



**agriculture, land reform
& rural development**

Department:
Agriculture, Land Reform and Rural Development
REPUBLIC OF SOUTH AFRICA

**BUDGET VOTE ADDRESS: DEPUTY MINISTER OF AGRICULTURE,
LAND REFORM AND RURAL DEVELOPMENT: MR MCEBISI
SKWATSHA, MP**

12 MAY 2022

Honourable House Chairperson;

Honourable Minister Didiza;

Deputy Minister Capa;

Ministers and Deputy Ministers on the platform;

Honourable Chairperson of the Portfolio Committee;

Members of Parliament;

Board Members of our State-Owned Entities;

Senior Officials of the Department and State-Owned Entities;

Distinguished Guests;

Ladies and Gentlemen

1. INTRODUCTION

Honourable Chairperson:

I now wish to draw your attention to some of our key programmes:

2. LAND REDISTRIBUTION

2.1. Land acquisition

To achieve the goal of equitable access to land, as enshrined in the Constitution, the department acquires and allocates land under the land redistribution programme. In the 2020/21 financial year, we reported that we acquired 22 000 ha of land. We have improved our acquisition by over 100% from our previous financial year by acquiring 57 000 ha of land through the Pro-Active Land Acquisition Strategy (PLAS) in the 2021/22 financial year. This achievement is just a drop in the ocean, and we are not complacent about it, as we know that inequitable access to land remains the main challenge in this country.

2.2. Land allocation

In line with National Policy for Beneficiary Selection and Land Allocation Policy (NPBSLA), we continue to ensure that land allocation targets the vulnerable members of society, and to that extent, of the 39 037 ha of the PLAS land allocated, over 50% of it was allocated to the targeted vulnerable groups. It is our desired goal to improve on this as we implement the policy.

We will continue to target areas where there is huge land hunger, especially in the communal, peri-urban and rural areas. The department had to make additional funding to this programme through budget adjustment and budget re-prioritisation, to ensure that more land is acquired. In the current financial year, a budget of R366 million has been set aside for land redistribution.

2.3. Rapid release of state land to enhance land reform

In support of the initiative to release the underutilised and vacant State land, the department has allocated 679 943 ha of 700 000 ha of the agricultural land to various farmers, cooperatives, entities and communities, including vulnerable groups such as farm dwellers and labour tenants. The department

will continue to provide support to these farmers with extensions services that are inclusive of technical and infrastructure support.

2.4. Tenure Reform

We have set aside a budget of R217 million for land acquisition, to address security of tenure. Regarding this, the department intends to acquire 5000 ha of land in the current financial year. The land acquired for security of tenure addresses different land tenure needs, including settlement of the Labour Tenants applications and Extension of Security of Tenure Act, 1997 (Act No. No. 62 of 1997) (ESTA) occupiers.

2.5. Communal Property Association (CPA)

The department recognises the challenges facing Communal Property Associations (CPAs) with the limited budget. We will continue to ensure that CPAs are capacitated and supported to be compliant with the Act.

Last year, we said that we will audit CPAs over a two-year period. The current financial year 2022/23 is year two of that work.

Currently, more than 1 500 CPAs have been established and registered nationally. In the past financial year 2021/22, we supported 581 CPAs against our target of 577 and we will further train 585 members on governance of these CPAs in the current financial year. Although we over achieved in terms of the target set, we remain uneasy about the performance of CPAs.

As government, we are concerned about governance issues within CPAs and we fully understand when the Portfolio Committee and Select committees raise concerns.

We will continue to grapple with governance issues and mediation of disputes.

For us, we consider that as dealing with the symptoms and not the actual cause of the problem,

The fundamental question is:

1. Are CPAs the best land holding model?
2. Is it not time to consider sub-divisions in certain instances? For example, where family members have been brought into a legal entity and they experience continuous disagreements, to the detriment of the business enterprise.

Another major worry is that when beneficiaries have acquired land through the various land reform programmes, they defeat the very same objectives of land reform, by not using the land or not leasing it out for meagre rental income.

In saying so, I must hasten to add that a lot of support needs to be provided to the CPAs. More thinking needs to go into how we can make them functional or whether they are the best land holding model given the governance challenges.

We are pleased that through our support, the Kgatla CPA in Greater Tzaneen and Tshivhula CPA in Musina were able to resolve their governance and compliance challenges and, as a result, they were able to attract investors and are thus creating jobs for the beneficiaries.

