



AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

BUDGET SPEECH

VOTE 29

13 MAY 2021

16H30-18H30

(VIRTUAL)

DEPUTY MINISTER: M. SKWATSHA



MINISTER

AGRICULTURE, LAND REFORM AND
RURAL DEVELOPMENT
REPUBLIC OF SOUTH AFRICA

Honourable House Chairperson;
Honourable Minister Thoko Didiza;
Deputy Minister Sdumo Dlamini;
Ministers and Deputy Ministers;
Honourable Chairperson of the Portfolio Committee;
Esteemed Members of Parliament;
Board Members of our State-Owned Entities;
Senior Officials of the Department and State-Owned Entities;
Stakeholders;
Distinguished Guests;
Ladies and Gentlemen

Honourable Chairperson:

The month of May is recognised as Worker’s month globally. In our country it’s also significant for another reason, on 10 May 1994 it was the inauguration of Nelson Rolihlahla Mandela as the first President of the democratic government of South Africa.

On 08 May 1996 the Constitution was adopted by the Constitutional Assembly. Who can ever forget that occasion when former Deputy President then, Thabo Mbeki, delivered that seminal speech – **“I am an African”**?

Chairperson, whenever we discuss land reform or embark on activities that restore the rights to land, to previously dispossessed persons, we move from a point of departure which recognises that an injustice was committed against the indigenous majority and that our decisions and action should be deliberately and unapologetically designed to undo that situation.

We should not allow anyone, or any organisation to try twist the truth by attempting to make us feel bad for demanding what rightfully belongs to us.

During the Title Deed Handover ceremony to the community of Covie, Plettenberg Bay, I reminded the gathering about how, what His Excellency President Ramaphosa characterised as the “original sin” was committed, how land and livestock were brutally and forcefully taken away from the rightful owners as I narrated how Paul Kruger captures one battle in his Memoirs.

What we are doing is called justice,
What we are doing is restoring the dignity of the majority of South Africans,
when such dignity is restored, we are sure we can find peace.

As former President Nelson Rolihlahla Mandela reflected;

“returning land, which translates to wealth, back to the dispossessed majority, is an important task because it is one way of addressing the injustices of apartheid.”

All communities whose rights to their land have been restored through the Title Deeds Handover events recently we say to them, that is your land, enjoy the benefits that come with being landowners.

You now enjoy what is called security of tenure and keep it that way for generations to come.

Land Redistribution

Cabinet in December 2020 approved the Beneficiary Selection and Land Allocation Policy which is aimed at expediting the land allocation process which prioritizes women, youth, and persons with disabilities. The participation and protection of these vulnerable groups across the value chain of our economy is critical. This Policy is already in the implementation phase within the various programmes of the Department.

In the 2020/21 financial year, the Department acquired 22 366 hectares of land for agricultural purposes. These included land for livestock, fruits, crops, forestry and game.

We have already allocated 16 198 hectares to deserving women and youth with most of these hectares, 11 866 hectares allocated to the youth. This allocation, supported by post settlement interventions will ensure transformation and sustainability of the sector, and importantly address the challenge of aging commercial farmers in our sector.

We are emboldened by the new developments and we will continue on this trajectory, as we empower our communities albeit with reduced

resources as there have been budget cuts to address the pandemic as we move towards economic reconstruction and recovery of our economy.

This financial year, the budget for Land Acquisition is R175-million and our plan is to acquire 33 720 hectares of land with this budget and through reprioritisation within the Pro-active Land Acquisition Strategy (PLAS).

Tenure Reform

The Land Tenure reform programme is key in achieving the Constitutional promise entrenched in section 25(6) of the Constitution of the Republic.

“A person or community whose tenure to land is legally insecure as a result of past racially discriminatory laws or practices is entitled, to the extent provided by an Act of Parliament, either to tenure which is legally secure or to comparable redress”

Farm workers, farm dwellers and labour tenants

The Land Reform (Land Tenants) Act No. 3 of 1996 (LTA) seeks to secure the tenure rights of labour tenants and former labour tenants, including by regulating their tenure and prohibiting illegal evictions.

