**MEDIA STATEMENT**

**AD HOC COMMITTEE ON SECTION 25 SET TO ADOPT BILL TO AMEND CONSTITUTION ON LAND EXPROPRIATION WITHOUT COMPENSATION**

**Parliament, Wednesday, 1 September 2021 –**The Ad Hoc Committee to Initiate and Introduce Legislation Amending Section 25 of the Constitution today agreed that it will, in all likelihood, be in a position to adopt the draft Constitution 18th Amendment Bill by Friday, 3 September.

Committee Chairperson Dr Mathole Motshekga said the committee resolved to deliberate on the second draft of the Bill and not the third version, which was presented last week. “As the second version of the Bill has already gone out for public engagement and the public had an opportunity to make inputs, no further advertising is necessary. The majority of members of the committee agreed to rather not work on the third draft of the Bill that included some substantial proposed amendments, which would have required further public participation.”

The purpose of the Bill is to amend section 25 of the Constitution so as to provide that where land is expropriated for land reform, the amount of compensation payable may be nil. Furthermore, to clarify that nil compensation is a legitimate option for land reform, so as to address the historic wrongs caused by the arbitrary dispossession of land, and in so doing ensure equitable access to land and further empower the majority of South Africans to be productive participants in ownership, food security and agricultural reform programmes.

The committee heard that 148 891 written submissions were received during this round of public engagements. A substantial number either did not relate to the Bill or were duplicate submissions submitted to the Constitutional Review Committee in 2018 or not relevant to the current process.

According to the second draft of the Bill, the contentious submissions contained in the third version calling for the cut-off date for land restitution claims to be changed from 1913 to 1800, are not included. Deliberations today included removal of the clause “and any improvements thereon” with reference to improvements made on land that are to be expropriated. The majority of the members also agreed that communal land is not under threat of expropriation, as it is generally classified as “state land”.

Dr Motshekga said the committee has instructed Parliament Legal Services to “clean” up the Bill after today’s deliberations. “By Friday, the committee should be able to have a cleaned up copy. The committee will then adopt the Bill by going clause by clause. Furthermore, once adopted the committee will give the support staff an opportunity to prepare a report on the Bill for consideration and adoption.”

The committee was given an extension until 10 September 2021 to enable it 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.**