



ANNUAL REPORT 2015/16





ANNUAL REPORT

Commission on Restitution of Land Rights

01 April 2015 – 31 March 2016

1. LETTER OF TRANSMISSION

Honourable Nkwinti, GE (MP)
Minister for Rural Development and Land Reform

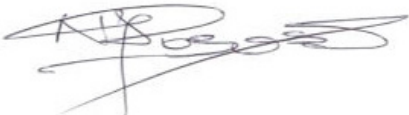
Sir,

Report to Parliament in terms of Section 21 of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994).

It is my pleasure to submit this Annual Report of the Commission of Restitution of Land Rights for the financial year that ended on 31 March 2016, for tabling in Parliament. This is in compliance with Section 21 of the Restitution of Land Rights Act, No. 22 of 1994, as amended, which prescribes that we submit this report no later than 1 June every year.

I will present the same report to the Portfolio Committee on Rural Development and Land Reform in the National Assembly, as well as to the Select Committee of Land and Mineral Resources in the National Council of Provinces, on the dates to be decided by these committees.

Yours faithfully



Ms Nomfundo Ntloko-Gobodo
Chief Land Claims Commissioner
May 2016

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PART A: GENERAL INFORMATION

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4. ABBREVIATIONS AND ACRONYMS

AGSA	The Auditor-General of South Africa
APP	Annual Performance Plan
BPCMEP	Batho Pele Change Management Engagement Programme
CASP	Comprehensive Agricultural Support Programme
CIGs	Corporate Identity Guidelines
CLCC	Chief Land Claims Commissioner
CLT	Communal Land Tenure
CPA	Communal Property Association
CRLR	Commission on Restitution of Land Rights
DPME	Department of Performance Monitoring and Evaluation
DRDLR	Department of Rural Development and Land Reform
FHHs	Female Headed Households
Fin Comp	Financial Compensation
HHs	Households
IPAP	The Industrial Policy Action Plan
M&E	Monitoring and Evaluation
MP	Member of Parliament
NDP	National Development Plan
RETM	Rural Economic Transformation Model
RLCC	Regional Land Claims Commissioner
SANT	South African Native Trust
SMS	Senior Management Service
The Constitution	The Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996)
The Restitution Act	Restitution of Land Rights Act, 1994 (Act No. 22 of 1994), as amended
The PFMA	Public Finance Management Act, 1999 (Act No. 1 of 1999)

5. MINISTER'S FOREWORD



Land Restitution, which is one of the four elements of our Land Reform Programme, is critical in achieving the vision of an integrated inclusive rural economy as set out in Chapter 6 of the National Development Plan: Vision 2030 (“the NDP”). The NDP calls for inclusivity and integration of rural areas, through successful land reform, job creation and poverty alleviation, and places agriculture as the driving force behind this vision.

Land restitution is implemented through the Restitution Act, which is one of the first pieces of legislation passed by our first democratic Parliament, and signed into law by our first democratically elected President, His Excellency (former) President Nelson Rolihlahla Mandela on 24 November 1994; 21 years ago.

It has been 21 years of land restitution; 21 years of courage and commitment of the ANC led democratic government to making the country work equitable for every one of its citizens, and reversing the calamitous socio-economic consequences of the Natives Land Act, 1913.

Government is committed to reverse the legacy of the Natives Land Act through the Constitution and the law.

Significant progress has been made, albeit not at the pace expected, given the depth of want and deprivation on the part of the black majority. Sections 25, 26, 27 and 36 of the Constitution, the Restitution of Land Rights Act, 1994 and other land related pieces of legislation, as well as policies and programmes of government, are an eloquent expression of this progress.

Not everyone believes that government is indeed making progress. This is understandable, given the profundity of suffering experienced by the vast majority of people as a result of the Natives Land Act. This Act also devastated the environment. The former so-called homeland areas (the 13% of the land occupied by 87% of the population) suffered massive soil erosion and deforestation due to overgrazing and overpopulation. The Act is also the foundation of the triple challenge of poverty, unemployment and inequality we see in our country today. Until visible changes are made in this regard, people living in these areas will find it hard to believe that there is progress.

Land restitution is therefore but one of the necessary interventions that are being implemented to reverse the legacy of the Natives Land Act. Other interventions include:

- The implementation of the Spatial Planning and Land Use Management Act;
- The Agri-Parks Programme;
- The Rural Economy Transformation Model;
- The Animal and Veld Management Programme; and
- The One Hectare, One Household Programme.

There are also other small farmer development and support programmes and initiatives that are being implemented, such as:

- Strengthening the Relative Rights of People Working the Land (50/50 Policy Framework);
- The Regulation of Agricultural Land Holdings;
- The River Valley Catalytic Programme;
- The Recapitalisation and Development Programme; and
- The Revitalisation of towns programme.

In addition, there are other programmes of other departments such as:

- The Agricultural Policy Action Programme;
- The Comprehensive Agricultural Support Programme (CASP);
- Illema Letsema;
- The Municipal Infrastructure Grant;
- The Industrial Policy Action Plan (IPAP);
- The Community Works Programme;
- The Expanded Public Works Programme and others.

Of all the land claims that have been settled until 31 March 2016, the vast majority of claimants have opted for restitution in the form of financial compensation. This trend is likely to continue as 94% of claimants of the 143 720 new claims that have been lodged since the re-opening of lodgement of new claims, have indicated a preference for their claims being settled through payment of financial compensation. This is an indication of the severity of the challenges that our people are faced with, including the absence of alternative sources of income, which again, is a consequence of the Natives Land Act.

Government is committed to defeat the negative prognosis that are often issued by the peddlers of doom who have taken time to feed the nation with disinformation that it will take 144 years to settle the new claims and another 1000 years to finalise them.

We are confident that the institutional support that is being provided to the Commission on Restitution of Land Rights (CRLR) will go a long way towards assisting government to meet its targets as set out in the National Development Plan (NDP).

The Honourable Nkwinti, GE (MP)
Minister of Rural Development and Land Reform

6. OVERVIEW BY THE CHIEF LAND CLAIMS COMMISSIONER



Introduction

The CRLR was established as an autonomous institution established by the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994) to solicit land claims, investigate them and attempt to resolve them through negotiation and mediation. During the year under review, the CRLR made significant strides in working towards becoming a commission of excellence that ensures that effective, efficient and speedy redress is provided to victims of racially based land disposessions.

Section 21 of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994) stipulates that the CRLR must “annually not later than the first day of June submit to Parliament a report on all its activities during the previous year, up to 31 March.” This annual report is in fulfilment of that requirement, but also largely in line with the requirements of Section 40 (1) and (3) of the Public Finance Management Act, 1999 (Act No. 1 of 1999) (PFMA). The Public Service Regulations, 2001 prescribe that human resource information is included in the annual report and that the Minister of Public Service and Administration prescribes this requirement for all government departments within public service.

As the CRLR is neither a fully-fledged government department, nor a completely independent entity of government, this annual report seeks to only extract and report on the most crucial performance and reporting requirements in terms of the statutory requirements above. Comprehensive reporting on Programme 4 – the Restitution Branch – is done in the annual report of the Department of Rural Development and Land Reform (DRDLR).

Strategic direction

This year saw the publishing of our own and autonomous strategic plan for the period 2015 to 2020, a key move towards impressing our autonomy vis a vis the DRDLR. The Autonomy Programme is based on a long term approach and focuses on a comprehensive process of transformation of the CRLR into an efficient, cost effective organisation that improves the experience of our constituents, of which becoming autonomous (“being a separate public entity”) is but one project. It is also aligned to address the findings of evaluations of our effectiveness performed by a number of institutions.

Whilst the key objective of the Restitution Programme remains to facilitate the settlement of claims and provide restitution or equitable redress to victims of racially motivated land dispossession, significant organisational changes have occurred or are occurring on an ongoing basis, as outputs over the medium and long term. This includes the formalising of the reporting lines of the Chief Land Claims Commissioner (CLCC), directly to the Minister, the finalisation of our autonomous corporate identity as a branch within the department but with autonomous powers as per our mandate and the drafting of our own strategic plan, as well as separate reporting to the Portfolio Committee and other oversight committees.

Performance against set targets

During the period under review, the CRLR managed to exceed its targets by settling 617 new claims against the target of 463, finalising 560 claims against a target of 373 and approving 82 phased projects against a target of 62. On the research target there was a shortfall of 119 claims that had to be researched and the CRLR researched 2541 claims against an initial target of 2660. As part of the Annual Performance Plan (APP), two 4x4 mobile lodgement offices were registered and successfully rolled out. The provincial performance section in the report offers a detailed explanation of the counting of claim forms and how it led to the setting of the targets for settled claims. This clearly demonstrates that the overachievement in the number of settled claims is not due to any under targeting.

Reopening of claims

As you may know this year also marks a full year since the reopening of the land claims process which came into effect on 1 July 2014, following the promulgation of the Restitution Amendment Act by President Jacob Zuma. The paperless lodgement system has been very successful in ensuring that the information provided by claimants are properly recorded and stored electronically. In addition, the launch of mobile lodgement offices has made the land claims process much easier and more convenient for the aspirant land claimants.

The mobile lodgment offices are busses that are specially equipped with technology to process applications for land claims on site. These mobile offices have been well received by communities as it makes it easier for them to lodge their claims without having to travelling long distances from rural areas. An additional two (2) all-terrain (4x4) trucks were acquired to support the mobile offices and enable us to reach even the most remote areas of our country.

Further to the targets as set out in the APP, the CRLR can report that it settled 101,885.6171 hectares of land and benefitted 14,318 households of whom 6,999 were Female Headed Households (FHHs).

Financial performance

The CRLR received a budget allocation of just under R2,657bil of which we were able to spend 100%. The bulk of the funds were disbursements to claimant households via financial compensation or for the purchase of land in the amount of some R2,065bil. The CRLR continues to motivate claimants during options workshops to opt for land rather than financial compensation to support the process of land redistribution.

As part of our responsibility to be an accountable government, it is my pleasure to submit this annual report of the CRLR for the financial year that ended on 31 March 2016, for tabling in Parliament.

Ms Nomfundo Ntloko-Gobodo
Chief Land Claims Commissioner



7. STRATEGIC OVERVIEW

7.1 Vision

A Commission of excellence that ensures that effective, efficient and speedy redress is provided to victims of racially based land dispossessions.

7.2 Mission

We exist to provide equitable redress to victims of racially motivated land dispossession, in line with the provisions of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994), as amended.

Values

We uphold the following values:

- We value and encourage diversity and will not discriminate against anyone. We uphold the rights of individuals as enshrined in the Constitution of the Republic of South Africa.
- We strive to be transparent, accountable and responsive in all the services we offer to claimants and other stakeholders, in order to ensure equitable redress.
- We strive towards maintaining high service standards through improved business processes and a focus on ethical and professional operational principles.
- We ensure that we have a dedicated, loyal, results-oriented, professional and people-focused workforce that is passionate and committed to serve the people of South Africa.
- In collaboration with all stakeholders, the CRLR will comply with all laws of this country and will not pass any legislation that is in conflict with the Constitution.

8. LEGISLATIVE AND OTHER MANDATES

8.1 Mandate

The CRLR is an autonomous institution established by the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994) to solicit land claims, investigate them and attempt to resolve them through negotiation and mediation.

8.1.1 Constitutional mandate

8.1.1.1 Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996)

The mandate for restitution of land rights is derived from section 25 (7) of the Constitution of the Republic of South Africa, 1996 (“the Constitution”) which states that 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.”

8.1.2 Legislative mandate

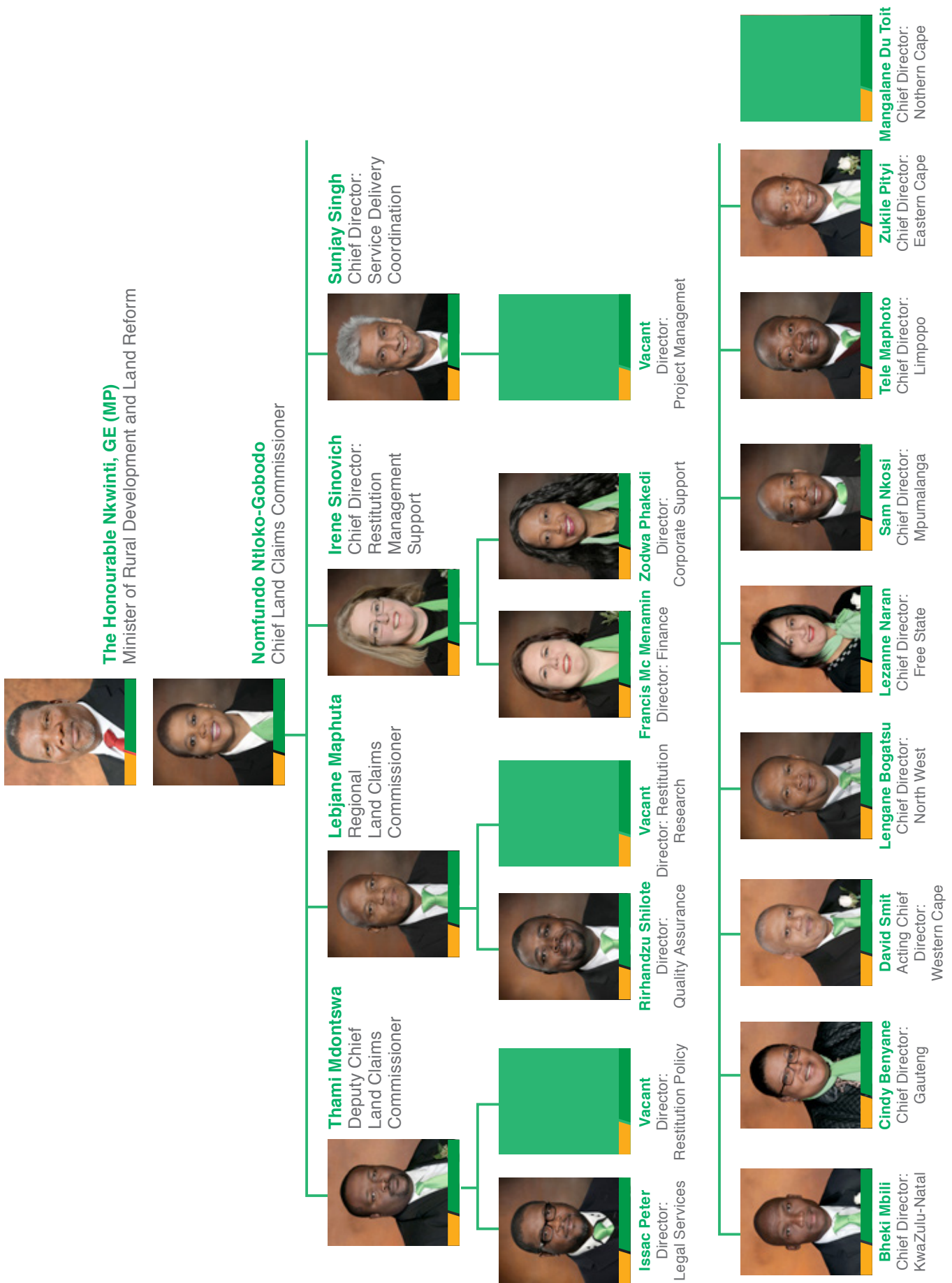
8.1.2.1 Restitution of Land Rights Act, 1994 (Act No. 22 of 1994)

Emerging from section 25(7) of the Constitution, the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994), as amended (“the Restitution Act”), was promulgated. The long title of the Restitution Act is “to provide for the restitution of rights in land to persons or communities dispossessed of such rights after 19 June 1913 as a result of past racially discriminatory laws or practices; to establish a CRLR and a Land Claims Court; and to provide for matters connected therewith.”

