

NORTH WEST PROVINCIAL LEGISLATURE

Office of the Speaker

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FINAL MANDATE

To: Hon MJ Mahlangu
Chairperson of the National Council Of Provinces

Name of Bill/question : RESTITUTION OF LAND RIGHTS AMENDMENT BILL

Number of Bill/question: [B35B - 2013]

Date of Deliberation: 13 March 2014

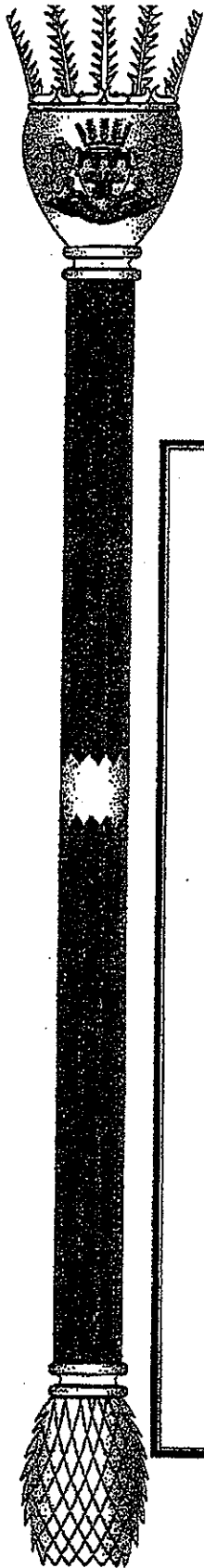
Vote of Legislature: The Provincial Legislature votes in favour of the amendments of the Restitution of Land Rights Amendment Bill. The Bill should ensure fulfill its legal mandate to protect, support and build the capacity of traditional leaderships. The Bill should open claim for a period of 10 years until June 2024. The Bill should allow restitution of land of communities that were disposed of their land through land transfer through Trusts



Hon. M.P. Mapulane
Deputy Speaker of The North West Provincial Legislature

25/03/2014

Date



Limpopo Legislature

OFFICE OF THE SPEAKER

Physical address:

Lebowakgomo
Government Complex

Postal address:

Private Bag X 9309
Polokwane
0700

FINAL MANDATE

To : The Chairperson of the National Council of Provinces (NCOP)

Name of the Bill : Restitution of Land Rights Amendment Bill

Number of Bill : [B35B - 2013]

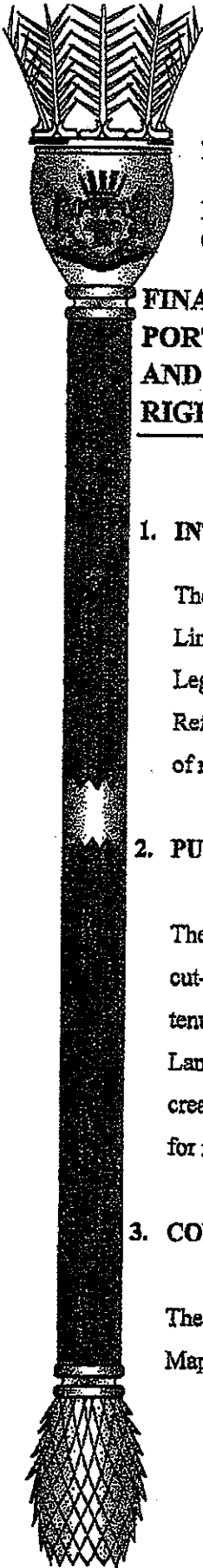
Date of deliberation : 18 March 2014

Vote of Legislature : NCOP Permanent Delegates to vote in favour of the Bill.


