



**OLD ORDER CLAIMS, LAMOSA REPORTS TO LAND CLAIMS COURT AND KUYASA REPORTS  
BRIEFING TO THE PORTFOLIO COMMITTEE ON AGRICULTURE, LAND REFORM AND RURAL  
DEVELOPMENT**

**23 MAY 2023**

## PRESENTATION OULINE

- Cumulative claims settled and finalised from 1995 to 31 march 2023
- Land claims court report – 24 January 2024
- Statistical information on outstanding settlement of land claims
- Section 14 referrals
- Key issues and challenges
- Progress on project Kuyasa
- Progress on research strategy



# CUMULATIVE CLAIMS SETTLED AND FINALISED FROM 1995 TO 31 MARCH 2023



# CUMULATIVE CLAIMS SETTLED FROM 1995 TO 31 MARCH 2023

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PROVINCE	CLAIMS	HOUSEHOLDS	BENEFICIARIES	FEMALE HEADED HOUSEHOLDS	PEOPLE LIVING WITH DISABILITIES	HECTARES SETTLED	LAND COST	FIN COMP	GRANTS	TOTAL AWARD
EC	17171	93277	448201	35719	0	146930	215,686,154.29	6,994,591,337.99	548,882,545.36	7,759,160,037.64
FS	2672	8733	52779	3224	10	60561	93,522,832.05	455,758,549.22	55,460,224.71	604,741,605.98
GP	13432	21721	83664	9741	18	23970	101,419,933.57	1,100,360,717.11	85,659,986.38	1,287,440,637.06
KZN	16078	97587	553078	33204	583	875113	8,862,482,326.38	4,771,816,743.89	1,012,519,422.28	14,653,193,492.55
LP	4758	67926	326499	27937	0	761169	4,556,520,374.04	3,654,192,835.75	1,026,328,879.86	9,237,042,089.65
MP	3389	61438	321485	20963	58	555964	6,505,105,408.41	1,571,635,440.21	730,948,246.77	8,807,739,595.39
NC	4064	25923	139941	10459	159	848516	919,595,621.23	1,216,145,720.49	281,386,952.81	2,417,128,294.53
NW	3978	45602	226935	19693	40	584827	4,078,103,814.67	797,864,592.14	762,228,877.26	5,638,197,284.07
WC	17434	33882	153050	14856	378	11212	305,049,750.52	1,695,712,351.71	859,217,909.02	2,860,021,011.25
<b>TOTAL</b>	<b>82976</b>	<b>456089</b>	<b>2305632</b>	<b>175796</b>	<b>1246</b>	<b>3868261</b>	<b>25,637,486,215.16</b>	<b>22,258,078,288.51</b>	<b>5,362,633,044.45</b>	<b>53,264,619,048.12</b>

# CUMULATIVE CLAIMS FINALISED FROM 1995 TO 31 MARCH 2023

PROVINCE	CLAIMS FINALISED FROM 1995-31 MARCH 2013	CLAIMS FINALISED FROM 01 APRIL 2013 TO 31 MARCH 2014	CLAIMS FINALISED FROM 01 APRIL 2014 TO 31 MARCH 2015	CLAIMS FINALISED FROM 01 APRIL 2015 TO 31 MARCH 2016	CLAIMS FINALISED FROM 01 APRIL 2016 TO 31 MARCH 2017	CLAIMS FINALISED FROM 01 APRIL 2017 TO 31 MARCH 2018	CLAIMS FINALISED FROM 01 APRIL 2018 TO 31 MARCH 2019	CLAIMS FINALISED FROM 01 APRIL 2019 TO 31 MARCH 2020	CLAIMS FINALISED FROM 01 APRIL 2020 TO 31 MARCH 2021	CLAIMS FINALISED FROM 01 APRIL 2021 TO 31 MARCH 2022	CLAIMS FINALISED FROM 01 APRIL 2022 TO 31 MARCH 2023	TOTAL FINALISED
EC	17,360	27	39	40	63	53	81	71	74	53	58	17,919
FS	3,145	7	3	10	84	3	26	4	0	3	5	3,290
GP	10,953	33	100	22	78	82	55	96	37	86	85	11,627
KZN	605	41	13	76	81	106	321	209	84	71	93	1,700
LP	3,944	0	24	34	127	238	118	61	31	95	58	4,730
MP	2,758	4	28	59	30	51	67	46	66	43	44	3,196
NC	2,824	4	34	104	25	101	101	27	15	14	5	3,254
NW	2,076	4	7	42	25	51	11	50	18	19	20	2,323
WC	16,047	172	124	173	159	180	215	122	60	58	61	17,371
<b>TOTAL</b>	<b>59,712</b>	<b>292</b>	<b>372</b>	<b>560</b>	<b>672</b>	<b>865</b>	<b>995</b>	<b>686</b>	<b>385</b>	<b>442</b>	<b>429</b>	<b>65,410</b>

# LAND CLAIMS COURT REPORT – 24 JANUARY 2024



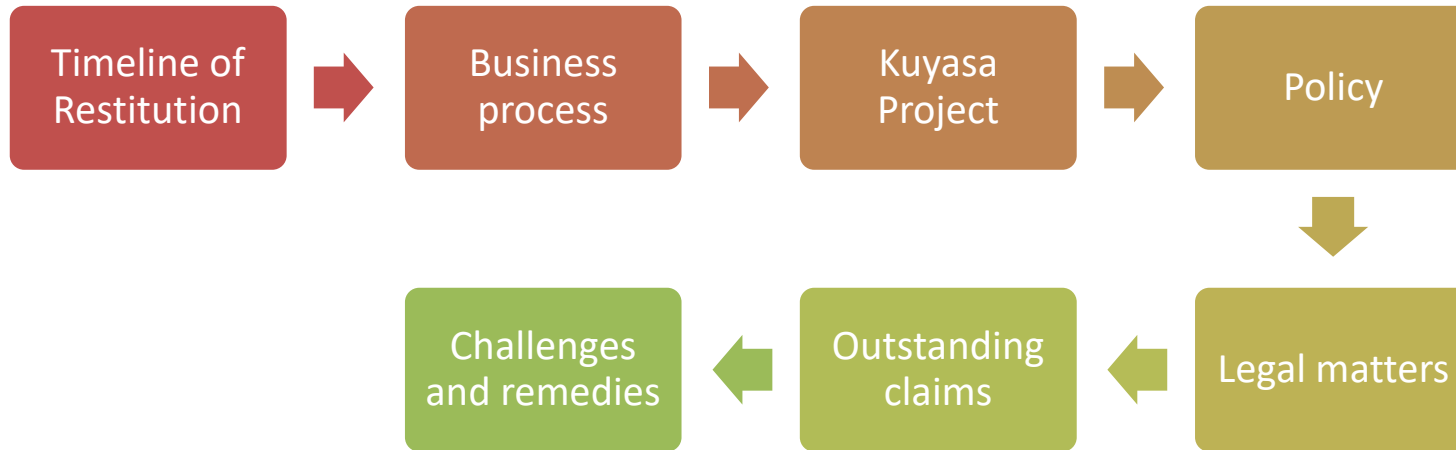
# INTRODUCTION

- The Commission submits to the Acting Judge President of the Land Claims Court on a six-month basis reports in compliance with the Constitutional Court order dated 19th March 2019 (LAMOSA II Judgment):
  - The number of outstanding old order claims in each of the regions on the basis of which the Commission's administration is structured.
  - The anticipated date of completion, in each region, of the processing of old order claims, including short-term settlement targets.
  - The nature of any constraints, whether budgetary or otherwise, faced by the Commission in meeting its anticipated completion date;
  - The solutions that have been implemented or are under consideration for addressing the constraints; and
  - Such further matters as the LCC may direct; until all old order claims have been processed.
- The Commission has successively submitted Seven (7) Reports to the Land Claims Court in line with the above order.
- The latest report was submitted on 24 January 2023 as Report number Seven (7)