The Restitution Act also empowers the Minister of Rural Development and Land Reform and the Land Claims Court to make awards to restitution claimants where he or she is satisfied that there is a valid restitution claim, by awarding to the claimant land, a portion of land or any other right in land, the payment of financial compensation, or an award of both land and financial compensation.

On 30 June 2014, the President assented to the Restitution of Land Rights Amendment Act, 2014 (Act No. 15 of 2014), which came into operation on 1 July 2014. The Restitution of Land Rights Amendment Act, 2014 provides, among others, for the re-opening of lodgement of land claims for a period of five years, calculated from 1 July 2014 to 30 June 2019.

9. ORGANISATIONAL STRUCTURE



9.1 An Autonomous CRLR

The rationalisation of the CRLR was pronounced by the Minister on 7 June 2011 during the Minister's Budget and Policy Speech where the Minister clarified to Parliament actions he took to create improved synergy with clear lines of accountability between the Department and the CRLR. The Minister made it clear that the CLCC has the responsibility and authority over the CRLR, whilst the Director General (DG) of the DRDLR is accountable for the finances of the Department, including all other PFMA and related legislation.

The Minister, in his budget speech, captured the essence of an autonomous CRLR which receives its financial allocations through the Department, whilst maintaining its identity in executing its mandate.

The 14 CRLR offices in the provinces are each headed by a Chief Director. As from 1 April 2015, these offices are supplemented by six (6) mobile lodgement offices, two (2) of which are designed for access to rugged rural areas.

Although the CLCC reports directly to the Minister of Rural Development and Land Reform, the DG remains the accounting officer in terms of the PFMA.

The CRLR is implementing an Autonomy Programme which is a process of comprehensive transformation of the Commission into an efficient, cost effective organisation that improves the experience of our constituents, of which becoming autonomous ("being a separate public entity"), is but one project.



PART B: PERFORMANCE INFORMATION

10. OVERVIEW OF THE PERFORMANCE OF THE CRLR

The CRLR prepared the overview of the performance of the CRLR in the annual report against predetermined objectives in accordance with the requirements of sections 40(3) (a) and 55 (2(a)) of the PFMA, Chapter 18 section 18.3.1 (b) of Treasury Regulations and Chapter 6 of the National Treasury Framework for Managing Programme Performance Information, issued by the National Treasury.

The information reported is a product of established internal policies, procedures and controls related to the management of performance information designed to provide reasonable assurance about the integrity and reliability of the performance information.

10.1 Service Delivery Environment

The CRLR entered the second year of the reopening of the lodgement of land claims. The reopening process opened on 1 June 2014 and initially the lodgement offices were experiencing large volumes of queries from prospective claimants which placed undue pressure on both claimants and CRLR officials. The burden was lightened significantly during the reporting period due to the roll-out of six (6) mobile lodgement offices, two (2) of which are designed for access to rugged rural areas. These mobile lodgement offices are specially equipped vehicles fitted with technology to process applications for land claims on site. The roll-out was accompanied by a substantial communication campaign to:

- Create awareness about the opening of the land claim process amongst all South Africans;
- Mobilise prospective claimants to come forward and lodge their claims by the end of June 2019;
- Provide information about the criteria and process to be followed when lodging a land claim; and
- Reassure existing land claimants about the government's commitment to finalise their claims.

Despite challenges in the service delivery environment, the CRLR managed to exceed its targets by settling 617 new claims against the target of 463, finalising 560 claims against a target of 373 and approving 82 phased projects against a target of 62. On the research target there was a shortfall of 119 claims that had to be researched and the CRLR researched 2541 claims against an initial target of 2660.

In terms of Programme 4, the Department far exceeded all but one of the five targets planned for the year under review. The only target that was not exceeded, but still achieved, was the research of claims lodged by 1998.

10.2 Service Delivery Improvement Plan

The key service delivered by the CRLR is "to finalise the restoration of land rights and/or alternative forms of equitable redress." The 2015/2016 Service Delivery Improvement Plan (SDIP) in this respect is outlined in table 1 below with the performance for the reporting period included.



Table 1: SDIP to Service Beneficiaries: Dispossessed individuals, families and/or communities

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10.3 Organisational Environment

The CRLR strengthened its position as an autonomous Commission with the CLCC reporting directly to the Minister and entering into a performance agreement with him for the reporting period. This started a process of defining the mandate and “discreteness” of the CRLR more clearly to ensure that it is able to operate as an autonomous entity dedicated exclusively to the administration of the restitution process. The focus and mandate of the CRLR unfortunately remained somewhat blurred in relation to a range of post-settlement and community conflict resolution activities and this remains to be problematic.

Through the Rural Economic Transformation Model (RETM), the CRLR and DRDLR linked their activities, a process that continues to strengthen over time. The draft policy on the application of the RETM was compiled during the period under review in order to provide a management tool to the CRLR to ensure the creation of institutional conditions for effective and efficient governance and sustainable development of land awarded to restitution beneficiaries.

In August 2015, the CRLR commenced with detailed business process mapping of the restitution process, in line with the recommendation of the Department of Performance Monitoring and Evaluation (now the Department of Planning, Monitoring and Evaluation) that the CRLR should define the business process and elaborate this into standard operating procedures which describe every step in the restitution process in detail. Once completed, it will guide provincial offices of the Regional Land Claims Commissioner (RLCC) to operate within the same policy and process frameworks. This will in turn alleviate previous criticism by the Department of Performance Monitoring and Evaluation that there has been an absence of consistent and clearly defined operating procedures, resulting in variations in the processes and approaches to claim settlements across provinces, as well as inconsistencies in the process over time.

10.4 Key Policy Developments and Legislative Changes

A number of policies were drafted and/or finalised during the period under review. These include:

10.4.1 Policy on the prioritisation of land claims

This policy was drafted to ensure compliance with Section 6 (10) of the Restitution Act by ensuring that claims lodged on or before 31 December 1998 and which were not finalised on 1 July 2014 when the period for reopening of land claims commenced, are prioritised for processing, settlement and implementation.

The purpose of the policy is to standardise the interpretation and application of the provisions of the Restitution Act across provincial RLCC offices and was approved by the CLCC on 30 October 2015.

10.4.2 Policies drafted for implementation as from 1 April 2016

A number of policies were drafted in the period under review for the commencement and implementation at the start of the 2016/2017 financial year. These include:

- The policy on the application of the RETM in the CRLR;
- The Financial Compensation Policy; and
- The Policy on the application of section 12(4) of the Restitution Act.

11. STRATEGIC OUTCOME ORIENTED GOALS

In line with the outcomes of government, the CRLR has identified three (3) strategic goals which it seeks to achieve in the period of this plan and beyond as set out below:

Table 2: Strategic oriented goals of the CRLR

Strategic Goal 3	Organisational change management
Goal Statement	Improved corporate governance and service excellence through inter alia the operationalisation of an autonomous CRLR, a strengthened legal framework, improved business information and improved communication

In respect of Strategic Goal 1, the objectives of the annual performance targets of the CRLR for 2015/216 were to settle claims, finalise claims and account for the number of phased claims approved, as well as the number of research reports produced.

In respect of Strategic Goal 2, the CRLR facilitated the lodgement of new claims throughout the reporting period.

The organisational change management goal is directly linked to the Autonomy Programme which aims to clarify the organisational mandate and business processes, to improve information and project management, to improve governance and communication and finally to improve customer satisfaction and communication.

12. OVERALL PERFORMANCE AND DELIVERY IN TERMS OF THE APP

The overall performance against the strategic objective to facilitate the restoration of land rights and alternative forms of equitable redress by 2020 as set out in the APP targets is contained in table 3 below.

Table 3: Performance against APP targets

Performance indicator	Actual performance against target		Reasons for variance
	Target (2015/2016)	Actual (2015/2016)	
Number of land claims settled	463	617	<p>The overachievement may appear to be due to under targeting, but if one looks at the provincial breakdown of performance, it is evident that two offices (Limpopo and North West) have over performed significantly, which mainly contributed to the overachievement.</p> <p>In Limpopo, the Mpaphuli and Chibase claims were dealt with as a community claim, however a total of 83 claim forms were lodged by claimants for the Mpaphuli Individual Land Claims (LP); and 70 claim forms were lodged by claimants for the Chibase Individuals (LP). The counting of claims were therefore aligned accordingly.</p> <p>In North West, reconciliations were done on the Putfontein settlement, which resulted in an additional 27 claim forms being counted.</p> <p>Due to the underperformance in Quarter 1, focus shifted to the settlement of individual financial compensation claims.</p>
Number of land claims finalised	373	560	<p>The overachievement may appear to be due to under targeting, but if one looks at the provincial breakdown of performance, it is evident that two offices (Limpopo and Mpumalanga) over performed.</p> <p>In Limpopo, the office finalised a total of 104 claims inclusive of Chibase and Mpaphuli individual claims.</p> <p>In Mpumalanga, the settlement and finalisation of Goedehoop contributed to the 13 claims finalised.</p> <p>The 63 dismissed claims which form part of the Technical Indicator Descriptions also contributed to the achievement.</p>
Number of phased projects approved	62	82	<p>The overachievement may appear to be due to under targeting, but if one takes into consideration the hectares required for the CRLRs contribution towards redistribution, the focus shifted in Quarter 4 towards the achievement of this target.</p> <p>The CRLR achieved 98%, i.e. 101 885 hectares against a target of 103 000 hectares. This resulted in 26 additional phased projects being approved in Quarter 4 only.</p>
Number of claims lodged by 1998 to be researched	2,660	2,541	<p>The underperformance is attributed to the following:</p> <ul style="list-style-type: none"> × Although there was a research intervention strategy in place, difficulties were experienced with the management and monitoring of outsourced research claims, in that : <ul style="list-style-type: none"> - Outsourced research reports were not received timeously; and - Poor quality of research reports submitted by service providers resulted in repeated amendments as service providers underestimated the complexity and extent of work needed for the research.

Performance indicator	Actual performance against target		Reasons for variance
	Target (2015/2016)	Actual (2015/2016)	
Number of lodgement offices functional	Two all-terrain (4x4) mobile lodgement offices operational	4x4 Mobile offices registered and successfully rolled out nationally	None

The CRLR's performance served the number beneficiaries of the restitution programme as indicated in table 4 below.

Table 4: Number of beneficiaries and hectares awarded

Quarter	Beneficiaries	Hectares Awarded
Quarter 1	5,563	13,232.1072
Quarter 2	11,691	26,948.9956
Quarter 3	16,773	49,665.9043
Quarter 4	29,380	12,038.6100
TOTAL	63,407	101,885.6171

Table 5: Land Claims Settled

Province	Target	Actual
Eastern Cape	93	80
Free State	6	5
Gauteng	18	18
KwaZulu-Natal	51	50
Limpopo	34	189
Mpumalanga	52	59
North West	7	30
Northern Cape	11	8
Western Cape	191	178
TOTAL	463	617

Graph 1: The number of land claims settled per province against target

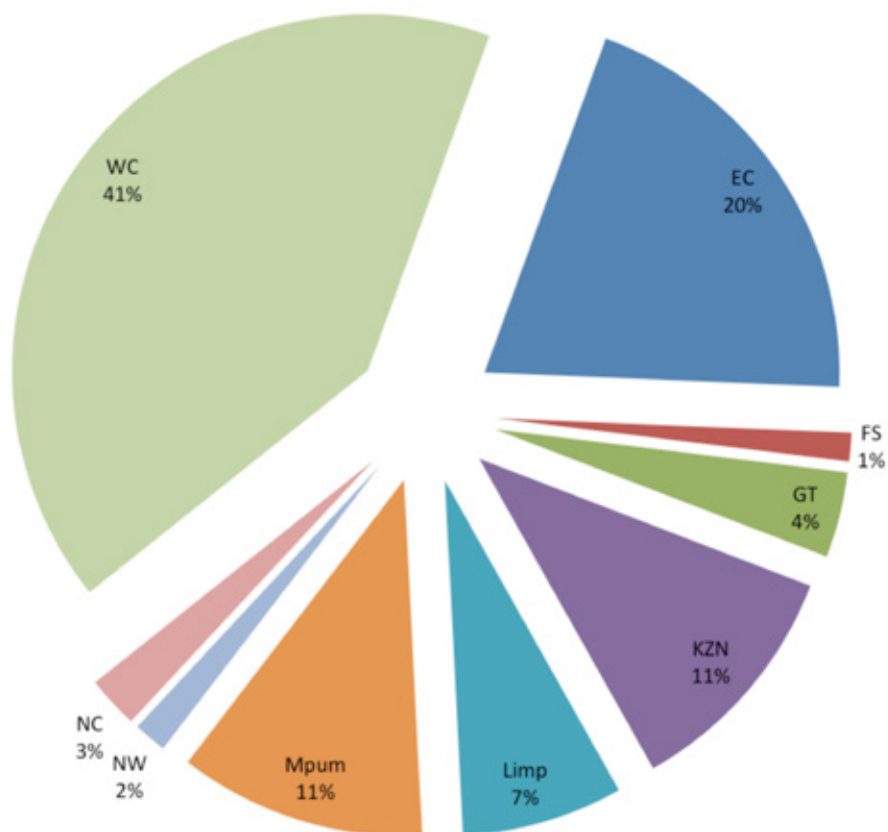


Table 6: Land Claims Finalised

Province	Target	Actual
Eastern Cape	47	40
Free State	11	10
Gauteng	31	76
KwaZulu-Natal	40	59
Limpopo	28	104
Mpumalanga	13	42
North West	19	34
Northern Cape	14	22
Western Cape	170	173
TOTAL	373	560

Table7: Phased projects approved

Province	Target	Actual
Eastern Cape	6	7
Free State	1	1
Gauteng	-	3
KwaZulu-Natal	10	14
Limpopo	13	10
Mpumalanga	12	20
North West	15	15
Northern Cape	5	8
Western Cape	-	4
TOTAL	62	82