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SIGNATURE:
SPEAKER: LIMPOPO LEGISLATURE

19-03-2014
.....
DATE

LIMPOPO LEGISLATURE



Physical Address:

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0700

**FINAL MANDATE OF THE LIMPOPO LEGISLATURE
PORTFOLIO COMMITTEE ON AGRICULTURE, LAND REFORM
AND WATER AFFAIRS ON THE RESTITUTION OF LAND
RIGHTS AMENDMENT BILL [B35B – 2013]**

1. INTRODUCTION

The Restitution of Land Rights Amendment Bill [B35B – 2013] was referred to the Limpopo Legislature by the National Council of Provinces (NCOP) and the Limpopo Legislature in turn referred the Bill to the Portfolio Committee on Agriculture, Land Reform and Water Affairs for consideration, report back to the House and conferral of mandate to the NCOP.

2. PURPOSE OF THE BILL

The Bill seeks to amend the Restitution of Land Rights Act, 1994, so as to amend the cut-off date for lodging a claim for restitution; to further regulate the appointment, tenure of office, remuneration and terms and conditions of service of judges of the Land Claims Court, to make further provision for the advertisement of claims; to create certain offences; to extend the Minister's powers of delegation; and to provide for matters connected therewith

3. CONSIDERATION OF THE BILL

The NCOP Member, Honourable Makumyane T, and the Chief Director, Tele Maphoto, accompanied by other officials from the National Department of Rural

Development and Land Reform briefed the Portfolio Committee on Agriculture on the principles, objectives and provisions of the Restitution of Land Rights Amendment Bill on Wednesday, 05 March 2014 at Parliamentary Village at 10:00.

Considering the sensitivity of matters relating to land claims, the Portfolio Committee requested a special meeting with the Department of Rural Development and Land Reform to iron out issues that might hamper the success of the public hearing. In this meeting, it was agreed that the public hearing must not be turned into complains session about the old claims and challenges facing the department or the commission regarding previous land claims. It was further agreed that the department must set a table outside the public hearing to address complains and queries regarding the old land claims to ensure that the public hearing concentrate only on the amendments proposed to the Restitution of Land Rights Act of 1994.

After the briefing session, the Portfolio Committee resolved to embark on one central public hearing in which all stakeholders throughout all the four districts and all local municipalities in the Province will converge and deliberate on the Amendment Bill. The public hearing was therefore held at Bolivia Lodge on Friday, 14 March 2014 and over 500 stakeholders attended.

4. STAKEHOLDERS INVITED

Stakeholders invited included amongst others the provincial departments dealing with land matters, traditional leaders, legal and academic institutions, districts and local municipalities, land claims beneficiaries, farmers, interested communities and individuals, organized structures interested in land matters, prospective land claimants; etc.

Invitations were delivered to various stakeholders. Adverts were made through Limpopo SABC Combo and through Mohodu Hub Station for community radio

stations. Adverts at the SABC were run seven times a day in all official radio stations in the province during the week leading to the public hearing.

The Chairperson of the Portfolio Committee, Honourable Patricia Mahlo was afforded slots for Sepedi and English languages whereas Honourable Norman Mabasa was afforded slots for Tshivenda and Xitsonga languages. The purpose of the slots was to offer the Portfolio Committee an opportunity to talk to the general public about the public hearing and to invite them. Honourable Sello Maake and Honourable Jan Tsiane were also reserved for Afrikaans and IsiNdebele respectively.

The Limpopo Legislature provided transport for all interested and affected parties that wanted to attend the public hearing. Transport arrangements were made from all the districts and local municipalities. Some stakeholders who were able and interested to use their own transport were allowed to do so and the Legislature offered to reimburse them for kilometers travelled.

5. SUBMISSIONS AND INPUTS BY THE STAKEHOLDERS DURING THE PUBLIC HEARING

5.1 SUBMISSIONS

The Portfolio Committee received submissions regarding the Restitution of Land Rights Amendment Bill [B35B] from various stakeholders including amongst others the following:-

- Legal Resources Centre;
- Platinum City Development Corporation (Pty) Ltd;
- Nkuzi Development Association;
- Various CPAs;
- Traditional leaders and royal family representatives;
- Current and prospective land claimants; etc

5.2 INPUTS DURING PUBLIC HEARING

During the public hearing, all stakeholders appreciated and commended the principles and objectives of the Restitution of Land Rights Amendment Bill particularly the fact that the Amendment Bill will offer a second chance to those who were left out during the 31 December 1998 cut-off date.

