**MEDIA STATEMENT**

**AD HOC COMMITTEE ON SECTION 25 MOVING TOWARDS FINALISING TEXT ON EXPROPRIATION OF LAND WITHOUT COMPENSATION**

**Parliament, Friday, 2 July 2021 –**The Ad Hoc Committee to Initiate and Introduce Legislation Amending Section 25 of the Constitution today resolved to finalise the text for the amendments that would see the expropriation of land without compensation.

Committee Chairperson, Dr Mathole Motshekga, said the committee requested Parliament Legal Services to use the formal positions that various political parties made available on the matter, to formalise the draft amendments. The committee was mandated to oversee the 18th Constitutional Amendment Bill, which will see the expropriation of land without compensation embedded in the Constitution. “The committee is moving towards finalising the text that would see the expropriation of land without compensation. It has been a long process but we can see the progress made thus far to ensure that the will of the people of South Africa, as expressed during the public participation process, is taken seriously.”

During today’s meeting the African National Congress (ANC), Economic Freedom Fighters (EFF) and Al Jama-ah all indicated they have formal positions available on the amendments to Section 25. The ANC said it was in favour of state custodianship of certain land in order for citizens to gain access to land on an equitable basis. It further proposed to insert a subsection so as to provide that where land and any improvements thereon are expropriated for purposes of land reform as contemplated, that the amount of compensation may be nil. Al Jama-ah indicated that expropriation should exclude land belonging to the religious sector.

The EFF proposed that Subsection (3) should be amended to read that land is a natural resource and a common heritage, which belongs to the people as a whole, under the custodianship of the democratic state. The party stated that this is different from the nationalization of land as custodianship meant that the state will merely be holding onto the land for the people. It further proposed that the date in Subsection (7), which currently refers to the cut-off date for claims for restitution of land disposed after 19th of June 1913, be removed and be left open-ended.

The Democratic Alliance (DA), African Democratic Christian Party (ACDP) and Freedom Front Plus (FF+) all indicated that it was not necessary to amend Section 25 to allow for restitution and redistribution as the Constitution currently already allowed for this. The FF+ made it clear that it is not in support of custodianship as it left too many unanswered questions, which is not suitable for constitutional certainty.

Dr Motshekga said the committee will meet next week to finalise the wording of the text that will give effect to the amendments. He further indicated that this will give political parties a further opportunity to decide on whether they would be willing to move from their original positions on the amendments. The committee has been given until the end of August to complete its work.

**ISSUED BY THE PARLIAMENTARY COMMUNICATION SERVICES ON BEHALF OF THE CHAIRPERSON OF THE AD HOC COMMITTEE TO INITIATE AND INTRODUCE LEGISLATION AMENDING SECTION 25 OF THE CONSTITUTION, DR MATHOLE MOTSHEKGA.**