Table 8: Claims Lodged by 1998 Researched

Province	Target	Actual
Eastern Cape	405	279
Free State	1	7
Gauteng	110	65
KwaZulu-Natal	552	621
Limpopo	331	301
Mpumalanga	644	584
North West	9	45
Northern Cape	37	45
Western Cape	571	594
TOTAL	2660	2541

Table 9: Number of Hectares Transferred and Settled

Province	Hectares Settled in 2015/2016		Number of hectares still to be transferred
	Total number of hectares settled	Total number of transferred hectares in 2015/2016	
Eastern Cape	4,111.2507	0	4,111.2507
Free State	1,163.6908	177.0223	986.6685
Gauteng	0	0	0
KwaZulu-Natal	13,666.7971	2,677.6262	10,989.1709
Limpopo	1,1269.1930	7,753.2013	3,515.9917
Mpumalanga	19,814.8837	1,951.0538	17,863.8299
North West	10,137.2440	9,122.3425	1,014.9015
Northern Cape	37,295.2409	4,596.6841	32,698.5568
Western Cape	4,427.3169	3,990.0716	437.2453
TOTAL	101,885.6171	30,268.0018	71,617.6153

Table 10: Rural and Urban Split and Number of Beneficiaries per Province

Province	Rural	Urban	Dismissed	HHs	Beneficiaries	FHHs
Eastern Cape	55	25	-	4335	21853	2454
Free State	5	0	-	283	969	100
Gauteng	15	3	4	919	2049	529
KwaZulu-Natal	13	37	-	1129	5983	476
Limpopo	188	1	-	3317	9951	1856
Mpumalanga	50	9	-	2105	15285	711
Northern Cape	7	1	14	609	3483	174
North West	29	1	17	143	257	75
Western Cape	3	175	28	1478	3577	624
TOTAL	365	252	63	14318	63407	6999

13. PERFORMANCE INFORMATION BY PROVINCE

Table 11: Provincial performance against APP target

Province	Annual Performance against Targets			
	Number of land claims settled	Number of land claims finalised	Number of phased projects approved	Number of claims lodged by 1998 to be researched
Eastern Cape	80 (86%)	40 (85%)	7 (117%)	279 (69)
Free State	5 (83%)	10 (91%)	1 (100%)	7 (700%)
Gauteng	18 (100%)	76 (245%)	3 (cannot rate - no target set)	65 (59%)
KwaZulu-Natal	50 (98%)	59 (148%)	14 (140%)	621 (113%)
Limpopo	189 (556%)	104 (371%)	10 (77%)	301 (91%)
Mpumalanga	59 (113%)	42 (323%)	20 (167%)	584 (91%)
North West	30 (429%)	34 (179%)	15 (100%)	45 (500%)
Northern Cape	8 (73%)	22 (157%)	8 (160%)	45 (122%)
Western Cape	178 (93%)	173 (102%)	4 (cannot rate - no target set)	594 (104%)











FREE STATE PROVINCE

13.2 Free State Province

13.2.1 Summary of Performance: Free State Province

Overview

Number of land claims settled		Number of phased projects approved		Number of land claims finalised		Number of claims lodged by 1998 to be researched	
Target	Actual	Target	Actual	Target	Actual	Target	Actual
6	5	1	1	11	10	1	7

During the past financial year, the Office of the RLCC: Free State, though faced with many challenges, managed to complete research on all 1998 claims lodged and will continue with the finalisation of all claims lodged prior to 31 December 1998 in an endeavor to ensure that the claimants receive the awards due to them. All this was made possible by team work, commitment and dedicated staff. During the 2015/2016 financial year, the province projected the following in the APP: to settle six land claims, finalise 11 land claims and research one land claim. As at the end of the 2015/2016 financial year, the province settled five land claims, finalised 10 land claims and researched seven land claims. In addition, the province facilitated the approval of one phased project.

The settlements concluded during the year under review were for land restoration and financial compensation claims, with the Modderpoort community claim being the largest settlement of a financial compensation of R75 million that was shared amongst the 125 claimant households.

One of the highlights for the Province was the hosting of the national mobile bus launch in Qwa Qwa. The aim of the mobile lodgement offices is to reach all South Africans, especially those in the most rural areas who lost their land during apartheid and to make it possible for them to lodge their land claims before 30 June 2019. The event was attended by approximately 28000 community members and it was a resounding success. During the year under review we continued with the roll out of the mobile lodgement offices to different towns in the Free State and we are happy to report that 23 158 claims were lodged by the end of the financial year. Of those, 5289 claims were lodged through the mobile offices and a total of 17 869 claims were lodged through the Bloemfontein office.



Mobile lodgement launch in Phutaditjhaba - 25 April 2015

Table 13: Claims finalised in the period under review

Claim	Approval Date	Type of Claim	Expenditure on finalised claims
Morojaneng Old Location	27/02/2013	Urban	54,650
Warden	29/11/2005	Urban	30,000
Dewetsdorp/ Morojaneng Old Location	30/06/2004	Urban	42,380
Dewetsdorp/ Morojaneng Old Location	30/06/2004	Urban	233,030
Moodam No. 540	21/10/2015	Rural	110,000
Brandisi 1	21/02/2016	Rural	3,324,812
TOTAL			3,794,872

13.2.2 Highlights on Claims Settled by the Office during the year under review

Phase 2 Modderpoort Community Land Claim

The Modderpoort Community land claim was approved by the Minister on the 30th of October 2015 and all beneficiaries were paid during the 2015/2016 financial year. An amount of R 75 769 031.25 was paid to 125 households comprising 492 beneficiaries of which 32 are FHHs. Beneficiaries used their financial compensation to construct new houses and renovate existing structures.

Phase 2 (full and final) Zoar Community Land Claim

Phase 2 of the Zoar Community land claim was approved by the Minister on the 28th of September 2015 for two (2) households that opted for land restoration. Two properties to the amount of R 4 104 816.00 were purchased. Farm Zoar has ample water and also provides water to the neighboring property restored to the claimants. The claimants have expressed the desire to enter into a mixed farming operation.



Mobile lodgement launch in Phutadijhaba - 25 April 2015



GAUTENG PROVINCE

13.3 Gauteng Province

13.3.1 Summary of Performance: Gauteng Province

Overview

Number of land claims settled		Number of phased projects approved		Number of land claims finalised		Number of claims lodged by 1998 to be researched	
Target	Actual	Target	Actual	Target	Actual	Target	Actual
18	18	-	3	31	76	110	65

The Office of the RLCC: Gauteng Province put a concerted effort into effecting the restitution mandate through ensuring that it settled all claims as per the target outlined in the APP as well as overachieving on its set target for the finalisation of claims for the year under review.

During the 2015/2016 financial year, the province projected to settle 18 land claims in the APP. Gauteng also projected to finalise 31 land claims and research 110 land claims. As at the end of the 2015/2016 financial year, the province managed to finalise 76 land claims and research 65 land claims. In addition, although not initially targeted, the province facilitated the approval of three phased claims.

The majority of land claims that were settled in the period under review were lodged against rural properties. However, the majority of claimants is now urban dwellers and opted for financial compensation. The target of settling 18 land claims was achieved which benefitted 290 households at a total cost of R 7 271 878.21. Three phased projects were settled for Kafferskraal, Phase 1 and 2, as well as Vygeboschlaagte Phase 1 at a total cost of R 27 766 868.40.

A sterling record was maintained in the formation of legal entities for restored properties and to this end 49 properties were transferred for land restoration. There were 11 property transfers for Ellison and Steynberg with a total measurement of 47.4719 hectares for land restored. For Wallmansthal, 24 properties were transferred for land totalling 49.7117 hectares. In Marabastad 14 properties were successfully transferred.

The office developed a strategy to deal with the high number of untraceable claimants which was an obstacle in the settlement and finalisation of claims lodged in the lodgement period ending 31 December 1998. The three-pronged approach included continued efforts by the office to deal with the processing of backlog claims, a communication strategy to communicate the issue with the public and most importantly, the establishment of a stakeholder relationship with the South African Social Security Agency (Gauteng Province) to access their database for contact details of the untraceable claimants. The approach yielded a 60% success rate in tracing the piloted sample of untraceable claimants. The office is currently drafting a Memorandum of Understanding between the CRLR and the South African Social Security Agency so that the approach can be adopted by all provincial offices of the RLCC in a bid to ensure that the effecting of the restitution mandate is afforded to all.

REOPENING OF LAND CLAIMS

The Lodgement Office adapted well to the high influx of claims lodged at the lodgement site due to the reopening of land claims, whilst the roll out of the mobile office ensured the positive and effective reaching of remote based claimants in all areas of the province. Through collaboration with all municipal district offices in the province, the Maropeng Mobile Lodgement Office which is shared with the North West province was able to visit all districts to ensure that it covers all municipal regions in its first year of operation. Maropeng is short for “Maropeng go a boelwa” a Setswana proverb which when translated means that home is the best place to return to; an apt name which fits

in with the restitution mandate. As at 29 February 2016, there were 17 582 claims lodged in the province since the reopening in July 2014.



Beneficiaries from Gauteng province receiving Financial compensation and title deeds during the Restitution at Work Handover celebration held at Tshwane Conference Centre.

Table 14: Claims finalised in the period under review

Claim	Approval Date	Type of Claim	Expenditure on finalised claims
Wallmansthal F0584	07/09/2007	Urban	3,000
Wallmansthal F0497	07/09/2007	Urban	3,000
Wallmansthal F0015	07/09/2007	Urban	3,000
Wallmansthal F0103	07/09/2007	Urban	3,000
Witpoort 406 JR: P0210	30/03/2015	Rural	189,642
Riverside: WW033	03/06/2004	Urban	2,500
Wallmansthal F0412	31/01/2002	Urban	3,000
Eastwood H0049	06/06/2002	Urban	1,786
Wallmansthal F0028	31/01/2002	Urban	3,000
Wallmansthal F0057	31/01/2002	Urban	3,000
Asiatic Bazaar II202	03/12/2006	Urban	3,000
Asiatic Bazaar II067	03/12/2006	Urban	3,000
Asiatic Bazaar II318	03/12/2006	Urban	3,000
Wallmansthal F0367	07/09/2007	Urban	3,000
Wallmansthal F0322	07/09/2007	Urban	3,000
Asiatic Bazaar II108	03/12/2006	Urban	3,000
Ngodela Simon Mboki (Vlakfontein 453 JR Portion 4) Z0182	14/09/2015	Rural	Non-compliant
Masilela Samuel Madjila (Vlakfontein 453 JR Portion 4) Z0208	09/09/2015	Rural	Non-compliant
Benoni IO320	01/10/2003	Urban	6,875
Benoni IO370	01/10/2003	Urban	9,524
Eastern Native Township W0106	31/07/2003	Urban	16,667
Piet Sibanyoni (Doornrandje 386 JR Portion 212) P0024	22/07/2015	Rural	243,289
Mzisa Family (Oude Zwaans Kraal 542 JR Portion 5) Z0077	22/07/2015	Rural	283,785
Mahlangu Family (Brandbach 471 JR Portion 0 RE) Z0234	22/07/2015	Rural	213,172
Top Location AL344	09/05/2004	Urban	10,000

Claim	Approval Date	Type of Claim	Expenditure on finalised claims
Benoni (I0369)	01/10/2003	Urban	8,333
Eastern Native (W0064)	31/07/2003	Urban	3,125
Eastern Native (W0376)	31/07/2003	Urban	2,083
Top Location (AL071)	09/05/2004	Urban	1,500
Top Location (AL376)	09/05/2004	Urban	2,500
Top Location (AL132)	09/05/2004	Urban	306
Top Location (AL411)	09/05/2004	Urban	1,482
Top Location (AL045)	09/05/2004	Urban	6,000
Asiatic Bazaar/Marabastad (II353)	03/12/2006	Urban	3,000
Asiatic Bazaar/Marabastad (II262)	03/12/2006	Urban	3,000
Germiston (AB025)	21/07/2004	Urban	60,000
Brakpan (Q0737)	29/09/2003	Urban	50,000
Highlands (IJ008)	10/03/2000	Urban	50,000
Benoni (I0167)	01/10/2003	Urban	25,000
Eastern Natives (W0296)	31/07/2003	Urban	1,786
Randfontein/Madubulaville (KK118)	25/05/2004	Urban	3,000
Randfontein/Madubulaville (KK204)	25/05/2004	Urban	3,000
Randfotein/Madubulaville (KK094)	25/05/2004	Urban	3,000
Randfotein/Madubulaville (KK234)	25/05/2004	Urban	3,000
Randfotein/Madubulaville (KK294)	25/05/2004	Urban	3,000
Ellison & Steynberg L0003 (Lot 5)	24/07/2002	Rural	Transfer of land
Ellison & Steynberg L0043 (Lot 6)	24/07/2002	Rural	Transfer of land
Ellison & Steynberg L0073 (Lot 12)	24/07/2002	Rural	Transfer of land
Ellison & Steynberg L0061 (Lot 16)	24/07/2002	Rural	Transfer of land
Ellison & Steynberg L0053 (Lot 37)	24/07/2002	Rural	Transfer of land
Ellison & Steynberg L0023 (Lot 39 & 40)	24/07/2002	Rural	Transfer of land

Claim	Approval Date	Type of Claim	Expenditure on finalised claims
Ellison & Steynberg L0025 (Lot 57)	24/07/2002	Rural	Transfer of land
Ellison & Steynberg L0038 (Lot 58)	24/07/2002	Rural	Transfer of land
Ellison & Steynberg L0071 (Lot 74)	24/07/2002	Rural	Transfer of land
Mashiane Family (Brandbach 471 JR Portion 63) Z0079	27/08/2015	Rural	290,490
Skosana Family (Driefontein 335 IQ)	28/09/2015	Rural	270,660
Eastern Native Township (W0208)	31/07/2003	Urban	6,250
Evaton (K0038)	01/07/2004	Urban	103,752
Evaton (K0310)	01/07/2004	Urban	142,450
Evaton (K0083)	01/07/2004	Urban	15,000
Top Location (AL149)	09/05/2004	Urban	12,000
Erf 488 Fordsburg- Late Suliman Ahomed (VV020)	09/09/2015	Urban	822,750
Louwsbaken 476 JR Ptn 0(RE)- Khumalo Family (Z0012)	10/09/2015	Rural	122,356
Rietvlei 683 JR Ptn 0- Masimula Family (Z0016)	22/07/2015	Rural	23,274
Bezuidenhoutskraal 166 JR (Sanyane Lucas Nkadiment	02/12/2015	Rural	Non-compliant
Brandbach 471 JR Ptn 43 - Masanabo Family (Z0228)	27/08/2015	Rural	12,510
Mamelodi 608 JR Ptn 0 (RE) - Tshela Family (P0108)	16/11/2015	Rural	60,919
Blaauwbank 125 IQ Ptn 13 - Skosana Family (KK318)	10/12/2015	Rural	543,393
Top Location (AL287)	09/05/2004	Urban	60,000
Winterveld (Tsantsabela) UU006	09/02/2006	Rural	15,964
Roodepoort (U0269)	20/04/2004	Urban	5,000
Wallmansthal (F0177)	07/09/2007	Urban	3,000
Wallmansthal (F0132)	07/09/2007	Urban	3,000
Oog van Boekenhoutskloof of Tweefontein 288 JR, ptn 18 (Mpolokeng Betty Mothibe)- Z0224	08/03/2016	Rural	Non-compliant
TOTAL			R 3,762,122.96

13.3.2 Highlights on Claims Settled by the Office during the year under review

Kafferskraal 475 JR Land Claim

The Office of the RLCC: Gauteng Province received a land claim lodged by Mr. Ndala Knox Moshidi, in his capacity as a representative of the families of the direct descendants of the originally dispossessed persons. The land claim was submitted on the 29th of December 1998.