# OUTLINE OF THE 7<sup>TH</sup> REPORT AND PRESENTATION

The Commission has submitted their 7<sup>th</sup> Lamosa report to the Land Claims Court (LCC) on 24 January 2023. The outline of the report submitted is as follows:



**This presentation to the Acting Judge President** focusses on statistical information on the number of claims settled and still outstanding; referrals to the LCC and key issues and challenges



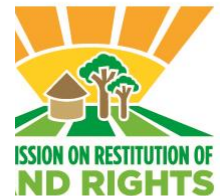
# STATISTICAL INFORMATION ON OUTSTANDING SETTLEMENT OF LAND CLAIMS



# CUMULATIVE SETTLED CLAIMS SINCE INCEPTION TO 30 SEPTEMBER 2022

- The table below indicates all claims settled since inception up to 30 September 2022, which totals over 82 000 claims and more than 450 000 households.
- In terms of awards to claimants, which is either financial or land compensation, the ratio is more or less 50:50 between Financial Compensation (totalling R20 billion) and Land compensation (totalling R24 billion) indicating that the Restitution programme has and is still meeting its objectives.
- Land compensation further equates to 3,86 million hectares that have been restored.

PROVINCE	CLAIMS	HHS	BEN	FHHS	PEOPLE LIVING WITH DISABILITIES	HECTARES SETTLED	LAND COST	FIN COMP	GRANTS	TOTAL AWARD
E CAPE	17106	90761	423294	34585	0	142528	131 659 350.29	6 143 147 612.69	548 882 545.36	6 823 689 508.34
F STATE	2671	8721	52659	3221	10	60387	93 522 832.05	449 679 893.22	55 460 224.71	598 662 949.98
GAUTENG	13429	21706	83745	9713	18	23970	101 419 933.57	1 094 775 217.00	85 659 986.38	1 281 855 136.95
KZN	15981	97304	551768	33082	580	869526	8 315 771 186.38	4 671 512 632.24	977 217 059.28	13 970 875 877.90
LIMPOPO	4701	66857	320096	27381	0	761091	4 566 936 110.04	3 156 524 897.75	1 026 328 879.86	8 749 789 887.65
MPLANGA	3358	61087	315312	20967	58	555465	6 489 061 233.01	1 434 619 053.24	730 948 246.77	8 654 679 033.02
N CAPE	4060	25915	139705	10453	158	848516	919 595 621.23	1 208 704 586.73	281 386 952.81	2 409 687 160.77
N WEST	3977	45464	226083	19657	37	583280	4 076 473 814.67	775 863 573.47	762 228 877.26	5 614 566 265.40
W CAPE	17405	33791	152673	14848	378	11212	305 049 750.52	1 672 218 849.10	859 217 909.02	2 836 527 508.64
<b>TOTAL</b>	<b>82688</b>	<b>451606</b>	<b>2265335</b>	<b>173907</b>	<b>1239</b>	<b>3855976</b>	<b>24 999 489 831.76</b>	<b>20 607 046 315.44</b>	<b>5 327 330 681.45</b>	<b>50 940 288 328.65</b>

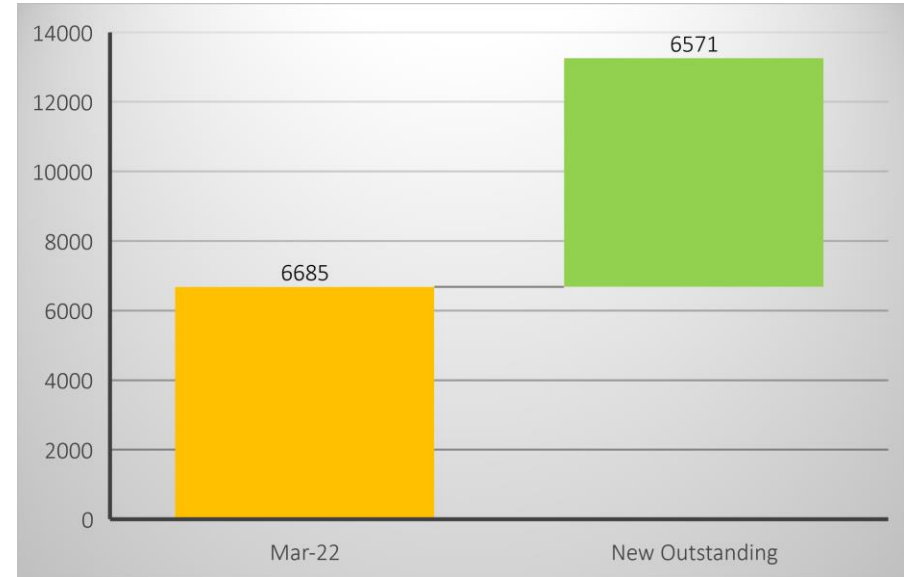


# GENERAL PERFORMANCE FOR PERIOD UNDER REVIEW - 1

## APRIL 2022 – 30 NOVEMBER 2022

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- In the sixth LAMOSAs report, the Commission indicated that a total of **6685** claims constituted the total outstanding claims.
- In this report, the Commission is reporting a total number of **6571** claims that constitute the total number of outstanding claims from **1 April 2022 to 30 November 2022**.
- During this period, the Commission settled **114** claims, from 6685 claims settled end of March 2022 to 6571 claims settled in the last 6 months.
- This is an indication that the Commission is increasing the pace of settling land claims.



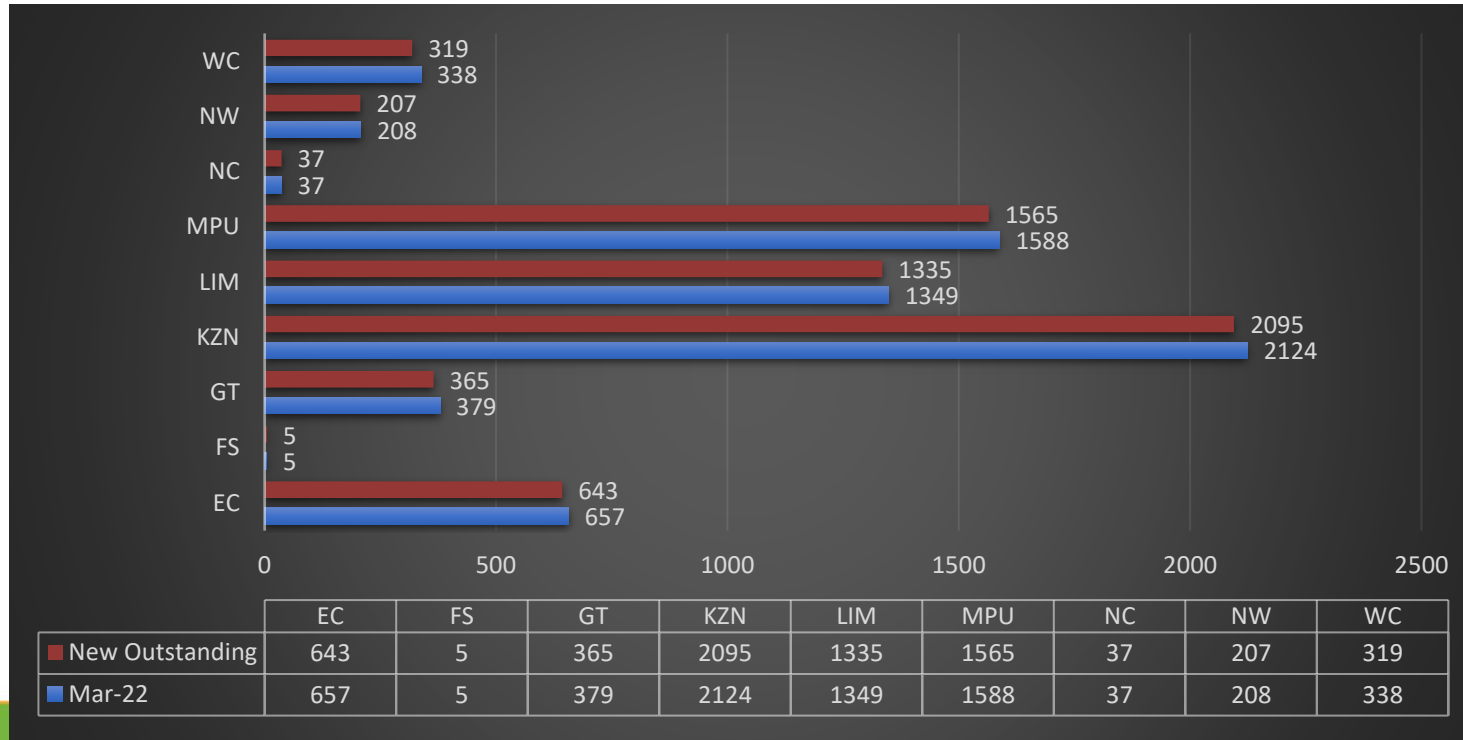
## PROVINCIAL BREAKDOWN OF SETTLEMENT OF CLAIMS

