

## PRACTICE DIRECTION 19

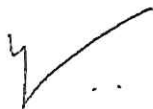
### Promotion of Gender Equality

The following Practice Direction is introduced to emphasise that factors which promote gender equality can be incorporated under Section 33 of the Restitution of Land Rights Act No 22 of 1994.

In considering and applying the factors to be taken into account by the Court under section 33 of the Restitution of Land Rights Act no 22 of 1994, the court may in the interest of promoting Gender Equality:

1. Direct any person, official, institution, entity or organ of state including a constitutional institution to make relevant gender specific submissions to the Court. This may be done in the interests of promoting gender equality;
2. Require any person, official or entity to provide the Court with regular progress reports regarding the implementation of the Court's orders, especially in instances where land has been allocated to rural woman;
3. Direct that specific steps be taken by the Department of Rural Development and Land Reform, as well as the Commission on Restitution of Land Rights, to ensure that women before the Court, who are beneficiaries of any land in terms of an order, will receive delivery of such property, and be assisted to use the land productively, profitably and sustainably;
4. Specify that both men and women must enjoy the right of ownership, productivity of the land, patrimonial benefits and identify deriving from ownership of the land;
5. Order that both men and women must enjoy the right of ownership, productivity of the land and patrimonial benefits deriving from ownership of the land;

6. Specify that a 50/50 gender representation will be required in respect of governance structure post settlement of any claim;
7. Require that resources allocated at post settlement development must be shared equally and equitably between men and women.



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**YASMIN SHEHNAZ MEER**  
**Acting Judge President: land Claims Court**  
**2016-08-19**