The Kafferskraal Community occupied the claimed properties from the early 1900s before white occupants came to the area. They did not have registered rights on the farm but they qualify in terms of beneficial occupation as they stayed on the properties for a continuous period of more than ten (10) years.

Several farmer organisations in the area of Cullinan and Bronkhorstspuit also played a role in the eviction of black families in the so-called white areas. The then Bronkhorstspuit District Agricultural Union was not happy with the establishment of the so called native territory in the Kafferskraal white neighbourhood. They wanted the Bantu residential areas to be situated in the area that would reflect natural buffer strips between black and white people. They wrote to the Deputy Minister of Bantu Administration and Development informing him of how worried they were as a white community about the establishment of the black residential area near them.

The occupants of the white residential area in Kafferskraal also objected to the proposed establishment of the black location on the borders of their area. They did this by signing a petition on the 29th of August 1967. In 1969, the memorandum from the Minister of Department of Planning also mentioned that white people wanted the Bantu residential area to not be in Kafferskraal, but another area that was to be identified in Cullinan. The correspondence between the white organisations and the then government proved that black people were to be moved from the farm Kafferskraal and that in terms of the Group Areas; a separate black residential area had to be established far away from the white area. Most of the families relocated to Refilwe Township of Cullinan. Some of them moved to in and around the town of Cullinan and others went to Pretoria, or other Gauteng townships.



Kafferskraal financial compensation handover ceremony



KWAZULU-NATAL PROVINCE

13.4 KwaZulu-Natal Province

13.4.1 Summary of Performance: KwaZulu-Natal Province

Overview

Number of land claims settled		Number of phased projects approved		Number of land claims finalised		Number of claims lodged by 1998 to be researched	
Target	Actual	Target	Actual	Target	Actual	Target	Actual
51	50	10	14	40	59	552	621

The 2015/2016 financial year was a challenging year in that three of the four APP targets set for the year were higher than the targets set by the province in the preceding three financial years. What made the increase in the targets quite challenging, was the fact that it was not complemented by an increase in terms of our human resource capacity.

Compounding the problem was the fact that the office had two vacancies at District Manager level that could not be filled due to budget constraints. As a result, the 2015/ 2016 financial was a huge learning curve in mastering the art of doing more with less. The province was able to excel in its performance nevertheless.

During the period under review, the province projected the following in the APP: to settle 51 land claims, finalise 40 land claims and research 552 land claims, as well as approve 10 phased projects. As at the end of the 2015/2016 financial year, the province overachieved in all but one of its targets and settled 50 land claims (within a deviation of 5% and “achieved” according to Monitoring and Evaluation (M&E guidelines of the Department of Performance Monitoring and Evaluation [DPME]), finalised 59 land claims and researched 621 land claims, as well as approved 14 phased projects.

One of our responsibilities was to receive new land claims in line with the reopened lodgment process. In the period under review, the office took the lodgment process to communities through the mobile lodgment unit that went to all district municipalities, including the Ethekewini Metropolitan Council, in order to enable potential claimants to lodge claims closer to where they live. A partnership was created with the KwaZulu-Natal Provincial Government, particularly the Department of Agriculture and Rural Development as well as municipalities. This helped us to intensify awareness campaigns regarding the mobile lodgment unit stopping points in different parts of the province.

The financial year was also characterised by a significant number of land claim celebration events aimed at highlighting the progress that the CRLR has made in the settlement of land claims. These celebration events not only bring symbolic closure to the hardships that the victims of land dispossession were subjected to, but also bring hope to claimants, whose claims have not yet been settled that we are making progress.



Mthembu-Sithole beneficiaries of the Sigidlane Trust weeding and cutting unwanted trees in their forestry plantation.

Table 15: Claims finalised in the period under review

Claim	Approval Date	Type of Claim	Expenditure on finalised claims
Pillay Family	09/03/2015	Urban	1,272,165
Manjee Family	19/03/2015	Urban	555,296
Haffejee Family	09/03/2015	Urban	386,699
Gounden Family	13/03/2015	Urban	804,222
Mfeka Family	13/03/2015	Urban	96,362
Phuthini Family	19/03/2015	Urban	96,362
Indira Macken-Mistry Families	19/03/2015	Urban	292,967
Essop Dawood Gany's Families	19/03/2015	Urban	304,118
Jadwat Family	09/03/2015	Urban	1,096,040
Reddy Family	05/03/2015	Urban	255,779
Govender Family	23/11/2014	Urban	765,926
Hlutankungu Family	31/03/2015	Rural	650,000
Esmahleni Community Land Claim	30/09/2015	Rural	110,947
Mungar Family	23/11/2014	Urban	1,003,588
Naidoo Family Queensburgh Landowner Claim	03/11/2014	Urban	217,012
Buthelezi Family	09/09/2015	Urban	110,947
Moosa Family	25/08/2015	Urban	3,016,750
Ahmed T Rasool (Family Claim)	13/03/2015	Urban	219,725
Matthee Family	25/08/2015	Urban	1,727,846
Naicker Family (Pinetown)	25/08/2015	Urban	525,646
Mkhize Family	24/08/2015	Urban	110,947
Govender Family	26/08/2015	Urban	960,119
Nzaba Family	09/09/2015	Urban	110,947
Mbili Family	09/09/2015	Urban	110,947
Ndhlela Family	09/09/2015	Urban	110,947

Claim	Approval Date	Type of Claim	Expenditure on finalised claims
Khan Family	26/08/2015	Urban	1,261,550
Naicker Family (Welbedagt)	25/08/2015	Urban	1,227,269
Ramlall Family	25/08/2015	Urban	6,415,681
Reddy Family	24/08/2015	Urban	891,313
Ramsagar Family	25/08/2015	Urban	2,800,502
Moodley Family	24/08/2015	Urban	110,947
Sibisi Family	09/09/2015	Urban	110,947
TOTAL			R 27,730,512.59



LIMPOPO PROVINCE

13.5 Limpopo Province

13.5.1 Summary of Performance: Limpopo Province

Overview

Number of land claims settled		Number of phased projects approved		Number of land claims finalised		Number of claims lodged by 1998 to be researched	
Target	Actual	Target	Actual	Target	Actual	Target	Actual
34	189	13	10	28	104	331	301

The Office of the RLCC: Limpopo performed fair in the year under review, considering its available resources. The province overachieved on two of the four targets namely the number of land claims settled and those finalized but two targets were not met. The main focus was to prioritise claims where no land was previously acquired for communities and we intensified our efforts to reduce the number of outstanding claims that required research (pre-31 December 1998 claims).

During the period under review, the province projected the following in the APP: to settle 34 land claims, finalise 28 land claims and research 331 land claims, as well as approve 13 phased projects. As at the end of the 2015/2016 financial year, the province managed to settle 189 land claims, finalise 104 land claims and research 301 land claims, as well as approve 10 phased projects.



Beneficiaries at Makepisi (Pty) sorting and grading tomatoes at the packhouse.

Table 16: Claims finalised in the period under review

Claim	Approval Date	Type of Claim	Expenditure on finalised claims
Mrs JC Van Der Merwe Land Claim	19/03/2015	Rural	61,511
New Pietersburg (Moselane KM)	09/03/2015	Urban	31,121
New Pietersburg (Mankga LM)	09/03/2015	Urban	32,121
New Pietersburg (Manyapye MN)	09/03/2015	Urban	32,121
New Pietersburg (Maeko MR)	09/03/2015	Urban	14,349
New Pietersburg (Kamoi RD)	09/03/2015	Urban	14,349
New Pietersburg (Lekgothoane RD)	09/03/2015	Urban	14,349
New Pietersburg (Ngcobo SM)	09/03/2015	Urban	14,349
New Pietersburg (Maredi RB)	09/03/2015	Urban	14,349
New Pietersburg (Masilela ML)	09/03/2015	Urban	192,724
Seabi Land Claim	11/12/2014	Rural	946,250
Mphaphuli Individuals Land Claims	18/11/2015	Urban	1,817,757
Chibase Individuals Land Claims	18/11/2015	Urban	6,362,149
Mphaphuli Individuals Land Claims	18/11/2015	Rural	3,895,193
			R 13,442,692.31



Beneficiaries at Makepisi (Pty) sorting and grading tomatoes at the packhouse.

13.5.2 Highlights on some of the settled claims

Quite a number of financial compensation claims were processed for the Vhembe and Sekhukhune districts in the Province. In cooperation with the Recapitalisation and Development Directorate in the Provincial Shared Services Centre, the office managed to recapitalise restitution projects in the province and most notably we recapitalised a major tomato farm (Montina) in the Mopani District of the Province. The farm (now operating as Makepisi Agri) which was acquired for nine communities is a shining example of how a properly managed land reform project can continue to succeed and surpass its earlier achievements, with the requisite support. In line with the department's agrarian policy, Makepisi Agri is set to become a flagship of land reform that in turn contributes to food security, poverty reduction, sustainable employment, economic development and further restoration of dignity to the beneficiaries.

The Makepisi Agri project benefits at least 1600 permanent employees and around 30 000 individual beneficiaries. In 2016/2017, we will continue to identify projects for recapitalisation that are spread evenly across the districts of the Province.

The operational staff and the supporting units are commended for the hard work they put in, for the tight deadlines they had to meet and the passion they so selflessly continue to show in honouring the precepts of the Constitution on dispossessed communities/individuals.



MPUMALANGA PROVINCE

13.6 Mpumalanga Province

13.6.1 Summary of performance: Mpumalanga Province

Overview

Number of land claims settled		Number of phased projects approved		Number of land claims finalised		Number of claims lodged by 1998 to be researched	
Target	Actual	Target	Actual	Target	Actual	Target	Actual
52	59	12	20	13	42	644	584

During the 2015/2016 financial year, the Office of the RLCC: Mpumalanga Province settled 59 claims. The Office of the RLCC: Mpumalanga Province office also finalised 42 claims, dealt with 20 phased projects and researched 584 land claims. This was against a target of 52 settlements, 13 finalisations, 12 phased projects and 644 claims to be researched.

A total number of 59 claims were settled with 11 510.9031 hectares of land. The 59 land claims comprised 1367 households with 7354 beneficiaries.



Mdaka Family receiving their financial compensation

Table 17: Claims finalised in the period under review

Claim	Approval Date	Type of Claim	Expenditure on finalised claims
Maseko Family	07/09/2014	Rural	160,000
Nhlabathi Family	07/09/2014	Rural	323,250
Ga-Mawela Family	17/01/2013	Rural	550,000
Balfour Urban Claim	11/12/2011	Urban	9,560
Mahlangu Family (Bankfontein)	28/09/2014	Rural	46,931
IS Bhagalia (Muslim Jamaat Community)	24/08/2015	Urban	605,401
Tayob Family	26/08/2015	Urban	1,004,892
Sibanyoni Family	09/12/2015	Rural	789,454
Islington 216 KU (Ndlovu Family)	10/12/2015	Rural	549,747
Mzinti (Mdaka Family)	10/11/2015	Rural	2,304,947
Manana Family	10/12/2015	Rural	741,615
Mangweni Family	15/01/2007	Rural	40,001
Lakoo CD, Makan B & Mistry VB Families	10/12/2015	Urban	284,821
Goedehoop Land Claim	10/12/2015	Rural	33,390
Mnguni Family (settled as part of the Molapong Community and Mnguni Family)	11/11/2015	Rural	450,000
TOTAL			R 7,894,008.37

13.6.2 Highlights on some of the settled claims

Forestry claims

Claim KRP no. 11486 was lodged by Nhlabathi Tribe and was approved by the CLCC on the 10th of September 2015. The properties under claim were Portion 2 of the farm Springvalley 429IS and Portion 2 of the farm Bushmansbend 433IS, measuring 1,524.9096 hectares. The properties were purchased for an amount of R34 225 793.00 and is situated in the Gert Sibande District in Mkhondo Local Municipality. Negotiations with Mondi were held and agreements were signed to this effect.

Conservation claims

Two land claims were lodged by Mr. NW Ntuli and Mr. PW Skosana registered under KRP 33597 and 1002 on behalf of the Somakhala community. In terms of Section 42D of the Restitution Act, approval was granted for the settlement of the Remaining Extent, Portions 1, R/E of Portion 3 and Portion 4 of the farm Hartbeesfontein 93 JS and Portions 1, 2, 3

and 5 of the farm Rhenosterfontein 227 JR. The claimed properties are situated in Nkangala district within Thembisile Local Municipality measuring 5 922.1538 hectares within the Mabusa Nature Reserve. The property is registered as state land managed by the Mpumalanga Tourism and Parks Agency for conservation purposes. Settlement and co-management agreements were signed with the parties and the properties were transferred to Somakhala CPA which enables the beneficiaries to obtain proceeds from game counting and employment opportunities through the Extended Public Works Programme by creating firebreaks.

State land claims

Six portions of the farm Rietfontein 214JR measuring 4 945.956 hectares were transferred to the Mohlakeng Trust. Portions 2, 9, 10 and 11 of the farm Gemsbokfontein 231 JR were transferred to the Gemsbokfontein Community, measuring 893.4706 hectares. These properties are located in the Thembisile Local Municipality, Nkangala District. Portion 3 of Kameelpoort 202 JR was transferred to Batlou Trust, measuring 383.7006 hectares in the Dr. JS Moroka Local Municipality in the Nkangala District.

Reopening of Lodgement of Claims

There are two lodgement centres in the province situated in Mbombela in the Ehlanzeni District Municipality and Emalaheni in the Nkangala District Municipality. Processes are currently in place for the opening of the third lodgement centre in the Gert Sibande District Municipality. As at mid-March 2016, a total number of 9 491 claims were lodged with the CRLR as follows: Ehlanzeni: 2 826, Gert Sibande: 4 016 and Nkangala: 2 649. The mobile office primarily assists in the reach out to prospective claimants in the Gert Sibande District where there is no lodgement centre. It also operates in other areas that are at the far end of the districts and villages.