The Diagram indicates the movement of outstanding claims settled per provincial breakdown for the 3 Quarters in the 2022/23 Financial year

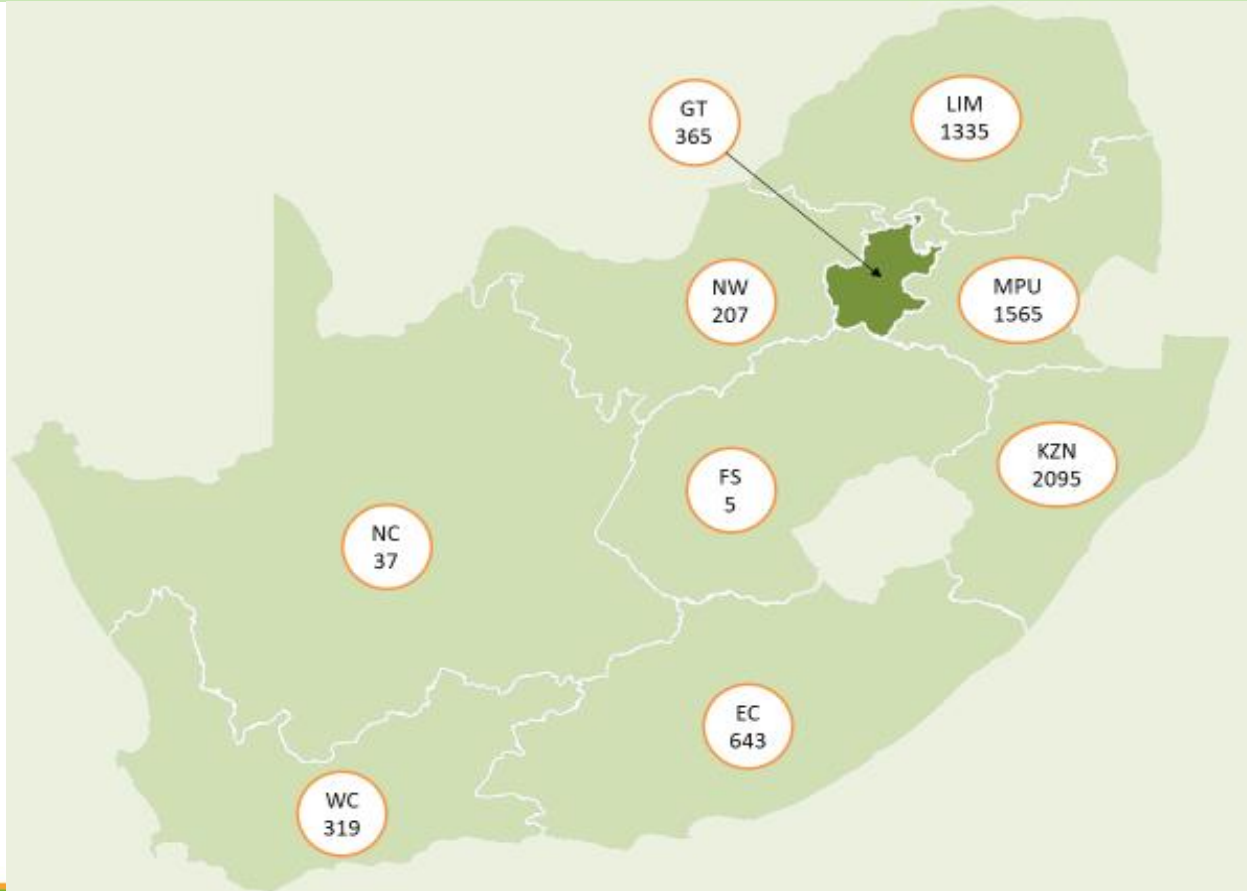
Output Indicator	Province	Outstanding March 22	June 22	Sept 22	Nov 22	Total achieved	Outstanding Dec 22
Number of outstanding land claims	EC	657	3	9	2	14	643
	FS	5	0	0	0	0	5
	GT	379	0	14	0	14	365
	KZN	2124	15	8	6	29	2095
	LIM	1349	2	10	2	14	1335
	MPU	1588	5	16	2	23	1565
	NC	37	0	0	0	0	37
	NW	208	1	0	0	1	207
	WC	338	9	10	0	19	319
<b>TOTAL:</b>		<b>6685</b>	<b>35</b>	<b>67</b>	<b>12</b>	<b>114</b>	<b>6571</b>

# SETTLEMENT OF CLAIMS

The chart shows the overall movement of claims per province from 1 April 2022 to end of November 2022



# OUTSTANDING CLAIMS @ 30 NOVEMBER 2022



## OUTSTANDING CLAIMS @ 30 NOVEMBER 2022

- KwaZulu Natal (KZN), Limpopo and Mpumalanga still have the highest number of outstanding claims. KZN has the largest number at 2095 followed by Mpumalanga with 1565 and Limpopo with 1335. These claims are mostly rural in nature and large claims comprising of many property parcels and large number of claimants.
- Eastern Cape has a high number of financial compensation claims which have historic backlog payments which are outstanding but are receiving attention.
- Western Cape has several outstanding Registered rights and Urban Tenancy Claims mostly located in the City of Cape Town.
- Free State has 5 claims outstanding and of those **3** are in the Land Claims Court.



## OUTSTANDING CLAIMS @ 30 NOVEMBER 2022

- Gauteng has outstanding rural Labour Tenancy Claims as well as large Urban Claims that were partially settled e.g. Alexandra.
- North West has few outstanding claims but each of these outstanding claims has large extend of hectares under claim which has resulted in the Province settling the claim in phases.
- The settlement of claims does not consider the issue of finalisation of some of these claims including the provision of Post Settlement Support.



