmetries and financial risks. This supports the argument that occupational regulation can enhance consumer confidence, reduce opportunistic behaviour, and strengthen market credibility (Chambers & O'Reilly, 2022; Creane et al., 2022). However, the findings simultaneously reveal that the pursuit of consumer protection has produced widely divergent regulatory thresholds across countries. Such divergence raises an important policy question: how much regulation is necessary to protect the public without unnecessarily restricting access to practice?

The educational requirements identified in this study illustrate this tension clearly. Some jurisdictions require only secondary-level qualifications, while others require certificates, diplomas, or nationally benchmarked professional qualifications. These differences reflect competing conceptions of professional competence. Countries with higher qualification thresholds appear to view professional knowledge as the primary safeguard against poor service delivery, whereas countries with lower thresholds place greater emphasis on practical experience or market participation. While both approaches seek to enhance professionalism, the absence of common standards creates uncertainty regarding the equivalence of qualifications across borders. As a result, professional competence becomes defined differently from one jurisdiction to another, complicating mutual recognition arrangements and limiting labour mobility.

Furthermore, these findings lend support to regulatory-capture arguments, which suggest that professional entry requirements may sometimes serve functions beyond consumer protection (Pagliero, 2019). Although educational requirements are often justified on quality assurance grounds, they can also operate as barriers to entry that restrict the supply of practitioners and protect incumbent interests. The findings do not imply that stricter qualification requirements constitute deliberate regulatory capture; however, they demonstrate how divergent qualification frameworks can produce exclusionary effects. For example, a practitioner who meets all registration requirements in Zimbabwe may not satisfy educational requirements in Mauritius or Malawi despite possessing substantial practical experience. Such outcomes challenge the principle of labour mobility underpinning regional integration initiatives and illustrate how regulatory systems can inadvertently create institutional barriers even in the absence of explicit protectionist intent.

The variation in mentorship and practical experience requirements provides further evidence of differing understandings of professional competence across the region. The literature consistently emphasises the importance of supervised practice in professions characterised by information asymmetries and fiduciary responsibilities (Allais & Marock, 2026; Vaheesan & Pasquale, 2018). The findings support this position, as most jurisdictions require some form of practical training before full registration. However, the duration of required experience varies considerably, ranging from one year in Botswana to five years in Mauritius, while some countries provide little statutory guidance. Such variation raises important questions regarding proportionality and effectiveness. If one year of supervised training is considered sufficient to produce competent practitioners in one jurisdiction, the rationale for requiring five years in another becomes less clear. The findings therefore suggest that many entry-to-practice requirements may have evolved in response to national institutional histories rather than evidence-based assessments of professional competence.

## 5. Conclusions

This study examined the regulation of estate agency practice across eleven English-speaking SADC countries and found substantial variation in regulatory frameworks and entry-to-practice requirements. While most countries have established statutory regulatory bodies, significant differences exist in educational qualifications, mentorship requirements, and age thresholds, highlighting the fragmented nature of estate agency regulation within the region.

The findings met the study's objective of assessing regulatory convergence and divergence and demonstrate that barriers to professional mobility arise not only from differences in regulatory institutions but also from inconsistencies in entry requirements. In doing so, the study addresses a notable gap in the literature, which has largely overlooked comparative analyses of estate agency regulation within the SADC region. The study contributes to existing scholarship by providing empirical evidence on the nature and extent of regulatory fragmentation and by demonstrating how regulatory differences may impede professional mobility and qualifications recognition.

The findings further suggest that greater alignment of professional standards is required to support labour mobility and regional integration. Accordingly, policymakers should consider developing minimum regional standards, mutual recognition arrangements, and recognition-of-prior-learning mechanisms consistent with the SADC Qualifications Framework. Such measures would strengthen professional standards, enhance consumer protection, and facilitate the development of a more integrated regional real estate profession.

## 6. Implications for Harmonization and Regional Integration

The observed heterogeneity presents both challenges and opportunities for harmonization across SADC. Differences in age, educational qualifications, and mentorship periods constrain cross-border mobility and reinforce professional inequalities. Harmonizing standards under the SADCQF could facilitate recognition of prior learning, allow temporary registration arrangements, and standardize minimum competence levels, thereby promoting professional mobility, consumer protection, and equitable access to practice.

Countries with nascent regulatory frameworks, such as Lesotho and Eswatini, will require institutional capacity-building to implement licensing, mentoring, and assessment programs. Transitional arrangements, such as bridging courses or provisional registration, could mitigate barriers posed by age or qualification discrepancies. Harmonized standards, complemented by continuous professional development and robust enforcement, would enhance professional credibility, improve service quality, and promote equitable access to the profession throughout SADC.

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**Conflicts of Interest**
The author(s) report no conflicts of interest.

**Data Availability Statement**
The paper used publicly available data that can be downloaded online from the websites of Estate Agency regulatory authorities of SADC countries.

**Institutional Review Board Statement**
Not applicable, the study did not involve humans or animals.

**CRediT Author Statement**
Partson Paradza (Conceptualisation, literature review and methodology), Joseph A. Yacim (Writing original draft), Jairus T. Ndoma (Writing-review and editing) and Steven Ngubeni (data collection and editing). All authors have read and approved the final manuscript.

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