The public also appreciated the fact that old land claims will be prioritized and that efforts will be made to ensure that existing claims are finalized first although taking into consideration that most of the remaining claims are very complex to settle.

However, the public were of the view that the Restitution of Land Rights Amendment Bill might experience the following challenges which need to be avoided:-

- overlapping claims or claims on top of a claims which might further complicate the chances of the existing claims;
- protection of the existing claims particularly those with title deeds to avoid retrogression;
- traditional leaders objecting to establishment of CPAs which might compounded conflicts amongst communities, CPAs beneficiaries and the traditional leaders;
- delays in processing land claims due to the staff members who are not competent and those on contracts with the intention to prolong their contracts;
- corrupt officials who might be bribed to favour other land claimants than the other and to collude in cheating the elderly and deserving beneficiaries; and
- poor research methodology on land claims.

In conclusion, all the stakeholders appreciated the principles and objectives of the Restitution of Land Rights Amendment Bill and enormously, without dissenting voice, agreed that the Bill be signed and passed into laws. The public hearing further encouraged the beneficiaries to opt for land where possible and not avoid monetary compensations.

6. FINAL MANDATE

The Limpopo Legislature Portfolio Committee on Agriculture, Land and Water Affairs having gone through the Restitution of Land Rights Amendment Bill, [B35B] 2013 and received inputs from the public, recommends to the NCOP Permanent Delegates to vote in favour of the Bill to be passed into Law.



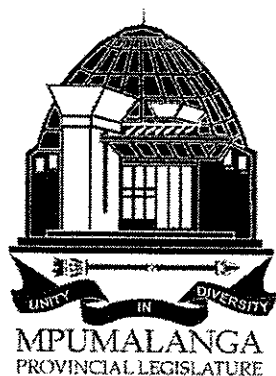
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HON. PATRICIA MAHLO
CHAIRPERSON: PORTFOLIO COMMITTEE ON AGRICULTURE, LAND
REFORM AND WATER AFFAIRS

18/03/2014

.....
DATE

OFFICE OF THE SPEAKER

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FINAL MANDATE

To: The Chairperson of the
National Council of Provinces

Name of the Bill: Restitution of Land Rights Amendment Bill

Number of the Bill: [B35B — 2013]

Date of Deliberation: 20 March 2014

Vote of the Legislature: The delegation representing the province of Mpumalanga in the National Council of Provinces is hereby conferred with a mandate to vote in favour of the Restitution of Land Rights Amendment Bill [B35B-2013].

HON SW LUBISI, MPL
SPEAKER: MPUMALANGA
PROVINCIAL LEGISLATURE

20 March 2014
DATE



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Kimberley 8300
Nobengula Extension
Galeshewe
Kimberley 8300

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Hon MP MJ Mahlangu (Mr)
Chairperson: National Council of Provinces


FINAL MANDATE


Name of the Bill: **Restitution of Land Rights Amendment Bill**

Number of the Bill: **B 35B-2013**

Date of deliberation: **Wednesday, 19 March 2014**

Vote of the Legislature: **The legislature votes in favour of the Bill**


Signature:
SPEAKER


Date:

NORTHERN CAPE PROVINCIAL LEGISLATURE



Northern Cape
Provincial Legislature

FINAL MANDATE: RESTITUTION OF LAND RIGHTS AMENDMENT BILL [B 35B-2013]

(Section 76 Bills)

1. INTRODUCTION

The Chairperson of the Portfolio Committee on Agriculture, Land Reform and Rural Development, Hon NJ Galela tables the Committee's Final Mandate on the **Restitution of Land Rights Amendment Bill [B 35B-2013]** as adopted by the Portfolio Committee on **19 March 2014**.