# URBAN AND RURAL BREAKDOWN

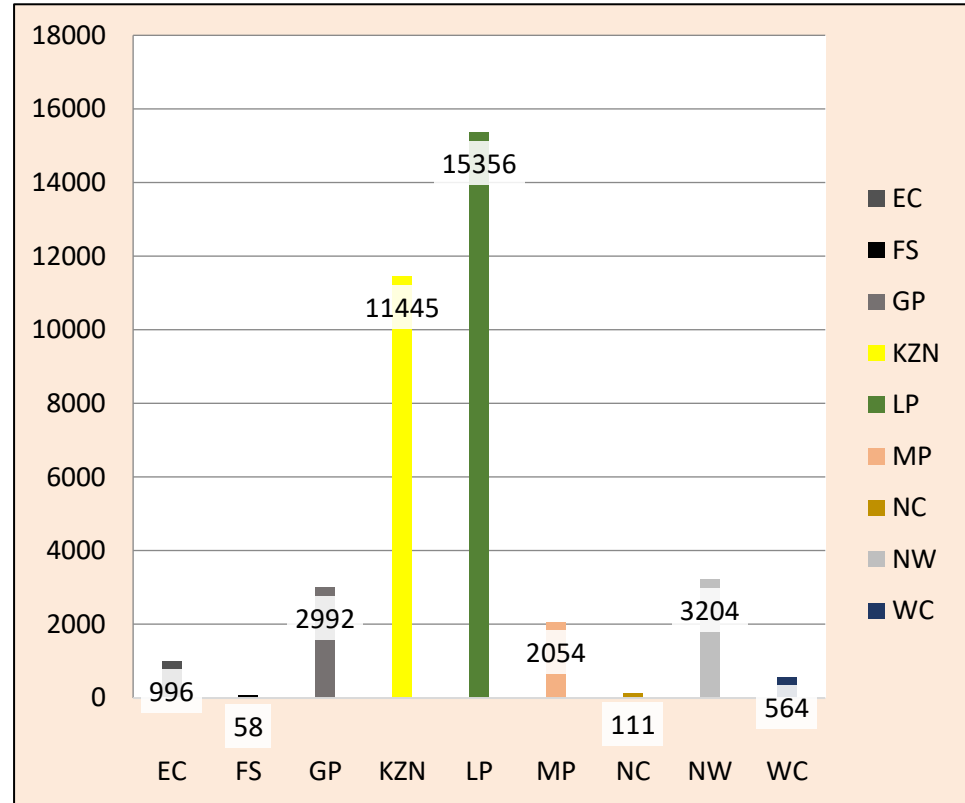
- In terms of the breakdown between urban and rural claims, the bulk of the outstanding claims are rural, with a few claims still to be determined.
- This was reported in previous reports and the picture remains the same.
- These claims are clustered in provinces that have a large rural sector (i.e. KZN, Limpopo and Mpumalanga) and economy and correlates positively with the degree of complexity.

**URBAN-1720 – 25%**

**RURAL – 5075 – 75%**

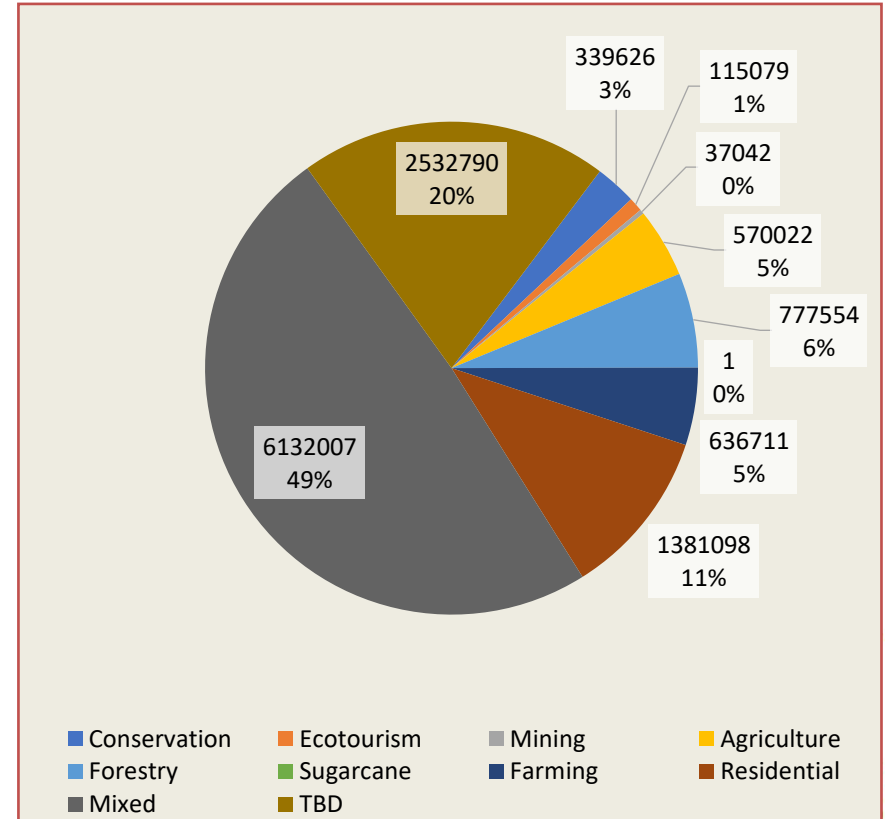
# OUTSTANDING PORTIONS

- The number of outstanding portions per province is also quite significant in terms of the complexity of claims and the delay in settling of claims.
- KZN and Limpopo have the highest number of outstanding claims and this correlates quite well with the number of land portions affected by these claims as per the below chart.
- North West, on the other hand, with a relatively low number of outstanding claims (207) has a skewed apportioned number of land parcels (3204) that are linked to these 207 outstanding claims.



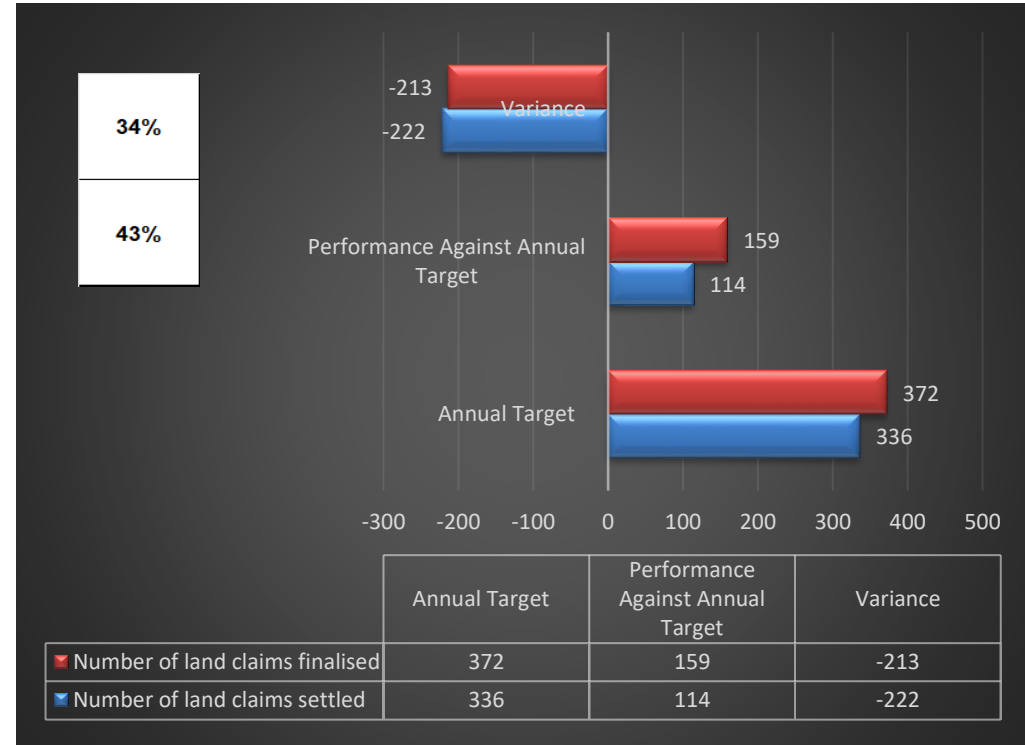
## LAND USE LINKED TO SETTLEMENT MODELS

- The Settlement models developed per sector are aimed at expediting the settlement of land claims.
- This makes it necessary to also breakdown outstanding land claims per land use.
- This will assist with engaging sector players in attempting to fast track settlement of outstanding claims and to ensure that the economic activities are not interrupted per se.
- The indication is that most claims are characterised by mixed land use and residential. Although sectors such as Conservation, Sugarcane and Forestry are in the lower percentiles, these claims are complex and affect the swiftness at which these claims are settled.