Rural Economic Transformation Model

During the 2015/2016 financial year the Office of the RLCC: Mpumalanga Province has been able to conclude the RETM implementation with the assistance of the Vumalana Transactional Adviser on the MalaMala Game Reserve claim that was settled for the Nwandlamharhi CPA claimants in Bushbuckridge. This has been a difficult journey due to the fact that there were a number of parties involved in the settlement. In the inception meeting between the Minister and the CPA, the Minister told the CPA that, failure is not an option on this project. Those words are now the motto of the CPA, "FAILURE IS NOT AN OPTION".



NORTH WEST PROVINCE

13.7 North West Province

13.7.1 Summary of performance: North West Province

Overview

Number of land claims settled		Number of phased projects approved		Number of land claims finalised		Number of claims lodged by 1998 to be researched	
Target	Actual	Target	Actual	Target	Actual	Target	Actual
7	30	15	15	19	34	9	45

The financial year under review 2015/2016 marked another successful year for the Office of the RLCC: North West Province, in reversing the legacy created by the Natives Land Act passed in 1913. The offices had a 100% success rate in reaching its APP targets. It successfully managed to research 45 claims, finalised 34 and settled 30 with 15 being phased projects. The office acquired more than 14015.1716 hectares of land benefitting 15847 beneficiaries, comprising 3374 households of which 1826 are female headed. The office managed to spend its entire allocated household budget of R222 million.

The office is pleased to highlight the fact that out of the 2454 claims which were lodged prior to the 31st of December 1998, it has settled 2305 and finalised 2174. There are only 280 claims that are still outstanding for settlement and finalisation in the province. Another significant achievement is the fact that less than 10 claims are outstanding to be researched of which five have been outsourced to external service providers. These five claims involve a significant number of properties and were therefore too complex to finalise still in this financial year.

Workshops held with CPAs in the previous financial year of 2014/2015 yielded positive results in the year under review. The purpose of these workshops was to assist the CPAs to be compliant with the provisions of section 9 of the Communal Property Associations Act and for communities to better understand the RETM. In follow up workshops which were held with the respective districts between the months of September and November 2015, it became evident that this process was successful as more than 14 CPAs were regularised and are now in full compliance with the Communal Property Associations Act, 1996 (Act No. 28 of 1996). The majority of the CPAs is also beginning to implement the RETM as part of an important step to realise an all-inclusive rural economic transformation within their communities.

Some of the CPAs worth noting due to their complexities includes De Paarl, Bahurutse Boo Moilola of Leeuwfontein, Klein Cwaing, Uitkyk and Bakubung Boo Ratheo. The regularisation of the latter had a positive spin off with the office being able to commence with the process of recapitalisation and development of these projects earmarked for implementation in the 2016/2017 financial year.



A successful livestock farming project of Barolong in the Northwest Province

Table 18: Claims finalised in the period under review

Claim	Approval Date	Type of Claim	Expenditure on finalised claims
Portion 2 & 3 of the farm Klarestroom 147 KP	25/01/2011	Rural	29,458
Elandsheuwel 402 IP	09/02/2006	Rural	1,587
Portion 5 of the farm De Hoop (De Hoop 60 IO)	15/03/2015	Rural	197,804
850 Skinner Street & 152 Lang Street- Willem Klopper-ville, Potchefstroom	24/03/2001	Urban	80,000
317 Zulu Street Willem Klopperville, Potchefstroom	24/03/2001	Urban	40,000
575 Mooi & 222 Krei Street Willem Klopperville, Potchefstroom	24/03/2001	Urban	80,000
Langlaagte	17/02/2013	Rural	7,393
Rhenosterfontein 86 JQ	19/09/2013	Rural	Transfer of land
Roodekopjes of Zwartkopjes 427 JQ	04/09/2015	Rural	Non-compliant
Portion 81 (a Portion of Portion 2) of the farm Zoutpansdrift 41 JQ	04/09/2015	Rural	Non-compliant
222 Kreil Street, Willem Klopperville	16/10/2000	Urban	40,000
Leighland 208 JQ	30/08/2006	Rural	29,045
Portion 1 of erf no 62 and portions 3, 6 and 7 of erf no 79 of Lichtenburg (Western Education Trust)	28/09/2015	Rural	233,404
Mokwena Street House 241, AK Nkgabane	25/06/2015	Urban	Non-compliant
Portion 4 of erf 61, portion 1 of erf 61, erf 62 corner lane and Transvaal Street, Lichtenburg, Remainder of portion 62, portion 1 extent of 81, portions 2, 3, 7, 8, 9, 11, 12 and 14 of erf 81 (Kaka Family)	29/09/2015	Urban	Non-compliant
Klipfontein 300 JQ	04/09/2015	Urban	Non-compliant
1181 Mapoch Street, Willem Klopperville - Potchefstroom	24/03/2001	Urban	43,333
Taung Irrigation Scheme	29/11/2010	Rural	10,325
Remaining Extent of Portion 15 of the farm Wildebeestpan 442 IP	24/08/2015	Rural	6,123
TOTAL			R 798,471.86



NORTHERN CAPE PROVINCE

13.8 Northern Cape Province

13.8.1 Summary of performance: Northern Cape Province

Overview

Number of land claims settled		Number of phased projects approved		Number of land claims finalised		Number of claims lodged by 1998 to be researched	
Target	Actual	Target	Actual	Target	Actual	Target	Actual
11	8	5	8	14	22	37	45

The Office of the RLCC: Northern Cape Province worked very hard to ensure that the APP targets were met. A substantial amount of the resources in the province was allocated to the deployment of the two mobile lodgement offices from the period October 2015 to March 2016. A communication and deployment plan was implemented by the office to ensure efficient deployment of the mobile lodgement units, starting with the launch in Carnarvon on 12 October 2015. During the deployment period, a number of sessions were conducted with critical stakeholders in the provincial government, municipalities, traditional authorities and SAPS to ensure buy-in and support for the lodgement and communication programme, including safety and security of the resources (officials and the mobile unit) while out on the field. Community engagements and information sessions were held in all the areas of deployment and people generally welcomed an opportunity to lodge their claims without having to travel long distances to do so.

Mindful of the demographics of the Northern Cape Province, the deployment of the mobile lodgement office provided much needed relief to potential claimants by bringing the office to their doorstep, especially to the furthest areas of the Namaqua and the rural remote areas of the John Taolo Gaetsewe districts. Our officials showed great dedication and commitment to the programme, albeit at a cost to their personal and social lives, by being away from their homes and loved ones for weeks on end to ensure that services are rendered via the mobile lodgement offices. Since the launch, the mobile lodgement unit has been through five districts in the province, and almost 75% of the claims lodged in the Northern Cape Province for the period under review were done at the mobile lodgement offices. The office also had to deal with misinformation in relation to the lodgement of claims process and allegations of fraud and corruption, where claim forms were allegedly being sold to potential claimants. This was dealt with by targeting the said communities for more information sessions, and communicating the accurate lodgement process through the local media.



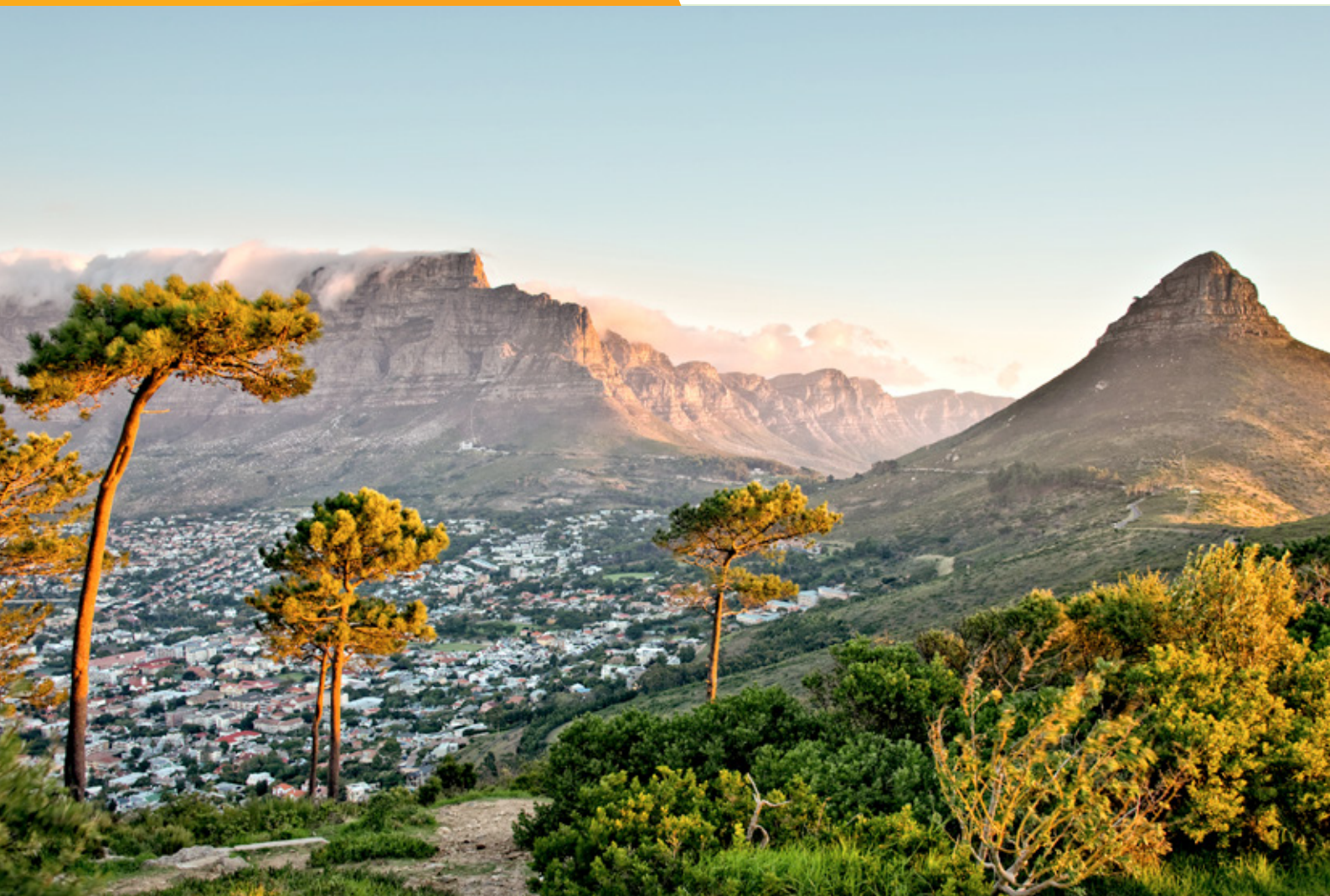
MEC Norman Shushu (Middle) explaining to claimants what documents are required to lodge a claim November 2015 in Springbok

Table 19: Claims finalised in the period under review

Claim	Approval Date	Type of Claim	Expenditure on finalised claims
Apollis Land Claim	13/03/2015	Rural	1,528,966
Farm Tweefontein No. 52	18/12/2014	Rural	775,219
Moses Family Claim	13/03/2015	Rural	96,362
Barkley West Phase 2 Addendum (Khumalo R)	31/03/2008	Rural	38,984
Kurrees Phase 2 (Full & Final)	24/08/2015	Rural	1,045,104
Mr Joseph Kgatlane and Mr Edward Seleboga (Kgatlane's Drift)- K562	16/02/2016	Rural	Non-compliant
Mr WJ Coetsee (C8)	02/03/2016	Rural	Non-compliant
Mr J De Juy (D794)	02/03/2016	Rural	Non-compliant
Mr SWJ Van Zyl (V393 & V267)	02/03/2016	Rural	Non-compliant
Mr Reuben Jood (J 615)	02/03/2016	Rural	Non-compliant
Mr AE Farmer (F368)	02/03/2016	Rural	Non-compliant
Mr AJ Brandt (B723)	02/03/2016	Rural	Non-compliant
Mr Berend GE Schippers (S1257)	02/03/2016	Rural	Non-compliant
Mr NC Steenkamp (S1084)	02/03/2016	Rural	Non-compliant
Mr MJ Walton(W429)	02/03/2016	Rural	Non-compliant
MR DG Du Plessis (D670)	02/03/2016	Rural	Non-compliant
Mr Nicolaas Fritz (F424)	02/03/2016	Rural	Non-compliant
Mr Petrus C Julies (J637)	02/03/2016	Rural	Non-compliant
TOTAL			R 3,484,634.60



Claimants interviewed before lodging their claims on the 'Gemsbok' 13 October 2015 in Camarvon



WESTERN CAPE PROVINCE

13.9 Western Cape Province

13.9.1 Summary of performance: Western Cape Province

Overview

Number of land claims settled		Number of phased projects approved		Number of land claims finalised		Number of claims lodged by 1998 to be researched	
Target	Actual	Target	Actual	Target	Actual	Target	Actual
191	178	-	4	170	173	571	594

The Office of the RLCC: Western Cape Province is proud to announce that, for a consecutive year, it once again managed to settle the largest number of claims and have once again managed to achieve the high targets set in the APP with limited resources. More than 594 claims were furthermore researched.

The office finally managed to fill the post of Director: Quality Assurance and is assured that the skills and competencies brought on-board will assist the office to soar to greater heights. Sadly, the office had to bid its Chief Director farewell in December 2015, wishing him well in his task of handling another national site of interest.

The majority of the claims were for financial compensation, which was settled and many finalised, to ensure that claimants benefitted as soon as the submissions were approved. The office did not initially target to settle phased claims, but managed to facilitate the approval of four phased projects.