2. PROCESS FOLLOWED

2.1. The Speaker of the Northern Cape Provincial Legislature, on receipt, referred the **Restitution Land Rights Amendment Bill [B 35B-2013]** to the Portfolio Committee on Agriculture, Land Reform and Rural Development on **27 February 2014**.

2.2. On the **06 March 2014**, the Portfolio Committee on Agriculture, Land Reform and Rural Development received a briefing on the Bill from the Department of Rural Development and the NCOP Permanent delegate, Hon G Mokgoro.

2.3. The Portfolio Committee resolved at the meeting of **06 March 2014** to hold a public hearing on the referred Bill, in Pixley-Ka Seme region (Douglas), to solicit the views of communities and stakeholders with regard to the **Restitution of Land Rights Amendment Bill [B 35B-2013]**

2.4. The public hearing was held on **11 March 2014** as per Committee resolution and both written and oral submissions were called for. The stakeholders engaged with the Members of the Provincial Legislature in respect of the Bill.

2.5. On the **13 March 2014**, the Portfolio Committee on Agriculture, Land Reform and Rural Development deliberated and considered the Negotiating Mandate of **Restitution of Land Rights Amendment Bill [B 35B-2013]**

3. PORTFOLIO COMMITTEE POSITION AT THE NEGOTIATING STAGE

The Portfolio Committee on Agriculture, Land Reform and Rural Development met on the 13 March 2014 to support the Bill.

The House conferred on the Permanent Delegates the authority to participate in negotiations and to raise the concerns expressed.

4. COMMITTEE POSITION AFTER CONSIDERATION OF NEGOTIATING MANDATE BY THE NCOP SELECT COMMITTEE

The Portfolio Committee's Final Mandate is that the Northern Cape support the **Restitution of Land Rights Amendment Bill [B 35B-2013]**

5. FINAL VOTING MANDATE

In terms of Section 65 of the Constitution, the Portfolio Committee on Agriculture, Land Reform and Rural Development recommends that the House confer authority on the Head of its Delegation to the NCOP to vote in support of the **Restitution of Land Rights Amendment Bill [B 35B-2013]**



HON N7 Galela
Chairperson 19 MAR 2014

Date _____

LAND
25.03.14



EASTERN CAPE PROVINCIAL LEGISLATURE

OFFICE OF THE SPEAKER

Tel: 040 608 0094

Enquiries: Qabane Mafuya

Fax: 040 609 2106

Date: 24 March 2014

E-mail: qmafuya@ecleg.gov.za

Reference: RLRAB Final Mandate

FINAL MANDATE

The Chairperson : National Council of Provinces

Name of Bill : Restitution of Land Rights Amendment Bill

Number of Bill : [B35B – 2013]

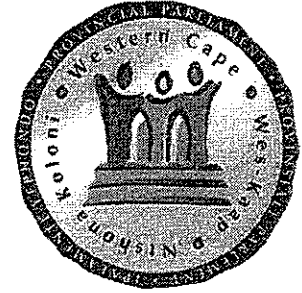
Date of deliberation : 24 March 2014

Vote of the Legislature

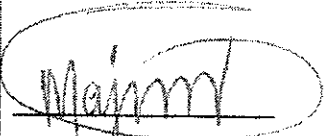
The Province votes in favour of the Bill and mandates the Eastern Cape permanent delegate to the NCOP to vote in favour of the Bill without further amendments.


F.D. Xasa : Speaker

DATE 24.03.2014
EASTERN CAPE PROVINCIAL LEGISLATURE



FINAL MANDATE

To:	Hon. MJ Mahlangu Chairperson of the NCOP
Name of Bill:	Restitution of Land Rights Amendment Bill
Number of Bill:	[B 35B – 2013]
Date of deliberation:	20 March 2014
Vote of the Legislature:	The Western Cape Provincial Parliament votes against the Bill
 Signature	<u>20/03/2014</u> Date
HON. TR MAJOLA SPEAKER	