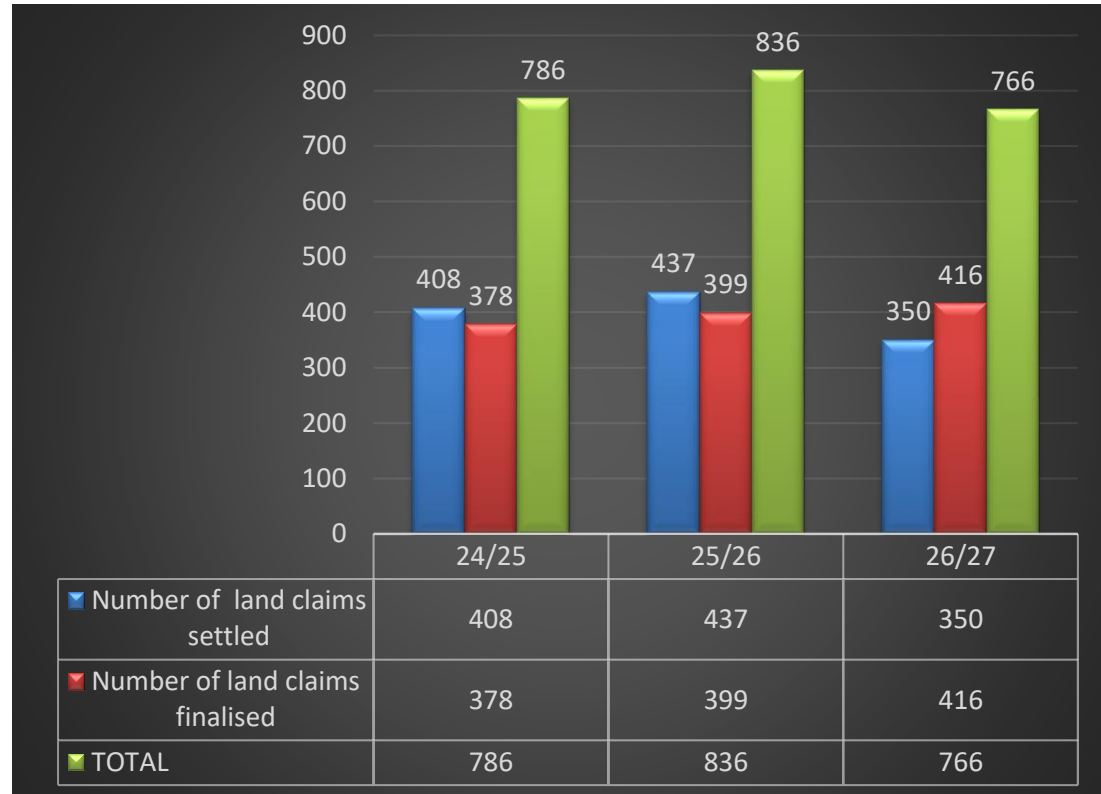
# PROGRESS AND PERFORMANCE AGAINST APP TARGETS FOR 2022/2023 AND MTEF ALLOCATION

- The Commission has set itself a target of settling a total of 336 claims and finalising a total of 372 claims in this financial year (2022/23).
- This is directly linked to the available budget and staff compliment.
- All indication is that the targets set for this year will be achieved.
- As indicated in the graph below, the performance is on par for the period under reporting.



# PROGRESS AND PERFORMANCE AGAINST APP TARGETS FOR 2022/2023 AND MTEF ALLOCATION

- The challenge remains that the budget allocation does not match the outstanding claims to be settled
- A considerable increase in MTEF budget allocation would be required to settle and finalise the old order claims.



# SECTION 14 REFERRALS



## SECTION 14 REFERRALS

During the years 2021/ 2022 the Land Claims Court through Judge Meer gave several directives regarding incorrectly issued referrals. The following issues were raised in most of the matters brought to court:

- The Commission was directed by the Honourable Court to refer all complex claims to the LCC for adjudication, despite matters not being ripe for referral. Upon referring the matters to court, the matter were returned for being defective as per rule 32(5) notices. Numerous landowners raised objections on quality of research and other technicalities.
- There was no compliance with Directive 15 of the Land Claims Court in that the claimants were not well represented. The Commission was informed to ensure claimants are represented before claims are filed for issuing at the LCC. Legal Aid South Africa has since taken over as the Land Rights Management Facilitator (LRMF) and this directive is now their mandate.
- From the performance of the previous fiscal years the referral numbers were counted in terms of case numbers as opposed the number of claims referred; for example, Limpopo RLCC Office has targeted 22, referred 20 case numbers accounting for **95** claims. Directive required from the LCC.
- The Legal Forum has come up with a recovery plan strategy which will see referrals being drafted in house in order to avoid delays associated with outsourcing of referrals to counsel.



## PROGRESS ON PROVINCIAL REFERRAL TARGETS FOR FINANCIAL YEAR 2022/2023

Performance indicator	Prov	Annual Target	Quarter 1 Target	Achieved	Quarter 2 Target	Achieved	Quarter 3 Target	Achieved	Quarter 4 Target	Achieved
Sec 14 Ref LAMOSA 2 judgement	EC	2	-	0	-		-	0	2	(1) s42D
	FS	2	-	0	-		-	0	-	Error Target (2)
	GT	5	1	0	2		1	0	1	0
	KZN	19	4	0	5	1	6	0	4	0
	LIM	8	2	5	2		2	0	2	0
	MPU	18	5	0	5	1	4	2	4	0
	NW	34	0-	0	2-		1	0	0-	0
	NC	1	-	0	-		1	0	-	0
	WC	12 (-10)	2	0	6	2	2	0	2	(10) S42D



## ANNUAL TARGET AND PERFORMANCE FOR LAND CLAIMS TO BE REFERRED TO LCC

Performance indicator	Current litigation cases	Annual Target	Quarter 1 Target	Achieved	Quarter 2 Target	Achieved	Quarter 3 Target	Achieved	Quarter 4 Target	Performance against Annual Targets
Sec 14 Ref LAMOSAs judgement	65	65	14	0	22	4	17	2	12	-59

## ANNUAL TARGET AND PERFORMANCE FOR LAND CLAIMS TO BE REFERRED TO LCC

Performance indicator Sec 14 Ref LAMOSA 2 judgement	Current litigation cases	Annual Target	Quarter 1 Target	Achieved	Quarter 2 Target	Achieved	Quarter 3 Target	Achieved	Quarter 4 Target	Performance against Annual Targets	Recovery Plan
2021/2022	85	20	27	24	13	15	3	12	1	-41	
2022/2023	65	65	14	0	22	4	17	2	12	-41	19
Referrals to be reconsidered	<p>We have 23 matters that will be reconsidered based on various reason to be provided below;</p> <p>We have 19 matters under drafting process internally to be finalised by 30 April 2023 in line with the recovery plan;</p> <p>From the performance of the previous fiscal years the referral numbers were counted in terms of case numbers as opposed to the number of claims referred; for example Limpopo RLCC Office has targeted 22, referred 20 case numbers accounting for <u>95</u> claims.</p>									23 (-18)	

# PROGRESS ON PROVINCIAL REFERRAL TARGETS FOR FINANCIAL YEAR 2022/2023

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It is regretted that the Commission might not be able to refer all the targeted number of claims due to the following reasons:

- **LEGAL AID SA:**

- Since Legal Aid has taken over the LRMF (Jan 2022) the Commission has been slow with the appointment of legal representatives for claimants. Secondly the Panelist who were having ongoing matters in court have been having difficulties with LASA tariffs if not payment turnaround time, to such an extent that some of them mandates were either terminated for lack of accreditation or have withdrawn from being attorneys of record for claimants.