Wherever, farm dwellers, farm workers, labour tenants and women have limited and vulnerable land rights, it is our responsibility as this department in conjunction with other departments such as Employment and Labour to take steps to correct such instances.

Although the provisions of The Extension of Security of Tenure Act (ESTA) have been strengthened we continue to receive reports of attempts to undermine this legislation.

The need for land in these areas varies and includes land for residence, land for cultivation, rituals, burial, and grazing of livestock. When these rights are not protected it may give rise to conflicts.

In giving effect to the provisions of the constitutional and the legislative mandate, the Department has prioritized the settlement of outstanding labour tenant claims. The Land Claims Court appointed the Special Master on Labour Tenants to work with the Department on expediting the settlement of these labour tenants' claims.

The Department received 20 325 applications in seven (7) Provinces with the majority of claims emanating from KwaZulu-Natal and Mpumalanga. To date, a total of 10 992 claims have been finalized, with 9 333 claims still outstanding. Working with the office of the Special Master, a Labour tenant implementation plan has been developed and approved by the Land Claims Court to address this injustice of the past.

During the past of 2020/21 financial year, a total of 200 labour tenants' applications were finalized and the Department managed to acquire 7 128 hectares for labour tenants and farm dwellers to provide long term security of tenure to these groups of persons.

For the 2021/2022 financial year, the Department has set aside a budget R244 million for the acquisition of land for Labour Tenants and farm dwellers, as well as to honour cases settled through court orders. This budget will be used to acquire 6150 hectares. **The Department in conjunction with Office of the Special Master on Labour Tenants have targeted to finalise 1500 labour tenants claims in current financial year.**

In recognising the multiplicity of challenges faced by farm workers, farm dwellers and labour tenants, the Department, working with Department of Justice and Legal Aid SA will continue to provide legal support and mediation services to persons facing unlawful evictions on farms.

Transformation of Certain Rural Areas Act (TRANCRAA)

Chairperson, the expeditious transfer of the 23 rural areas as administered by the Transformation of Certain Rural Areas Act of 1998, is continuing apace. These areas previously classified as coloured reserves are in four provinces in South Africa. The land in these areas is held in trust for the respective communities.

The process of transferring this land in consultation with the affected communities and municipalities is advancing at a faster pace. In the past financial year, we have transferred Haarlem, Mamre and the biggest portion of Ebenhaeser. We are currently busy with transfer documents for Kranshoek, Zoar and Slangrivier as part of the 11 areas to be finalised in this financial year. The other remaining areas are at an advanced stage

of implementation and all transfers will be completed in the 2022/23 financial year.

Communal Land Tenure

Communal land tenure remains a key component of Land Tenure Reform. Communal areas are home to approximately 17 million people. The people living in communal areas mostly hold informal land tenure rights that are not recorded due to the collapse of land administration in the former homelands and other rural spaces.

The Inter-Ministerial Committee on Agriculture and Land Reform is guiding on processes in this most important and sensitive area. Our Department, working with the Department of Cooperative Governance and Traditional Affairs, the Department of Justice is embarking on a consultation process with all stakeholders, including Traditional Leadership organisations and communities. The consultations will culminate in a National Land Summit, to be convened in September 2021.

Rural Safety

One of the significant threats to food security and livelihoods of our people in rural and farming areas is rural safety. Our country has recently experienced various challenges including high levels of criminality and human rights violations. Incidents reported to law enforcement authorities include murder, public violence and damage to property, racism, land invasion, unlawful eviction and stock theft.