MAJOR DEVELOPMENT A BOON FOR MILNERTON
Richmond Park project to create over 15 000 jobs during construction.
VALUABLE LAND: *About 5 300 families will benefit, as land claimants from the development of Richmond Park, above, in Milnerton.*

Table 20: Claims finalised in the period under review

Claim	Approval Date	Type of Claim	Expenditure on finalised claims
Le Roux Family	29/01/2015	Urban	2,068,000
Caroline Abrahams Family	24/03/2015	Urban	146,483
District Six 15 Tenants (Batch 12)	24/03/2015	Urban	1,421,340
Makawula Family	05/03/2015	Urban	96,362
GA Morris Claim	21/02/2015	Urban	315,944
Mabunzi and May Family Claim	05/03/2015	Urban	96,362
Mvenya Family List 1	20/02/2015	Urban	96,362
Evangelical Lutheran Church of Southern Africa	13/03/2015	Urban	1,818,389
Fortuin Family	07/09/2014	Urban	96,362
Stellenbosch Methodist Church of Southern Africa	29/01/2015	Urban	1,880,000
Newman, Ruiters & Calvinist Church	20/12/2014	Urban	279,180
Boland: 110 Individual African Claims (Batch 1)	08/05/2005	Urban	8,527
Davids, Matthee & Watson Families	19/03/2015	Urban	763,596
Goodwood 3	26/02/2015	Urban	147,345
Van Willing Family	03/09/2014	Urban	206,800
Ehlers Family	19/03/2015	Urban	467,215
Michaels Family	22/12/2014	Urban	96,362
Sedeman Family	13/03/2015	Urban	195,916
Abrahams & Tasriet Family	19/12/2014	Urban	96,362
Van Huffel Family claim	05/03/2015	Urban	1,864,302
Mvenya Family claim	05/03/2015	Urban	77,090
Esterhuizen Family	05/03/2015	Urban	96,362
Newman, Ruiters & Calvynist	20/12/2014	Urban	422,217
Kleinhans Family	13/03/2015	Urban	267,639
Abrahams & Tasriet	19/12/2014	Urban	180,950

Claim	Approval Date	Type of Claim	Expenditure on finalised claims
Goodwood 3	26/02/2015	Urban	144,021
Joshua Family	05/03/2015	Urban	1,062,368
Jordaan & Booysen	30/03/2015	Urban	253,924
De Rust United Congregation of SA	26/03/2014	Urban	143,579
Heuvel Family claim (H432)	10/06/2015	Urban	110,947
Kraaibosch Phase 2 (6)	21/02/2015	Urban	344,150
Six Individual Tenancy claims	30/03/2015	Urban	578,172
Stellenbosch Volkskerk van Afrika	13/03/2015	Urban	512,300
Haron & Abrahams	24/03/2015	Urban	282,900
Kraaibosch Phase 3 (30)	13/03/2015	Urban	1,926,363
Oostenberg Batch 3	08/03/2005	Urban	75,480
Sekason & Khan Family claims(Cape Metro 2)	09/03/2015	Urban	680,036
Parow 4	18/12/2014	Urban	121,306
Harker Family	19/03/2015	Urban	321,411
Tygerberg 90 / Mawson Family	2008-02-27 and 2015-06-29	Urban	131,640
Mrs Jolene Daphne Loff (UCC Uniondale) -L528	06/08/2015	Urban	Non-compliant
Mr Willem Louw (L660)	06/08/2015	Urban	Non-compliant
Ebrahim Bawa (B984)	06/08/2015	Urban	Non-compliant
Daphne Agatha Anthony (B864)	06/08/2015	Urban	Non-compliant
Ms Sarah Robertson (R246)	13/09/2015	Urban	Non-compliant
Parow (2) (G367 & W21)	28/04/2015	Urban	248,160
Petersen Family (E96)	29/06/2015	Urban	110,947
Solomon Family	17/06/2015	Urban	110,947
Bala Family	29/06/2015	Urban	110,947
Frederick Mack (M462)	10/09/2015	Urban	Non-compliant
A Hoosain (H242)	10/09/2015	Urban	Non-compliant

Claim	Approval Date	Type of Claim	Expenditure on finalised claims
A Koozen (K570)	13/09/2015	Urban	Non-compliant
Sadien Family claim	05/03/2015	Urban	263,200
Tulbach 67	14/08/2006	Urban	31,929
District Six (15) Batch 12 – Gafieldien	24/03/2015	Urban	24,091
Du Plessis Family	15/08/2014	Urban	7,041
Potts & Presens Family claims (P245 & T130)	27/08/2015	Urban	421,231
Ceres Family claim	22/07/2015	Urban	110,947
Appolis, Solomon & Adam	17/06/2015	Urban	549,747
Henry & Solomon	24/08/2015	Urban	202,079
Muller & Herman	10/06/2015	Urban	145,251
Thobeyane	24/08/2015	Urban	431,487
Horstmann	27/08/2015	Urban	987,300
Baker Family	26/08/2015	Urban	110,947
Le Roux Family	22/07/2015	Urban	110,947
Jada Family	10/09/2015	Urban	379,616
Bruce Family	10/10/2015	Urban	110,947
Volkskerk van Afrika	10/09/2015	Urban	339,073
De Rust Dutch Reformed Church	09/09/2015	Urban	110,947
Uniondale UCC	09/09/2015	Urban	560,765
Buttress	29/06/2015	Urban	110,947
Wellington Individual Family Claim	19/03/2015	Urban	21,239
Akbar Alladin Family Claim [N20]- part of the Crawford Development Project	16/03/2015	Urban	-
Manona Family Claim	22/07/2015	Urban	110,947
Ismail Family claim (I28)	10/09/2015	Urban	187,404
Gqubile Family (G336)	22/07/2015	Urban	110,947
Fredericks Family claim (S1427)	27/08/2015	Urban	178,386

Claim	Approval Date	Type of Claim	Expenditure on finalised claims
Hendricks Family claim (H430)	27/07/2015	Urban	110,947
Cleophas Family (C147)	24/08/2015	Urban	110,947
Maci Family (M1233)	29/06/2015	Urban	110,947
B Vlok (V98)	22/12/2015	Urban	Non-compliant
A Alie (A616)	19/06/2015	Urban	Non-compliant
Claremont and Newlands (5) Development Group Claim (Batch 2): R247; R255; R256; H429; H452	08/04/2015	Urban	-
Sulelo, Splinters and Mapiliba Family Claims [S713; S881; S1404] - part of the Crawford Development Project	11/11/2015	Urban	-
Beeswater Community Claim (M1555)	27/08/2015	Rural	299,255
Norodien Family (N16)	16/11/2015	Urban	405,281
Raban Family Claim (R393)	11/11/2015	Urban	110,947
Smith Family Claim (S1140)	22/07/2015	Urban	27,736
Klink and Temmers Family Claims	10/09/2015	Urban	219,400
Diniso Family (D467)	28/09/2015	Urban	110,947
LA Dreyer (D531)	11/02/2016	Urban	Non-compliant
JT Morkel (J744)	15/02/2016	Urban	Non-compliant
D Claasen (C422)	15/02/2016	Urban	Non-compliant
K Summers (S503)	18/09/2015	Urban	Non-compliant
A Cornelius (C125)	19/06/2015	Urban	Non-compliant
Mr CC van der Merwe (V432)	29/02/2016	Urban	Non-compliant
Mr RK Pfaff (P530)	22/02/2016	Urban	Non-compliant
Kraaibosch 7 (A1126, B1345, B1355, P793, F652, O350, T340)	26/02/2016	Urban	Non-compliant
Mr JW van der Merwe (O39)	29/02/2016	Urban	Non-compliant
Eileen Edna Williams (W232)	24/02/2016	Urban	Non-compliant
Mr L Mulder (M503)	29/02/2016	Urban	Non-compliant
Mr GR Fouldien (F466)	14/03/2016	Urban	Non-compliant
Sunday Family (C275)	10/11/2015	Urban	386,139

Claim	Approval Date	Type of Claim	Expenditure on finalised claims
Mc Dillon Family claim (S1234)	10/09/2015	Urban	18,068
Muller (M1349) and Herman (H271) Family claims	10/06/2015	Urban	116,556
VGK Immanuel Valuated Urban Claims	28/09/2015	Urban	772,192
Vesamian Family claim (V48)	10/09/2015	Urban	111,528
Paarl & Wellington (6) Valuated claims	28/09/2015	Urban	1,088,172
Edwards Family (E160)	10/11/2015	Urban	110,947
Goodwood (3) Valuated Urban Claim	26/02/2015	Urban	103,400
TOTAL			R 30,305,888.77

13.9.2 Highlights on some of the settled claims

Ebenhaeser

The Ebenhaeser claim is the rural flagship for restitution in the Western Cape. A provincial multi-stakeholder Joint Coordinating Committee comprising the Ebenhaeser CPA; the Ebenhaeser Development Trust and the Matzikama Local Municipality was established with the common objective of crafting principles and guidelines for a the implementation of the Ebenhaeser project. This project involves the purchasing of 52 farms to benefit the entire community.

Because of the equal split occurring in the ranks of the current land owners (50% willing to sell while an equal percentage oppose the claim), the Ebenhaeser CPA, the legal entity established for the community, launched an application in the Land Claims Court to have proceedings in respect of the land owned by the unwilling sellers separated from the proceedings of parties in agreement to the claim (the latter include the willing sellers). The Ebenhaeser CPA was successful in its application and this means that the CRLR is therefore entitled to proceed with the acquisition of land for the community in pursuance of the Community Development and Land Acquisition Plan and acquire the farms from willing sellers in phases. This mechanism was realised to speed up the processing of the claim that is now in the process for over two decades.

In terms of a settlement agreement entered into between the Minister, the Ebenhaeser community, the Ebenhaeser CPA and the CRLR on 13 June 2015, the quantum of the claim has been determined for R362 Million.

The implementation plan as attached to the agreement sets forth a phased settlement approach and a land acquisition strategy from 2015 until 2020. The agreement also makes provision for a post-settlement and or business support funds to operationalise the farms and also entities like the Development Trust and the CPA in order to maximize community beneficiation. The CRLR approached the court to make the settlement agreement a court order and also to advise the court of the disagreement between parties.

In the 2015/2016 financial year two Section 42D submissions have been approved for the purchase of nine farms measuring 327.2048 hectares, to the value of R40, 236,825.00, adding to the already purchased six farms. The financial compensation of 204 elderly members of the CPA as negotiated in terms of the agreement to the value of R1, 530,000.00 was paid out on the 12th of March 2016.



ARTIST IMPRESSION FOR DISTRICT SIX (6) HOUSES FOR RESTITUTION BENEFICIARIES

District Six

The District Six project continues to receive major publicity. The District Six Museum commemorated 50 years of dispossessions on 11 February 2016 with a host of activities scheduled for the year, to highlight this historical event.

The site is considered a “site of conscience” and forms part of an international movement of memorial sites located in places around the world which have witnessed traumatic events.

The Department recognises the importance of capturing the entire development of the site and its status, and has formed a partnership with the District Six Museum to continue to research, capture, document, archive and preserve information on the history, current status and the entire redevelopment of the project, including social integration, and to make them available for access to future generations. The objective is to have a single source of archival information for the project and to serve as a communication conduit between the department, claimants and all stakeholders in order to ensure immediate availability of information and records as to allow for an interactive relationship between the claimant committee, general public, other stakeholders and the government.

Contrary to the development of Phases 1 and 2 of the District Six Redevelopment Projects, the DRDLR was appointed as developers for Phase 3. The DRDLR’s Rural Infrastructure Development unit drives this development and has made in-roads to ensure the delivery of the project within time, scope and cost.

The successful implementation and development of Phase 3 largely depend on the application of the Urban Settlement Development Grant (a Schedule 4 grant as per the Division of Revenue Act) that will be utilised for the funding of the bulk infrastructure services for the housing development.

The DRDLR's technical team met with the Deputy Mayor of the City of Cape Town to discuss the need for an integrated approach by government entities for implementing this project. The City has since approved the application for bulk services in January 2015. A Memorandum of Agreement has been drafted to formalise this arrangement. Phase 3 of the project is to be developed on land owned by the Cape Peninsula University of Technology, which will be donated to the DRDLR for the redevelopment of District 6.

Since the appointment of the DRDLR as developer, significant progress has been made under challenging circumstances. In summary the following milestones have been achieved:

- Unit typologies and layouts approved by the claimants.
- Heritage impact assessment undertaken and approved.
- Environmental authorisation received to proceed with the project.
- Detail designs concluded – building plans submitted (provisionally approved).
- Site development plan approved by council.
- Power of Attorney for land signed by Cape Peninsula University of Technology.
- Bulk earthworks contract completed.
- Tender for houses awarded.

Construction officially commenced on the 24th of November 2015 on a 15-month contract duration ending in February 2017. The project will be handed over in sections with the first batch of about 20 houses scheduled for completion in June 2016.

To ensure that lack of funding does not compromise development, a holistic development plan will be drafted to primarily focus on different options to fund the redevelopment of the entire District Six precinct.

Richmond Park

The 401 Land Claimants are formally organised as the Richmond Park CPA and have continued working as a partner with the private sector to develop the land to the benefit of the claimants.

In addition to the R40 million already paid to the claimants to date, a Treasury Trust has been formed and has paid a further R1.4 million for at least 200 beneficiaries who are being trained in technical skills and tertiary education bursaries have been awarded. This Trust primarily focuses on educational initiatives, in particular adult education of which 0.5% of construction costs and net income on the property is allocated.

The process of establishing the Master Property Owners Association as per the City of Cape Town's requirement is unfolding. The technical team is busy with finalising some aspects of infrastructure planning and development, including the storm water management plan; approval of the central precinct plan; road names approval from the City; landscaping and architectural design plans.

Lawaaikamp

The Lawaaikamp Community project covers a number of areas in George, including Skuinskraal/Maraiskamp, Blikkiesdorp, Bossiefgif, Oubos, De Jaars Farm, Jooste Kamp, Rosemore, Urbansville, Leeukloof and Lawaaikamp, involving 1600 claimants.

Claimants were forcibly removed from these areas, to make way for proposed road constructions, which were never implemented. The losses suffered could never be replaced as the move to new areas meant that no spaces were left for subsistence farming that formed part of the livelihoods of these communities.

By virtue of the large volumes of households, the process was complex. The settlement process which started with its first phase of the submission on 29 March 2009 has now reached its fourth and final phase. The Lawaai-kamp Phase 3 was approved for R44, 600, 694.00, with expenditure of R31, 398, 001.00 for 283 households with the balance of R13, 202, 693.00 for 119 households still to be paid in the new financial year.

Lodgement Offices

The Mobile Lodgement Unit visited all communities in the Central Karoo, Cape Winelands and part of Eden Districts from 20 July to 1 October 2015. The unit, named “Gemsbok”, enabled citizens that cannot reach the office, to lodge claims in their areas. The unit started in Murraysburg on the 20th of July 2015 and ended in Ceres and Wolseley on the 1st of October 2015, soliciting 1753 claims. The arrival of the mobile lodgement unit was preceded by community meetings held with citizens and stakeholders to create awareness and prepare them for lodgement.

Western Cape’s two lodgement offices, located in Mowbray and George respectively, have been functioning exceptionally well. Cumulatively, the Western Cape Province processed 17388 new claims and continues to create awareness and assist citizens with lodgement of new claims.



PART C: FINANCIAL INFORMATION

14. FINANCIAL PERFORMANCE INFORMATION

14.1 Introduction

Section 21 of the Restitution Act stipulates that the CRLR must “annually not later than the first day of June submit to Parliament a report on all its activities during the previous year, up to 31 March.” This annual report is in fulfilment of that requirement but also largely in line with the requirements of Section 40 (1) and (3) of the PFMA. The Public Service Regulations, 2001 prescribes that human resource information is included in the annual report and the Minister of Public Service and Administration has prescribed this requirement for all government departments within public service.

As the CRLR is not a fully-fledged government department, nor a completely independent entity of government, this annual report therefore seeks to only extract and report on the most crucial performance and reporting requirements in terms of the statutory requirements above. Comprehensive reporting on Programme 4 – the Restitution Branch – will be set out in the annual report of the DRDLR.