- **STATE ATTORNEY:**

- State Attorney delays in the appointment of Counsel to draft Notice of referrals: **The New policy which requires that they comply with their 3 Quotation System requirements which then prolongs the time frame including that of appointing counsel to draft court papers with time frames.**



## PROGRESS ON PROVINCIAL REFERRAL TARGETS FOR FINANCIAL YEAR 2022/2023

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- Capacity constraints within the offices of the State Attorney e.g. currently the Pretoria State Attorney is allocated to support Gauteng, Limpopo, Mpumalanga, and Northwest Provinces cases.
- All the other attorneys in the offices of the state attorneys in the North West and sometime Pretoria are not confident or competent enough and end reverting the files back to Mr Sipho Mathebula of the Pretoria office.



# KEY ISSUES AND CHALLENGES



# BUSINESS CASE, INTERIM STRUCTURE & AUDIT REPORTS

- With regard to the Autonomy of the Commission; a Business case was developed which provides a detailed analysis; determination for the Commission to be a Schedule 3A entity.
- The approved Business Case was also submitted to National Treasury for further consultation and advice. The Commission is still waiting for National Treasury to respond and provide guidance on the proposal made.
- A long-term Structure linked to the proposed schedule 3(A) has also been developed and can only be processed with the adoption of the proposed Amendment Bill and the Business Case.
- It is worth noting that the Commission received **unqualified** Audit during the period but will continue to work on issues highlighted by the Auditor General.



## ADDITIONAL CHALLENGES AND CONSTRAINTS

- As part of the **Accelerated Research Strategy**, Preliminary research as per Rule 3 of the Restitution Rules is targeted to be completed as a critical key area in our Backlog Reduction Strategy which will allow us the finalised at the end of 2022/23 financial year but indication is that not all research will be completed with approximately 9% variance.
- To counter poor quality of research, the Commission has developed standardised formats for all reports that will be used across all provinces.
- The Commission has developed SOPs for the **Business processes** that are now being implemented which should result in improved processing time of claims, reducing turn around times.



## ADDITIONAL CHALLENGES AND CONSTRAINTS

- **Valuations of the claimed land** in line with the Property Management Act of 2014 remain a challenge for the Commission.
- Rejected offers on valuations made by the Office of the Valuer General (OVG) is a serious challenge with approximately R85 million of offers rejected by landowners and R16m of offers referred to the Land Claims Court for determination.
- There are also some withdrawals of offers already accepted by landowners due to delays in the OVG.
- The Standard operation procedures on how the OVG negotiates with the Land owners and claimants on the disputes or disagreements on the determination of what the VG has determined to be Just and equitable value of the claim.





## ADDITIONAL CHALLENGES AND CONSTRAINTS

- The Commission is engaging the OVG to allow for Historical Valuations to be dealt separately from Current Valuations and not be subjected to 50 days turnaround time in terms of their Regulations.
- The Commission is in constant discussions and is engaging the office of the OVG to address some of these challenges that impact negatively on our timelines for settlement of claims.



## NEW ORDER CLAIMS

- The Commission may not, without the upliftment of the interdict, process new order claims in any manner whatsoever as per Lamosa Judgements.
- The Commission has submitted a proposed Strategy to the Minister for consideration on how we could possibly to deal with New Order Claims.
- This would also need further engagement with Cabinet for further guidance and endorsement on the agreed way forward.
- The Commission has as part of the Project Kuyasa prepared technical process on the processing of the new order claims.



## FINANCIAL IMPLICATIONS

- The Current allocated budget, is not sufficient budget to have an impact on the goal to accelerate settling of outstanding old land claims.
- We would need an overall budget estimate at R68 billion over an accelerated period of five years.
- At the current Budget allocation and settlement rate, the Commission will need approximately 30 years to settle claims at a cost of R172 billion.
- A key focus of the Commission is to capacitate the “commission” to finalise the outstanding work and ensure finalisation of all outstanding old order claims.



- Multiple overlapping rights, complex claims, competing claims and untraceable claimants.
- Disagreements between the claimants on settlement options or entities to hold the land and how financial compensation is distributed
- Claimants changed options during the final stage of the claim.
- Conflict between beneficiaries
- Failure to comply with the CPA Act/TRUST Act
- Unsurveyed state land
- Untraceable claimants
- Proclamations ie. Sekukhune in Limpopo – guidance needed from the LCC

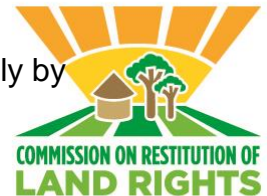


- Mandate of Commission vs the DALRRD
- Post Settlement Support
- The Commission's approach to PSS is in terms of the Sector-specific Settlement models (Agriculture, Forestry, Sugar Cane, Mining, Tourism / Conservation, and Urban / Mixed Developments) that have been developed.
- These are aimed at expediting the settlement of land claims and are directly linked to the quality and provision of Post Settlement Support that need to be provided by the relevant sectors and DALRRD.



## CONCLUSION

- This 7<sup>th</sup> Lamosa report has shown that the Commission is making steady progress in settling of land claims. The current performance indicates that the Commission is committed to finalising and settling land claims as a priority.
- The performance under review further demonstrates that the Kuyasa project has made huge strides in streamlining the business of the Commission with the view of finalising land claims in as short as possible period.
- However, as discussed under constraints and challenges, the shortage of allocation of funding by Treasury remains a challenge as the predicted budget needed to settle and finalise outstanding claims will not be sufficient. The delay in approval and go-ahead to transition the Commission to autonomy also affects the business of the Commission. External challenges also hamper the settling and finalisation of claims and these external factors such as land invasions and multiple overlapping right and competing claims need to be taken into consideration before claims can be settled and finalised.
- Despite these challenges, the Commission is on track to settle and finalise 336 and 372 claims respectively by the end of March 2023.



# PROGRESS ON PROJECT KUYASA



- ❖ After conducting an audit for the former Department of Rural Development and Land Reform for the 2017-2018 financial year and 2018-2019 financial year, the AGSA concluded that the CRLR is a public entity, recognisable by the Public Finance Management Act. No. 1 of 1999 as it meets the definition of public entities i.e. it is established in terms of national legislation, fully funded from the National Revenue Fund and is accountable to Parliament.
- ❖ Various evaluations in the last 5 years highlight that the organisation form of the Commission be an autonomous entity. This report is to provide progress of each work stream within Project Kuyasa.