2.6. Farm Dwellers

The department will prioritise the Extension of Security of Tenure Act (ESTA) awareness campaigns, to create awareness and curb farm evictions, implementation of the farm dweller programme and provide legal representation to farm dwellers through Legal Aid South Africa and Mediation services.

On 26 March 2022, I was in Belfast – Mpumalanga, at Paardeplaats and Rietfontein Farms, where we handed over 35 housing units to farm dwellers and labour tenants. These beneficiaries had been living in mud houses all along and are now staying in proper brick houses.

The department will expedite land acquisition for farm dwellers to provide long term security of tenure.

The department will also expedite the piloting of Agri-villages in eviction hotspot areas of KwaZulu-Natal, Western Cape and Mpumalanga.

2.7. Communal Tenure Reform

A Government's Position Paper on Land Administration and Communal tenure was approved by Cabinet for further consultation with traditional leadership, traditional communities, civil society organisations and other interest groups, and the consultation process has been complemented. This will lead to the national summit, which will take place soon.

The development of the Communal Land Tenure Policy and the Communal Land tenure Bill has commenced and awaiting the national summit consultations, before moving on with the approval processes.

All the inputs from these consultations, including the outcome of the summit, will be consolidated and contribute to the finalisation of the Communal Land Tenure Policy and the Communal Land tenure Bill.

The consultations were conducted with the following stakeholders:

- National House of Traditional Leaders;
- Traditional Communities;
- National Khoi-San Council;
- Seven Provincial Houses of Traditional Leaders;
- 30 Local Houses of Traditional Leaders;
- Five of the Kingdoms in Eastern Cape;
- Gauteng and North West traditional community members;
- CONTRALESA; and the
- Academia /Civil Society/ NGOs/ expects.

We thank the sister departments; Department of Corporative Governance and Traditional Affairs (COGTA) and the Department of Justice and Correctional Services for co-piloting the consultation process. We also thank the Inter-Ministerial Committee (IMC) on Land Reform and Agriculture, led by the Honourable Deputy President DD Mabuza, who provides continuous guidance and support.

2.8. Policy and Legislative Development

In furtherance of the recommendations of the Presidential High Panel on Agriculture and Land Reform, the department has commenced with the development of a Land Redistribution Policy and Land Redistribution Bill. The Bill is envisaged to be introduced for approval toward the end of the current financial year, as extensive consultations will have to be undertaken. This will mark the country's first over-arching Land Redistribution Legislation.

There are nine new Bills that will be introduced to Parliament, four are amendment Bills and five are new Bills.

The Sectional Title Amendment Bill has been processed by Parliament and the Agricultural Produce Agents Amendment Bill is currently being processed.

3. RESTITUTION

The Commission on Restitution of Land Rights is established by Section 4 of the Restitution of Land Rights Act, 1994 (Act No. of 1994), to ensure the realisation of the Constitutional imperative set out in Section 25(7) of the Constitution, which is,

“A person or community dispossessed of property after 19 June 1913 as a result of past racially discriminatory laws or practices is entitled, to the extent provided by an Act of Parliament, either to restitution of that property or to equitable redress.”

Notwithstanding the challenges presented by Covid-19 and the attendant State of disaster regulations, the Commission was able to achieve and exceed its 2021/22 Annual Performance targets – achieving 103% on the settlement of land claims and 106% on the target of finalising land claims.

A total of 55 073 hectares of land was secured in the settlement of 17 claims.

If the 230 claimants who opted for financial compensation had opted for land, we would have restored 88 742 hectares.

To ensure that the commission assists the claimants who opt for land restoration in the development of their land, an amount of R87, 275,483.50 was allocated in the form of development grants.

At an overall level, an accumulative total of 82 295 claims have been settled to date. A total of 3,8 million hectares of land has been secured at a land cost of over R24 billion. Financial compensation awards totaling R18 billion have been paid to date.

These land and financial compensation awards have benefitted a total of 444, 057 households who constitute a total of 2,228,123 beneficiaries. A total of 170 616 are female-headed households, while a total of 1 202 constitutes persons with disabilities.

It would be amiss of me if I do not stop and appreciate the progress, we made in District Six. All stakeholders came to the party – the Portfolio Committee, the IMC on Land and Agriculture, the City of Cape Town, our department, etc. On 6 May 2022, more beneficiaries returned to where they were forcibly removed, after the City of Cape Town issued occupancy certificates. More beneficiaries will move in in phases.