14.2 Financial Performance Overview

The performance of the CRLR in respect of financial management and expenditure during the period under review was excellent. The CRLR managed to spend 100% of the budget allocated which includes 100% expenditure on the household budget.

The household budget allocated to the CRLR was R2 065 399 000 of which 2 065 395 296.69 was spent. These are the funds disbursed in the form of financial compensation to beneficiaries or in the expenditure in the form of land purchase.

Table 21: Budget vs Expenditure - Per Economic Classification

Economic Classification	Budget	Expenditure	%
Compensation of Employees	297 503 000.00	297 446 909.45	100%
Goods & Services	175 502 790.00	175 285 838.67	100%
Payments for Financial Assets	2 300 000.00	2 298 135.70	100%
Provincial & Local Governments	19 072 000.00	19 070 184.01	100%
Households	2 065 399 000.00	2 065 395 296.69	100%
Machinery & Equipment	6 618 500.00	6 368 098.73	104%
Land & Subsoil	90 554 000.00	90 553 966.00	100%
Total	2 656 949 290.00	2 656 418 429.25	100%

Table 22: Budget vs Expenditure Per Province

Province	Budget	Expenditure	%
National Office	69 122 673.95	69 273 290.00	100%
Eastern Cape	314 155 890.16	314 171 092.00	100%
Free State	115 645 852.55	115 655 219.00	100%
Gauteng	72 556 235.40	72 570 800.00	100%
KwaZulu-Natal	793 199 395.05	793 214 221.00	100%
Limpopo	366 929 037.28	366 972 680.00	100%
Mpumalanga	322 838 049.40	322 858 041.00	100%
Northern Cape	143 223 288.09	143 243 029.00	100%
North West	285 111 931.49	285 322 747.00	100%
Western Cape	173 636 075.88	173 668 171.00	100%
Total	2 656 418 429.25	2 656 949 290.00	100%

The breakdown in the table below shows the breakdown of expenditure on claims approved in the 2014/15 financial year or prior years against the expenditure on the year under review. The expenditure in previous financial years assists in reducing the commitment register of the CRLR. The expenditure in previous financial years amounted to slightly more than 34% of the total expenditure.

Table 23: Expenditure breakdown between Backlog and New Claims: Financial Year 2015/2016

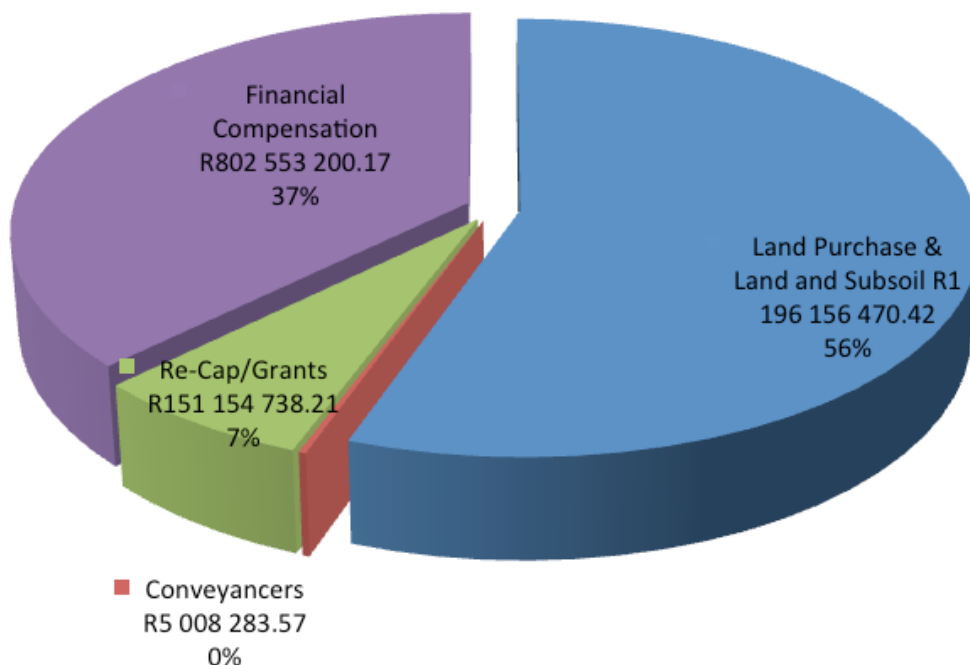
Province	Expenditure - Claims approved prior 2015	Expenditure - Claims approved in 2015/16	Total Expenditure
Eastern Cape	173 676 786.39	94 449 405.79	268 126 192.18
Free State	854 359.50	88 120 005.06	88 974 364.56
Gauteng	3 229 099.43	30 427 276.72	33 656 376.15
KwaZulu-Natal	254 125 498.58	465 265 273.11	719 390 771.69
Limpopo	128 484 309.11	178 824 562.23	307 308 871.34
Mpumalanga	49 526 976.12	190 287 175.35	239 814 151.47
North West	8 407 624.66	111 556 681.40	119 964 306.06
Northern Cape	72 003 214.83	173 047 730.23	245 050 945.06
Western Cape	44 231 544.57	88 355 169.29	132 586 713.86
TOTAL	734 539 413.19	1 420 333 279.18	2 154 872 692.37

Table 24: Expenditure per item

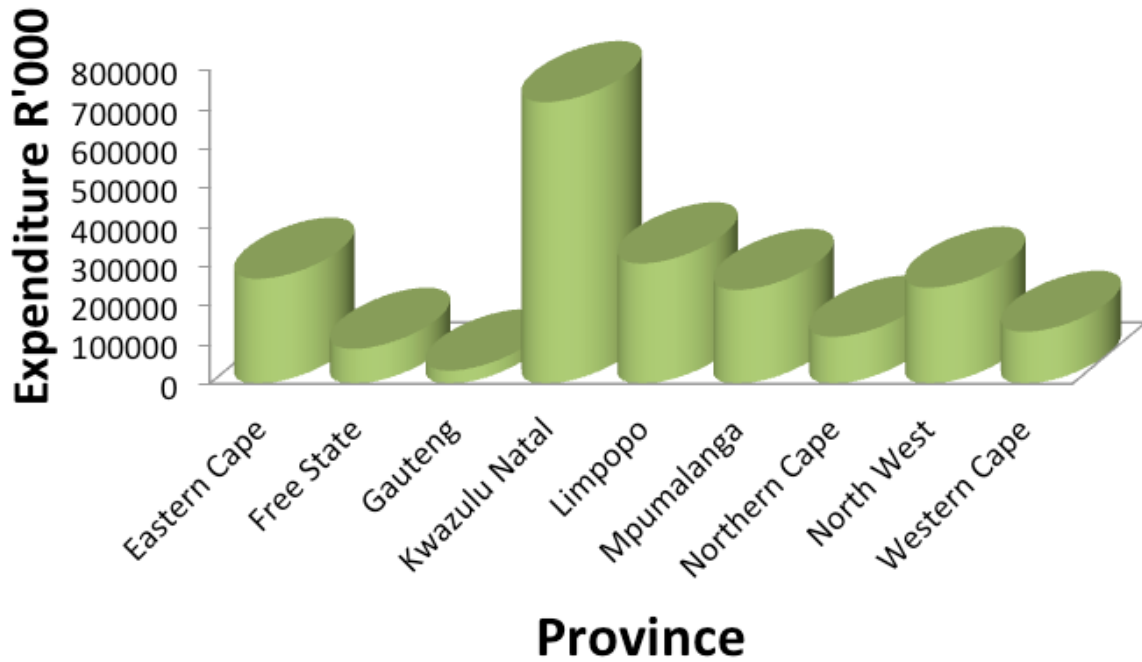
Household Expenditure Summary per Province: Financial Year 2015/2016					
OFFICE	Land Purchase & Land and Subsoil	Conveyancers	Re-Cap/Grants	Financial Compensation	TOTAL
Eastern Cape	549 000.00			267 577 192.18	268 126 192.18
Free State	8 803 103.60		593 030.00	79 578 230.96	88 974 364.56
Gauteng	705 260.00	553 513.06	27 000.00	32 370 603.09	33 656 376.15
KwaZulu-Natal	520 134 190.10	2 046 961.87	15 085 418.00	182 124 201.72	719 390 771.69
Limpopo	129 900 707.12	67 681.00	115 059 023.62	62 281 459.60	307 308 871.34
Mpumalanga	197 509 136.30	1 393 560.36	7 717 606.26	33 193 848.55	239 814 151.47
Northern Cape	75 239 497.80			44 724 808.26	119 964 306.06
North West	220 067 601.40	946 567.28		24 036 776.38	245 050 945.06
Western Cape	43 247 974.10		12 672 660.33	76 666 079.43	132 586 713.86
Total	1 196 156 470.42	5 008 283.57	151 154 738.21	802 553 200.17	2 154 872 692.37

Whilst the CRLR can report that a significantly higher amount of funds flowed towards the purchase of land vis a vis financial compensation, some work in respect of the expenditure on grants that has been committed to restitution projects still needs to increase significantly. The CRLR sets aside 25% of the household budget per annum for recapitalisation and development but only 7% of that budget was spent for that specific purpose as can be seen in the graph below.

Graph 2: Expenditure per item
Summary per item: Financial Year 2015/2016



Graph 3: Household Expenditure per Province



15. REPORT OF THE AUDITOR-GENERAL

The Auditor-General of South Africa (AGSA) does not separately audit the CRLR. The report by the AGSA is contained in the annual report of the DRDLR.

16. ANNUAL FINANCIAL STATEMENTS

The audited annual financial statement of the DRDLR includes comprehensive reporting on Programme 4 – the Restitution Branch.



17. INTRODUCTION

The CRLR remains committed to maintain the highest standards of governance which is fundamental to the management of the public finances and resources allocated to us.

As a programme of the DRDLR, the CRLR participates in all governance fora as well as submit statutory and governance plans and reports to the DRDLR.

The governance section in this annual report broadly complies with the National Treasury Guidelines but as the CRLR is not a completely separate and stand-alone entity in terms of the PFMA, full and comprehensive compliance to all governance reporting is contained in the annual report of the DRDLR.

17.1 Risk management

The CRLR complies and adheres to the risk management policy and strategy of the DRDLR and partakes in the Risk and Compliance Management Committee.

A full risk assessment has been done with the support of the Chief Risk Officer of the DRDLR and a summary of the risk assessment and mitigation plan is outlined in table 5 below.

Table 25: Risk assessment and response

Risk type	Risk	Risk response/mitigation plan
Financial Risks		
Budgetary Risks	Limited budget	Draft business plan for Treasury and indicate funds required in Adjustment & MTEF cycle
Expenditure risks	Under-spending	Improved planning through EPMD and expenditure projections alignment
Operational Risk		
IT systems	Lack of information management system No effective PMS or MIS system	Develop a PMS & MIS. Apply change management principles during implementation
Legal and regulatory risk	No clear finite mandate of the CRLR (e.g. scope creep into post settlement issues) Litigation risks	Clarify mandate in context of future autonomy and develop plan to ensure integration with DRDLR processes. Improvement of tracking and management of matters in court. Improvement of research. Standardisation of processes and workflow. Decision-making centralised and/or standardised work processes. Finalising of land base – Umhlaba Wethu migration. IT systems to support information and project management to be implemented. Improved process mapping and shortening of procedures. Compliance checklist and quality control by Quality Assurance. Increased Quality Assurance capacity

Risk type	Risk	Risk response/mitigation plan
Human Resource Risks	Ineffectual human resources	Development of institutional form and organogram (structure)
Process risks	Overlap of land claims No single defined business process with timeframes	Developed detailed business process that is elaborated into SOPs for ultimate inclusion into toolkit.
Political and Reputational Risk		
Reputational risks	Reputational risk linked to delays in settlement of claims	Statutory Commission meetings to be held with formal and widespread communication aim, including media as well as quarterly statistics release. Process mapping to be done. Communication strategy to be developed
Communication risk	Communication to solicit land claims up to 30 June 2019	Core team of executive managers leading the process. Communication improved before, during and after lodgement. Human and financial resources to be increased as per plan

17.2 Portfolio committees

The CRLR attended the following Parliamentary Committee meetings:

Portfolio Committee on Rural Development and Land Reform

- 29 April 2015: Consideration of the draft report on the Strategic Plans 2015 – 2020 and Annual Performance Plans 2015/2016 of the CRLR.
- 5 August 2015: Briefing on the annual report of the CRLR.
- 9 September 2015: Briefing on the M&E mechanisms for the CRLR Programme.
- 14 October 2015: Review of Budget Review Recommendations Report (BRRR).
- 2-3 February 2016: Strategic planning workshop of the Committee.
- 17 February 2016: Briefing on Commission's 2nd and 3rd quarter performance for 2015/2016

Portfolio Committee on Women in the Presidency

- 4 August 2015: Brief to the Committee on key programmes and policies intended to benefit women and persons with disabilities in South Africa.

Select Committee on Land and Mineral Resources

- 21 April 2015: Consideration of the draft report on the Strategic Plans 2015 – 2020 and Annual Performance Plans 2015/2016 of the CRLR.

17.3 INTERNAL AUDIT AND AUDIT COMMITTEES

The Internal Audit Unit of the DRDLR performed a follow-up audit on records management within the CRLR. It was an operational, legal compliance and IT audit.

It was also a cyclical review of the performance of the CRLR.



PART E: HUMAN RESOURCE MANAGEMENT

17.4 INTRODUCTION

The full set of Human Resource Management information required by the Minister for the public service and administration of all departments in the public service, is contained in the annual report of the DRDLR. The most crucial matters in relation to the management of Human Resources in the CRLR have been extracted and are reflected in this part of the annual report.

17.5 Human resources oversight statistics

The DRDLR manages PERSAL and key information on the human resources of the CRLR. They provide human resource functions to the CRLR apart from some basic oversight and coordination that takes place from the Office of the CLCC.

Extracts of the most important human resource statistics are hereby provided.

17.5.1 Expenditure on personnel

Table 6 below shows the expenditure on compensation of employees (COE) during the reporting period. The budgetary allocation was not wholly in line with the actual incumbents in all the offices at the stage when the allocations were granted to offices. As such, offices may show a slight over- or under expenditure which was offset at the end of the financial year.

Table 25: Expenditure on Compensation of Employees

Office	Budget	COE Expenditure	Balance	% Expenditure
Head Office	38,055,000	40,037,420	-1,982,420	105.21%
Eastern Cape	28,954,000	27,749,479	1,204,520	95.84%
Free State	10,644,000	12,204,430	-1,560,430	114.66%
Gauteng	24,237,000	24,726,572	-489,572	102.02%
KwaZulu-Natal	49,241,000	50,666,688	-1,425,688	102.90%
Limpopo	43,895,000	40,336,146	3,558,853	91.89%
Mpumalanga	46,773,000	46,059,284	713,715	98.47%
Northern Cape	16,272,000	13,279,492	2,992,507	81.61%
North West	26,091,000	24,889,263	1,201,736	95.39%
Western Cape	28,159,000	24,788,411	3,370,588	88.03%
TOTAL	312,321,000	304,737,188	7,583,811	97.57%

The slight under expenditure in the COE was due to vacancies, as well as posts vacated in the period under review and subsequently filled.