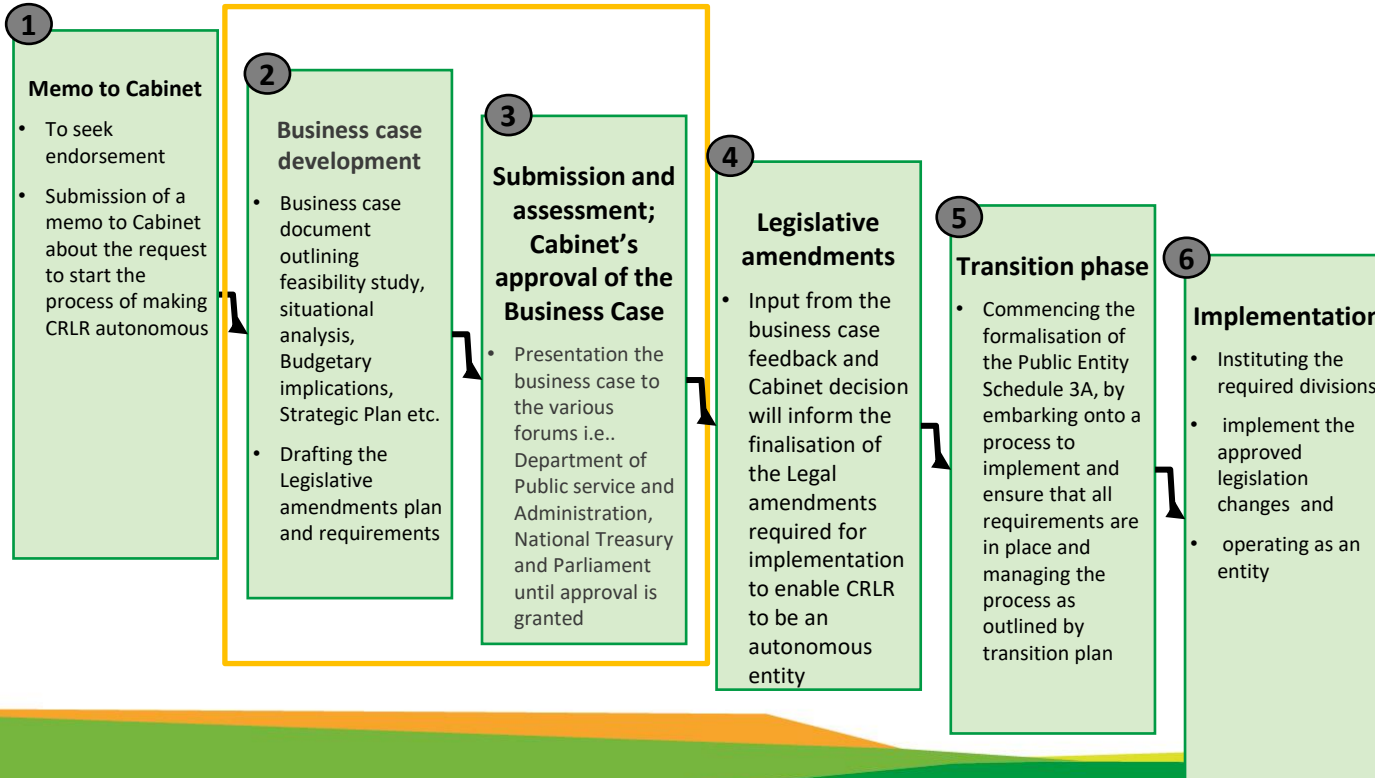


# IMPLICATIONS

- ❖ The “road to autonomy” is a multiple-step process as outlined in the next slide.
- ❖ The two LAMOSAs judgements have put microscopic lenses on the service delivery of the CRLR, and therefore calls for urgent intervention on the current operating model. A backlog reduction strategy has been developed and adopted at the Commission’s Branch Management Meeting. This strategy will assist the Commission to fast track the settlement of claims.
- ❖ An estimation of Public Entity 3A cost with the additional support functions, current goods and services costs as well as the programme management costs will be R1.1bn per annum. Detailed costing will be confirmed after feedback from National Treasury.

# ROAD TO AUTONOMY

Regarding the process to Autonomy, the commission has developed the business case, below are the steps that are being followed in the development of business case.



Progress on the Business case is as follows:

- ❖ Business Case has been approved by the Minister for further consultation.
- ❖ Submission was made to DPSA and National Treasury for further Consultation.
- ❖ Feedback have been received from DPSA regarding the Business case and have been incorporated into the Business case.
- ❖ No feedback has been received from National Treasury, however reminders have been made through the DG's Office.
- ❖ Legislative amendment of the Restitution Act is currently on-going.

# KUYASA PROGRESS PER WORKSTREAM

OUTCOME 1.1: BACKLOG REDUCTION STRATEGY			
DELIVERABLE NO.	DELIVERABLES	REVISED TARGET COMPLETION DATE	PROGRESS
1.1.1.	Terms of Reference for CRLR to use in determining an underwritten baseline for all outstanding cases	24/04/2019	Completed
1.1.2	Verified list of backlog claims	24/05/2019	Completed
1.1.3a	Draft Backlog reduction strategy & plan	26/08/2019	Completed
1.1.3b	Finalised Backlog reduction strategy & plan	11/11/2019	Completed
1.1.4a	Draft Reporting and tracking tools	28/06/2019	Completed
1.1.4b	Finalised Reporting and tracking tools	11/11/2019	Completed
1.1.5	<p>Pilot phase monthly reports (Deliverables 1.1.5.1 to 1.1.5.5)</p> <ul style="list-style-type: none"> <li>- 1<sup>st</sup> &amp; 2<sup>nd</sup> Report complete and presented at Commission Management Forums (and updated thereafter)</li> <li>- 3<sup>rd</sup> Report completed and in review stage sign off by 23<sup>rd</sup> Oct.</li> <li>- 4<sup>th</sup> and 5<sup>th</sup> Reports (every 2 weeks) (end November)</li> </ul>	05/07/2019	Completed
1.1.6	Processes & implementation plan	20/11/2019	Completed
1.1.7	Technical task team Terms of Reference	27/11/2019	Completed
1.1.8	Monthly Reporting and Monitoring of Outstanding Backlog Statistics for 3 months (deliverables 1.1.8.1 to 1.1.8.3)	03/12/2021	Completed

# KUYASA PROGRESS PER WORKSTREAM CONT..

OUTCOME 1.2: BUSINESS PROCESS IMPROVEMENT			
DELIVERABLE NO.	DELIVERABLES	REVISED TARGET COMPLETION DATE	PROGRESS
1.2.1.	Prioritised list of processes	15/05/2019	Completed
1.2.2	As - Is processes and opportunities for improvement	15/05/2019	Completed
1.2.3a	To - Be Process Map: Level 1 and Level2 (Adopted by the Branch members)	25/11/2019	Completed
1.2.3b	To - Be Process Map: Level 3 (Detailed business processes of the level 1&2)	21/02/2020	Completed
1.2.4a	Amended SOP's linked to new process	20/03/2021	Completed
1.2.5	Implementation plan for SOP's and Policies	12/11/2021	Completed
1.2.6	Implementation of amended SOP's	30/11/2021	Completed
1.2.7	Reporting and Tracking tool	22/01/2022	Completed
1.2.8	Skills Transfer Report	15/03/2022	Completed

# KUYASA PROGRESS PER WORKSTREAM CONT..

## OUTCOME 2.1: CHANGE MANAGEMENT & COMMUNICATION

DELIVERABLE NO.	DELIVERABLES	REVISED TARGET COMPLETION DATE	PROGRESS
2.1.1	Change impact, readiness & risk assessment plan (based on surveys)	15/05/2019	Completed
2.1.2	Change management & stakeholder engagement plan	25/02/2020	Completed
2.1.3	Change leaders engagement session	18/03/2020	Completed
2.1.4	EXCO change management teams session	27/05/2021	Completed
2.1.5	Change leaders capacity building session (#1)	30/04/2020	Completed
2.1.6	Change leaders capacity building session (#2)	28/05/2020	Completed
2.1.7	Directors Change Management Team Session	21/10/2021	Completed
2.1.8	A training plan for the new processes and systems	14/02/2022	Completed

