

Proposal on activities of the ad hoc Committee on coordinated oversight on the legacy of the Native Land Act (1913)

Background

Following the Portfolio Committee on Rural Development and Land Reform's programme to initiate dialogue about the legacy of the Natives Land Act (1913), the National Assembly passed a resolution in terms of Rule 214 to establish an ad hoc committee to exercise coordinated oversight on the legacy of the Native Land Act.

The ad hoc committee should -

- Thubeths*
- (a) consist of the 12 members of the Portfolio Committee on Rural Development and Land Reform, and representatives for the following Portfolio Committees: Agriculture, Forestry and Fisheries, Arts and Culture; Public Works; Human Settlements; and Cooperative Governance and Traditional Affairs, in accordance with the following proportions: ANC 11, DA 4, COPE 3, IFP 1 and other parties 1;
 - (b) enquire about the systems put in place for, and to monitor processes towards the re-opening of the lodgment of land claims so that the Commission on Restitution of Land Rights can implement a programme that is fair and transparent to all South Africans;
 - (c) assess the extent to which the programmes of land reform and rural development have addressed the legacy of the Native Land Act of 1913, especially with regard to the committee mandate in respect of land divisions and agricultural development;
 - d* (d) assess the success or otherwise of the land restitution programmes;
 - e* (e) make recommendations on the removal of blockages preventing the restitution of land;
 - f* (f) exercise those powers in Rule 138 (Rules of the National Assembly; 7th Edition pg 50) that may assist in it in carrying out its tasks; and
 - g* (g) report to the House by no later than 20 September 2013.

The ad hoc committee will cease to exist (a) when it has completed the task for which it was established and has submitted its report to the Assembly; (b) if it is dissolved by the Assembly earlier; or (c) if it has not completed its task by the date set for the completion of the task

Membership of the Ad Hoc Committee

In terms of the Resolution of the House, the Ad Hoc Comprises members of the Portfolio Committee on Rural Development (see table 1) and the representation of various political parties as illustrated in Table 2.

Table 1: Members of the Portfolio Committee on Rural Development and Land Reform

ANC	DA	COPE	IFP	UDM
Thibedi, Mr JD	MP Swathe, Mr M	Berend, Ms S	Cebekhulu, Mr RN	Ntapane, Mr ZS
Xaba, Ms PP	Mileham, Mr K			
Matlanyane, Ms HF				
Ngwenya-Mabila, Ms P				
Zulu, Prince ZB				
November, Ms N				
Mandela, Nkosi ZMD				

Table 2: Membership of the Ad hoc Committee (and 12 members of the PCRDLR)

African National Congress (ANC)	Democratic Alliance (DA)	Congress of the People (COPE)	Inkatha Freedom Party (IFP)
Cele, Mr M	Dreyer, Ms A	Botha, Mr T	Cebekhulu, Mr RN
Dambuza, Ms N	Steyn, Mrs A	Ramatlakane, Mr L	
Mabuza, Mrs C	Mokgalapa, Mr S	Njobe, Ms MA	
Johnson, Mr L	Steenhuisen, Mr J		
Sunduza, Ms T	van den Berg, Mr N *		
Nhlengethwa, Ms D			
Twala, Mrs M			
Ngcengwane, Ms ND			
Mavunda, Mr D			
Moss, Ms L			
Sosibo, Ms J			

Table 2: Proposed activities and resource requirements for the Ad hoc committee

Items of Reference	Outputs	Activities	Resources	Timeframes on activities
To enquire about the systems put in place for, and to monitor processes towards the re-opening of the lodgment of land claims so that the Commission on Restitution of Land Rights can implement a programme that is fair and transparent to all South Africans;	<ul style="list-style-type: none"> Report on the state of readiness of the Commission on Restitution of Land Rights: Capacity of the CRLR communication of financial resources outstanding land claims 	<ul style="list-style-type: none"> The CRLR briefs the ad hoc committee on the state of readiness with regard to the reopening of the land claim (including regional offices strategies and challenges) 	Day meeting with the CRLR and DRDLR:	16 August 2013
	<ul style="list-style-type: none"> Tentative date for the reopening of the lodgement of land claims announces Legislative process and finalisation of amendment bill 	<ul style="list-style-type: none"> The CRLR briefs the ad hoc committee on the legislative process and the dates for the reopening of the lodgement. 		16 August 2013
To assess the extent to which the programmes of land reform and rural development have addressed the legacy of the Native Land Act of 1913, especially with regard to the committee mandate in respect of land divisions and agricultural development;	<ul style="list-style-type: none"> Report on how the legacy of the 1913 Land Act shapes rural South Africa today. Tenure systems in the former homelands The socio-economic rights for farm dwellers and farm workers Patterns of land ownership and use in South Africa (agrarian structure) Agricultural development and support for small-scale farmers 	<ul style="list-style-type: none"> The Ad hoc committee receives insights into the proposed amendments Convene a workshop to mark the centenary of the 1913 Land Act Critically examine the proposed policies to improve implementation of the programme of land reform through a roundtable to synthesise the proposals from the workshop Document the committee's main findings about the extent to which South Africa has addressed the legacy of the 1913 Land Act 	<ul style="list-style-type: none"> 2,5 day's workshop with researchers, academics, civil society organisations Accommodation (MPs + support personnel) Venue hire (outside parliament) Travel and accommodation for representatives of NGOs and individuals from rural communities 4 breakaway rooms and 5 laptops Flip chart papers and markers 	22 - 24 August 2013

<p>To assess the success or otherwise of the land restitution programmes;</p> <ul style="list-style-type: none"> - Report on selected restitution in the following provinces: <ul style="list-style-type: none"> - KwaZulu-Natal, - North-West - Limpopo 	<ul style="list-style-type: none"> - Conduct oversight visit to the three provinces identified during the workshop in June 2013, especially CPAs and traditional leaders, productivity of farms, and recapitalisation programme 	<p>6 days oversight visits: - Ground and air travel - Accommodation - Venue for briefings and public meetings - Profiles of different projects to be visited, and a provincial reports on restitution, status quo, challenges and implications for the reopening of land claims - PDO support</p>	<p>- 1 - 6 September 2013</p>
<p>Further reports on the living customary law in relation to the following:</p> <ul style="list-style-type: none"> - The relationships between the CPAs and Traditional Leaders - Allocation of mineral resources as well as distribution of benefits from mining-related activities - Women's rights in communal lands (former homelands) 	<ul style="list-style-type: none"> - Conduct fact finding activities around the role of traditional land in the allocation of land and related resources in rural areas, especially with regard to women's access to land, distribution of resources accruing from usage of minerals by private sector 		
<p>To make recommendations on the removal of blockages preventing the restitution of land</p>	<ul style="list-style-type: none"> - Final report of the ad hoc committee 	<ul style="list-style-type: none"> - The Ad hoc Committee deliberates on the its findings and propose recommendations - Committee considers the draft report of the Ad hoc committee 	<p>- 2 days meeting in parliament - 13 and 18 September 2013</p>

*Initial programme → for
→ Report → JCR →
→ Workshop →
→ North West Report.*