The Inter-Ministerial Committee on Agriculture and Land Reform led by the Honourable Deputy President, has established a Task Team consisting of Department of Agriculture, Land reform and Rural Development, South African Police Service, Department of Human Settlement, Cooperative Governance and Traditional Affairs and SALGA to develop an integrated rapid response strategy. This plan with intervention measures has since been approved by the IMC. These interventions will open dialogue amongst various role players and stakeholders, including farmer's associations and farm dwellers to curb these conflicts, evictions, farm murders and bring peace and stability in these areas.

We also continue to support the Rural Safety Plan led by the Ministry of Police.

Community Property Associations (CPAs)

The Department is grappling with the challenges facing Communal Property institutions. We will continue to ensure the CPAs are capacitated and supported to be compliant with the Act, within the means available to us. The Department will also embark on an Audit of all CPAs over a period of two years starting in this financial year, with a view to review the models of land holding for Land reform.

Currently, more than 1 500 CPAs have been established and registered nationally. In the past financial year, I mentioned that we are going to support 477 CPAs however due to difficult circumstances due to COVID-

19, we were able to support 436 CPAs. In this financial year we intend to support 577 CPAs to be compliant with the Act and to strengthen oversight.

National Spatial Development Framework

Chapter 8 of the National Development Plan calls for preparation of a 'National Spatial Development Framework (NDSF)' which is to be reviewed every 5 years. The IMC on Land and Agriculture is currently reviewing the NDSF, with a target of framing and coordinating provincial, regional and municipal Spatial Development Frameworks. This approach will ensure that there is guidance in planning, budgeting and implementation across spheres and between sectors of government.

Land Reform Bills

We are pleased that the ULTRA Amendment Bill has been approved by the NCOP and on the other hand, the Communal Land Tenure Bill has also reached the stage of Public Consultations. Furthermore, we are processing the Deeds Registries Amendment Bill, through the clusters of government with the aim of improving and enhancing the application and implementation of the current Act.

Restitution

The Commission had an original budget of R3, 6 bn which was reduced to R3.3 billion for 2021.22 financial year after a reprioritization process by National Treasury.

In view of the over 8 000 claims remaining to be settled and finalized (excluding the new order claims), the MTEF allocations remain woefully

inadequate. There is a need for increased budgetary allocations, especially considering that the remaining claims are mainly rural and more complex

The Commission is projecting to settle 240 claims and finalise 316 claims in 2021/22.

With budget allowing, the Commission is projecting to increase the settlement of claims significantly with **558** and **549** claims being settled in 2022/23 and 2023/24 respectively.

While the Commission has met its 2020/21 annual performance targets in respect of settlement and Finalised claims, performance on the settlement of claims is, and will be adversely affected by the reductions in the budget of the Commission - Impacting negatively the settlement and finalisation of claims.

We are working with the Auditor General's office to establish restitution as a separate entity as prescribed by the Act, with its own APP and financial statements, the technical task team has been established that will take the process forward and ensure that the commission becomes autonomous, consultation with various stakeholders have started, the draft business case is in place and the research strategy was developed.

Office of the Valuer General (OVG)

This office continues to capacitate its different business units in order to deliver on the set targets. Key senior management posts have been attended to as well as the appointment of ten valuers.

For 2021/22 the budget allocation is R131 844 000.

We intend to eliminate the valuation backlog completely in 2021/22 financial year.

An Enterprise Resource Planning Solution (IT System) will be implemented.

In the past financial year the Minister has established a Ministerial Advisory Committee to review the Property Valuation Act (Act 17 of 2014) and the team has produced a report for consideration by the Minister.

INGONYAMA TRUST BOARD (ITB)

The Ingonyama Trust Act vested 2.8 million hectares of communal land to the Ingonyama Trust Board (ITB), the ITB accounts to the department and to parliament. We are assisting the ITB to address its operational and cooperate governance challenges.

We want to see a situation where there is stability in the senior management.

CONCLUSION

The road will not be easy, we will encounter challenges, but we will overcome them and move on in making sure that south Africans have access to land.

UMHLABA MAWUBUYELE EBANTWINI !!!

I thank you