3.1. Performance Targets for the 2022/23 Financial Year

A significant progress is being made in the settlement of old order outstanding claims, an improvement that augurs well in meeting the expectations of the Constitutional Court as expressed in the LAMOSA judgement of 2019.

The 5th LAMOSA report submitted by the commission in December 2021 reflected 7148 old order outstanding claims.

The commission has set itself a target of settling a total of 336 claims and finalising a total of 372 claims for the 2022/23 Annual Performance Plan. This represents a marked increase from the targets set for 2021/22 and is premised on the significant improvements in the Covid-19 situation in the country.

3.2. Fast Track and Improve Settlement of Claims

In recognition of the urgency to expedite settlement of outstanding claims, the commission has, in the past year, completed an external audit of the outstanding claims.

This work was done by a firm of Auditors and is a critical milestone in the broader backlog reduction strategy instituted under Project Kuyasa. The audit report has since been included in the latest LAMOSA report submitted in December 2021.

While the commission is not responsible for post settlement, to improve sustainability of restituted land, it continues to mobilize role players across various economic sectors that are affected by land claims.

Several engagements have been held with public and private stakeholders, in an attempt to develop settlement models in the forestry, sugarcane, mining, Agriculture and urban land development.

To date, consultations on draft proposed models have been held across these sectors.

We are currently busy with approval processes for land claims of:

- Xwili Community Claim – King Sabatha Dalindyebo Local Municipality
- Kuni Community Claim, Phase 2 – Buffalo City

- Bethania Community Claim – Elundini Local Municipality (Joe Gqabi District)
- Shamane Community Claim – Capricorn District, Limpopo

We have not forgotten other communities.

3.3. Land Restoration in Environmentally Sensitive Areas

Two KwaZulu-Natal communities; being Okhukho and Mlaba-Ximba received title deeds to portions of Umfolozi Nature Reserve. Okhukho community restored 13 505 hectares while Mlaba-Ximba received 13 315 hectares in extent. Both communities are situated in the Ulundi Local Municipality of KZN.

Hlabisa-Mpukunyoni community received a title deed to 24 210 hectares of land in the Corridor Nature Reserve in the Mtubatuba Local Municipality of KZN.

Bakgatla ba Mmakau, under Hahabedi CPA, received a title deed to 1963 hectares of land in Barakalalo Nature Reserve situated in Moretele Local Municipality.

All these communities will enter a co-management partnership as envisioned in the Memorandum of Understanding entered between DALRRD and the Department Forestry, Fisheries and Environment (DFFE). This partnership seeks to ensure communities partake in nature conservation while promoting meaningful benefit sharing.

3.4. Progress towards autonomy

To deal with the organisational structure that does not accord with Section 4 and 21 of the founding legislation that envisions an autonomous entity, Project Kuyasa instituted an organisational form sub-project, whose outcome seeks to transform the commission into an autonomous public entity.

A business case, which details the proposed design and cost implications of setting up the commission as an autonomous entity, has been developed and submitted to both DPSA and the National Treasury for further processing.

In the interim, the department has approved an interim commission structure, which begins to introduce some level of operational autonomy, as well as the introduction of several Regional Land Claims Commissioners (RLCCs) based on a cluster of provinces. This will also go a long way in alleviating the current problem of centralisation of powers of the RLCC.

4. OFFICE OF THE VALUER GENERAL

In the recent past, we admitted to you the challenges impacting negatively on service delivery at the Office of the Valuer-General (OVG). In the past financial year, we began to implement a turn-around strategy and we are now reaping the fruits.

The 2021/22 allocation has assisted the OVG to improve its performance with regard to personnel and systems.

The OVG was able to:

- eliminate the valuations backlog inherited since inception;
- improve its audit outcomes;
- improved its management and internal processes; and
- implemented a Valuations Tracking System.

Currently, we have 21 valuers in the employ of the OVG, however, we still do have vacancies. This helps us to mitigate the risk we were exposed to in the past.

The R107 million allocation in 2022/23 will be used to further strengthen the organisation.

When all is said and done, our stakeholders want to see an improved turn-around time.

5. CONCLUSION

I want to conclude by sharing this quote:

“Our mission has always been to serve the people of this great nation and to ensure that a better life for all steadily but surely becomes a lived reality”. (2022 January 8th Statement)

Let us not live anyone behind.

Thank you.