Table 27: Expenditure on Compensation of Employees by salary band

Salary band	Personnel expenditure	% of total personnel cost	No. of employees	Average personnel cost per employee
Lower skilled (Levels 1-2)	0.00	0.00%	0	0.00
Skilled (Levels 3-5)	26,233,464.80	8.61%	123	213,280.20
Highly skilled production (Levels 6-8)	120,461,105.00	39.53%	369	326,452.86
Highly skilled supervision (Levels 9-12)	123,057,320.80	40.38%	234	525,885.99
Senior and Top management (Levels 13-16)	34,985,298.21	11.48%	35	999,579.95
Total	304,737,188.81	100.00%	761	400,443.09

Table 28: Employment and vacancies

Office	Number of funded posts	Number of posts filled	Number of posts vacant	% Vacancy rate	Number of employees additional employed	Head count
Head Office	95	87	8	8.42	0	87
Eastern Cape	82	71	11	13.41	0	71
Free State	32	29	3	9.38	4	33
Gauteng	70	66	4	5.71	0	66
KwaZulu-Natal	123	116	7	5.69	1	117
Limpopo	102	92	10	9.80	0	92
Mpumalanga	125	117	8	6.40	0	117
Northern Cape	43	35	8	18.60	0	35
North West	78	74	4	5.13	0	74
Western Cape	81	68	13	16.05	1	69
TOTAL	831	755	76	9.15	6	761

By end of March 2016, the average CRLR vacancy rate was under the maximum prescribed 10%.

During the period under review, the DRDLR performed an Organisational Obstacles and Gaps Analysis. A percentage 4, 5% of the employees of the CRLR are employed in the Senior Management Service (SMS) cadre and 31% in middle management, whereas 65% are employed in levels 3 to 8. The latter category of personnel is largely those who have direct and constant contact with the clients of the CRLR.

17.5.2 Filling of SMS Posts

During the year under review five funded SMS posts were vacant or became vacant. These were the Directors Quality Assurance in the Limpopo province, Northern Cape as well as in the Western Cape. The Chief Director: Land Restitution Support in the Western Cape resigned at the end of January 2016. The Director post in Limpopo was vacated through a horizontal transfer to the Head Office whereas the Director in the Northern Cape post was vacated through a promotion of the incumbent to the position of Chief Director: Land Restitution Support in the Free State. The appointment of the Director: Quality Assurance made in the Western Cape was also through horizontal transfer from within the DRDLR. The fifth vacancy was the post of Director: Restitution Coordination and Support Services (Head Office) which was vacated through retirement. During the period under review, the post of Chief Director: Land Restitution Support: Northern Cape was filled by means of the appointment of an external candidate. Both Chief Director appointments were targeted towards filling by female incumbents.

Employment rates over the reporting period as well as turnover rates and reasons for posts being vacated are dealt with in detail in the DRDLR annual report.

17.5.3 Employment Equity

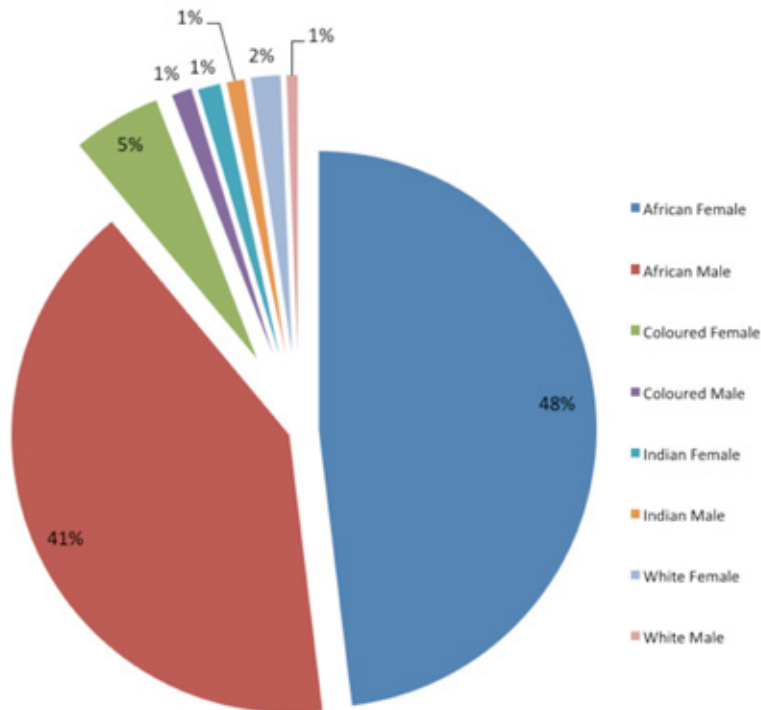
Table 29: Employment equity numbers per salary level, race and gender for the CRLR

Salary Levels	African		Coloured		Indian		White		Total
	Female	Male	Female	Male	Female	Male	Female	Male	
4	1	9							10
5	57	35	14	2	2	2		1	113
6	68	35	9		2		3	1	118
7	58	43	7	1	1	1	2		113
8	67	65	3	2			1		138
9	17	15	2				1	1	36
10	65	59		1	2	3	1	1	132
11	13	8	1	1		1	2		26
12	15	22	2	1					40
13	3	13		1	2		2	1	22
14	1	7	1		1	1	1		12
15	1								1
Total	366	311	39	9	10	8	13	5	761

Table 30: Employment equity percentages per race and gender for the CRLR

African Female	African Male	Coloured Female	Coloured Male	Indian Female	Indian Male	White Female	White Male	Total Female	Total Male
48.09%	40.87%	5.12%	1.18%	1.31%	1.05%	1.71%	0.66%	56.24%	43.76%

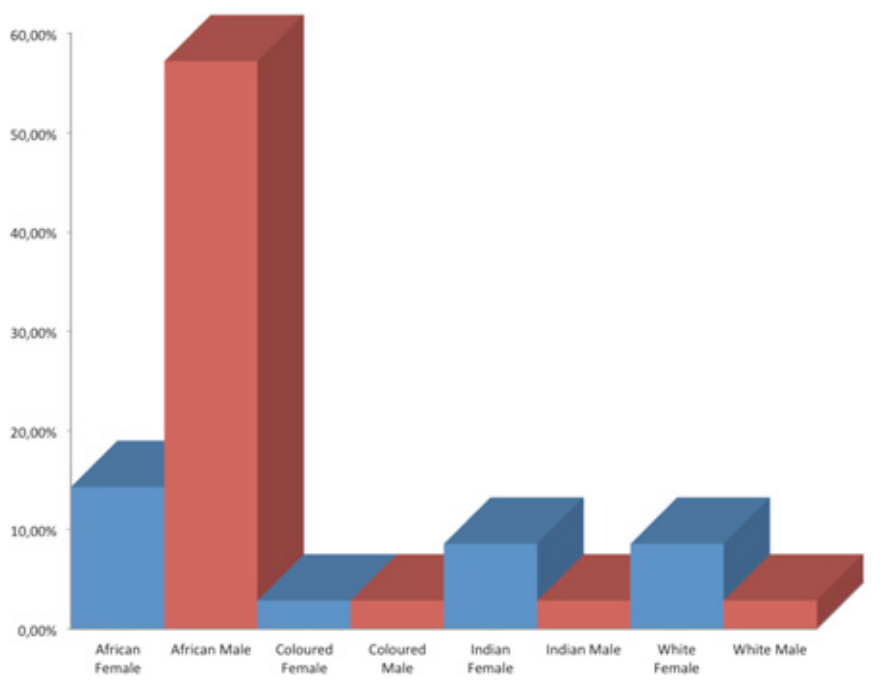
Graph 4: Employment equity percentages per race and gender for the CRLR



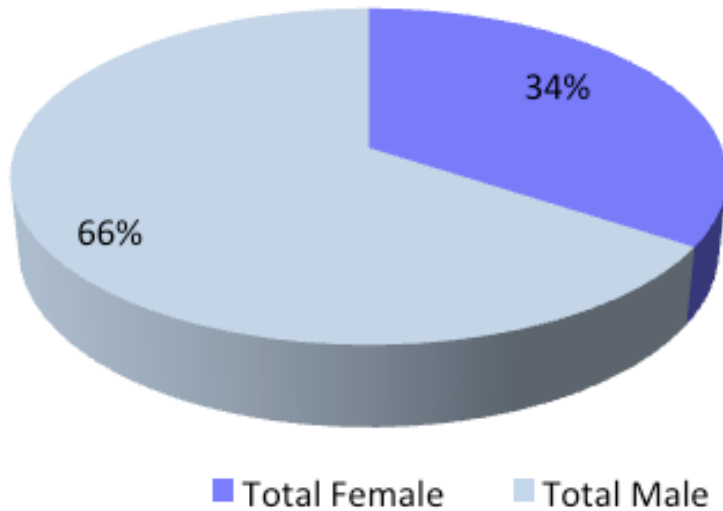
Employment Equity per race and gender

Graph 5: Employment equity percentages per race and gender for the SMS cadre in the CRLR

Gender and race composition of SMS Cadre



Graph 6: Gender breakdown for the SMS cadre



Employment in the SMS cadre is skewed towards males. In the year under review, two female Chief Directors were employed in the Free State Province and North West Province respectively.

17.6 Performance management

The CRLR made a concerted effort in the period under review to ensure that the performance agreements of staff members across provinces who perform the same or similar functions are the same or similar. The standardisation of performance agreements for SMS members will be concluded during the 2016/2017 financial year.

All members of the SMS concluded and signed a performance agreement with their respective supervisors for the period under review. The CLCC entered into a performance agreement with the Minister.

17.6.1 Labour relations

The DRDLR performs all labour relations functions on behalf of the CRLR, including facilitating disciplinary action for the period, facilitating misconduct and disciplinary hearings. The CLCC dealt with 23 grievances for the period under review of which 82% were resolved within the 90 days granted for grievances to be resolved. The remaining four matters were due to the DRDLR delays in implementation the DPSA resolution relating to the upgrading of levels 9/10 and 11/12.

CITIZENS' MANUAL ON HOW TO LODGE A LAND CLAIM

About the reopening of lodgement of land claims

The right to restitution is one of the rights enshrined in the Bill of Rights of the Constitution of the Republic of South Africa. The Restitution process is regulated by the Restitution of Land Rights Act, 1994.

The Restitution of Land Rights Amendment Act of 2014 came into effect on 1 July 2014. This legislation provides an opportunity for individuals and communities who were dispossessed of their rights to land after 1913 as a result of racially biased laws or practices; and who missed the initial cut-off date of 31 December 1998 to lodge claims, to do so until 30 June 2019.

What is a land claim?

A land claim is a written request made by a person, a direct descendant of a person, an estate or a community, for the restitution of a right in land or other equitable redress that has been lodged with the Commission on Restitution of Land Rights, in the prescribed manner.

What is a land right?

A land right is a registered or unregistered right in land, and includes the interests of labour tenants and sharecroppers, customary law interests or beneficial occupation for a period of more than 10 years. Individuals or communities must have occupied land OR must have proof in the form of a document, e.g. a title deed, permission to occupy, etc. for them to have a right in land.

Who can lodge a claim?

A person or a community who was dispossessed of a right in land after 19 June 1913 as a result of past racially discriminatory laws or practices, and who did not receive just and equitable compensation at the time of dispossession, can claim for restitution of that right in land or equitable redress.

Categories of claimants:

- An individual dispossessed of a right in land.
- A direct descendant or spouse of a person who lost a right in land.
- A juristic person, e.g. a company or a trust.
- An executor or an administrator of an estate of a deceased person.
- A representative of a community

Who may not lodge a claim?

- Those who have claimed before and received redress (land or financial compensation) may not claim again for the same right lost.
- If you have lodged a claim before, but have not yet received compensation, please verify whether the Office of the Regional Land Claims Commission in your province has your original claim before you resubmit a claim. Do not lodge a new claim for the same right if your claim is still being processed.

What documents must you bring to lodge a claim?

- A certified copy of your South African green bar-coded identity document or Smart ID card.
- A signed letter authorising you to act on behalf of your family or community, signed by two witnesses (power of attorney), if you are acting on behalf of your family or community.
- A list of the people you represent.

- A letter from the Master of the High Court if you are the executor of an estate.
- A written decision from a community meeting, signed by the person who facilitated the meeting (community resolution), if you are lodging a claim on behalf of a community.

What information is required?

- The description of the property, e.g. farm name and number (or erf or stand number in an urban area)
- Information about the person, department or state organ that acquired the land, e.g. the Department of Native Affairs.
- The year or years of dispossession.
- The compensation paid at the time of dispossession.
- Particulars of the claimant and the capacity in which you are acting, e.g. community representative, son, daughter, an executor of an estate, etc.
- History of the acquisition of the rights and land dispossession.

How to submit a claim?

- Lodging a land claim is a free government service.
- You have until 30 June 2019 to lodge your claim.
- Claims must be lodged at a designated lodgement office or official mobile lodgement office.
- Information about your claim will be captured electronically during lodgement.
- No forms will be distributed to claimants.
- You have to visit a lodgement office to lodge a claim, with all the required documents.
- You will receive a letter with a unique reference number after your information has been captured electronically, confirming that you have successfully lodged your claim. Please quote the unique reference number in all your correspondence with the Commission on Restitution of Land Rights.
- An SMS will also be sent to you confirming that the Commission on Restitution of Land Rights has received your claim.
- The Commission will investigate the merits of your claim and you will be informed about progress on your claim at regular intervals, or upon your request.

Where to go to lodge your claim?

- There are 14 lodgement offices across the country where you can go to lodge your land claim. See contact details on reverse side.
- During the five year period ending on 30 June 2019, mobile lodgement offices will also visit far flung areas in each province, to enable all qualifying citizens to lodge their claims.
- Information regarding the mobile lodgement offices' visits will be announced through local communication channels.

Warning about criminal activities related to the lodgement of land claims

- It is illegal to submit a fraudulent claim, including not disclosing other potential interested parties.
- It is also illegal for a person to prevent or obstruct another person from lodging a claim.
- You have until 30 June 2019 to lodge your claim.
- Lodging a land claim is a free government service. You are not required to pay any money to lodge a land claim.
- Call the anti-fraud hotline number on 0800 701 701 to report any fraudulent activity.





CONTACT DETAILS:

Private Bag X833
Pretoria
0001
8th Floor, Centre Walk Building, cnr
Pretorius and Thabo Sehume
Streets, Pretoria

Fax: (012) 328 7133

Toll Free Number: 0800 007095