# KUYASA PROGRESS PER WORKSTREAM CONT..

OUTCOME 2.2: PEOPLE MANAGEMENT			
DELIVERABLE NO.	DELIVERABLES	REVISED TARGET COMPLETION DATE	PROGRESS
2.2.1	As – Is Analysis Report	28/06/2019	Completed
2.2.2	Best Practice and Gap Analysis Report	19/07/2019	Completed
2.2.3	To-be Functional Design	16/08/2019	Completed
2.2.4a	To-be Organisational Design: RLCC vs CD (10%)	27/09/2019	Completed
2.2.4b	To-be Organisational Design: Informed by Organisational Form 3.1.3C (10%)	27/09/2019	Completed
2.2.4c	Finalised Organisational Structure (10%)	15/08/2020	Completed
2.2.5a	Job Descriptions for new and amended roles: RLCC vs CD (10%)	11/03/2022	Completed
2.2.5b	Job Descriptions for new and amended roles: Informed by Organisational Form 3.1.3C (10%)	11/03/2022	Completed
2.2.5c	Finalised Job Descriptions for new and amended roles (Deputy Director level and above (10%)	11/03/2022	Completed
2.2.6	Reviewed Skill Audit Report	05/12/2021	Completed
2.2.7	Transition Plan	15/09/2020	Completed

# KUYASA PROGRESS WORKSTREAM CONT..

## OUTCOME 3.1: ORGANISATIONAL FORM

DELIVERABLE NO.	DELIVERABLES	REVISED TARGET COMPLETION DATE	PROGRESS
3.1.1	As – Is Report	23/04/2019	Completed
3.1.2	Draft Business Case for Organisational Form options	20/04/2019	Completed
3.1.4	Implementation plan to take the Business case through the approval stage for the selected option	20/08/2019	Completed
3.1.3a	Detailed Business Case for SSDU	21/08/2019	Completed
3.1.3b	To-be Organisational Form presentation and a workshop to get consensus on the selection (to decide on PE vs GC	31/10/2019	Completed
3.1.3c	Detailed Level Business case for GC/PE	28/11/2019	Completed
3.1.5	Support during the approval process (support during the engagements required for the approval process)	31/01/2022	Completed
3.1.6	Updated organisational form report (after approvals)	31/01/2022	Completed, although still waiting for feedback from National Treasury on Business Case.
<b>CURRENT PROGRESS</b>	<ul style="list-style-type: none"> <li>Drafting and updating the legislative amendments for the Restitution Act.</li> </ul>		



# KUYASA PROGRESS WORKSTREAM CONT..

## OUTCOME 4.1: FINANCIAL MODELS

DELIVERABLE NO.	DELIVERABLES	REVISED TARGET COMPLETION DATE	PROGRESS
4.1.1	Literature Review	10/05/2019	Completed
4.1.2	Baseline Assessment	10/05/2019	Completed
4.1.3	Draft financial compensation award models	28/02/2021	Completed
4.1.4	Developed scenarios	31/03/2022	Completed
4.1.5	Economic Impact Assessment (EIA) & Cost Benefit Analysis (CBA)	31/03/2022	Completed
4.1.6	Sensitivity Assessment & Risk mitigation strategy	31/03/2022	Completed
4.1.7	Financial compensation award models pilot report	31/03/2022	Completed
4.1.8	Final financial compensation award models (1 per sector)	31/03/2022	Completed
4.1.9	Financial compensation policy	31/03/2022	Completed

## OUTCOME 4.2: SETTLEMENT MODELS

DELIVERABLE NO.	DELIVERABLES	REVISED TARGET COMPLETION DATE	PROGRESS
4.2.1	Literature Review	10/05/2019	Completed
4.2.2	Baseline Assessment	10/05/2019	Completed
4.2.3	Draft Settlement models per sector	28/02/2019	Completed
4.2.4	Developed scenarios	31/03/2022	Completed
4.2.5	Economic Impact Assessment (EIA) & Cost Benefit Analysis (CBA)	31/03/2022	Completed
4.2.6	Sensitivity Assessment & Risk mitigation strategy	31/03/2022	Completed
4.2.7	Settlement Model pilot report	31/03/2022	Completed
4.2.8	Final Settlement Models	31/03/2022	Completed

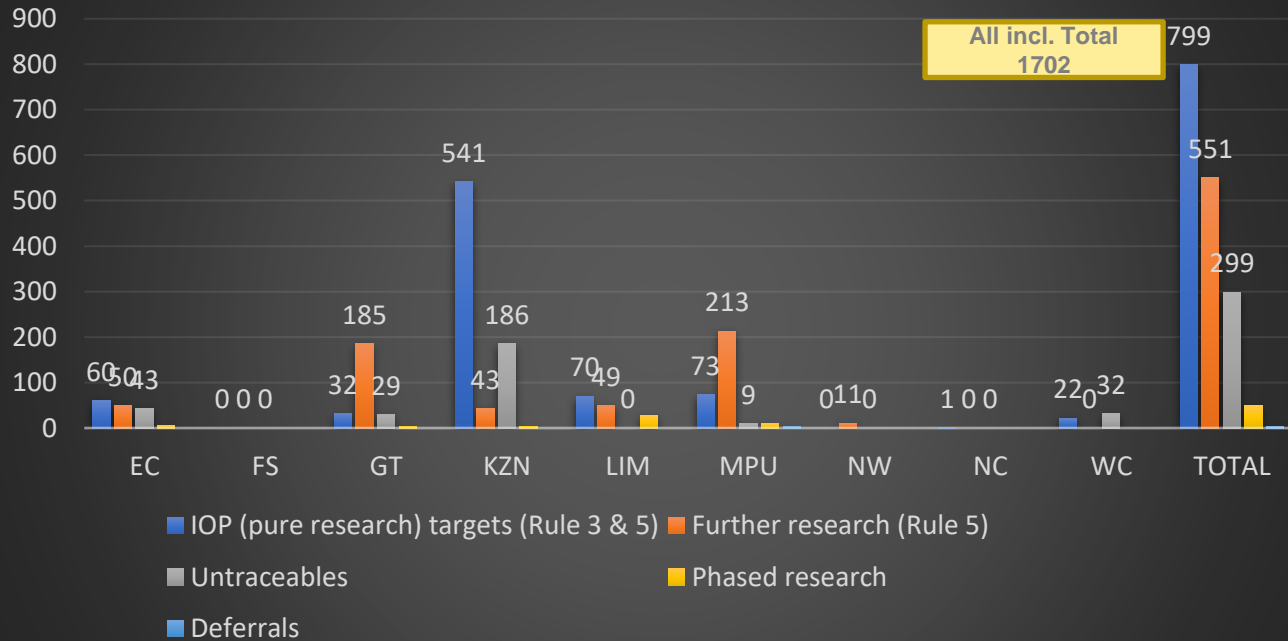
# PROGRESS ON RESEARCH STRATEGY



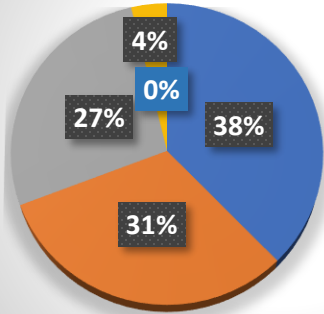
# NATIONAL - ALL TYPES OF RESEARCH

PROVINCE	IOP (pure research) targets (Rule 3 & 5)	Further research (Rule 5)	Untraceables	Phased research	Deferrals	KUYASA
EC	60	50	43	6	0	CONF
FS	0	0	0	0	0	RECON
GT	32	185	29	3	0	OUTS
KZN	541	43	186	3	0	RECON
LIM	70	49	0	28	0	RECON
MPU	73	213	9	10	4	OUTS
NW	0	11	0	0	0	UPDATE
NC	0	0	0	0	0	UPDATE
WC	22	0	32	0	0	CONF
<b>TOTAL</b>	<b>798</b>	<b>551</b>	<b>299</b>	<b>50</b>	<b>4</b>	<b>1702</b>

## NATIONAL - ALL TYPES OF RESEARCH



## EASTERN CAPE

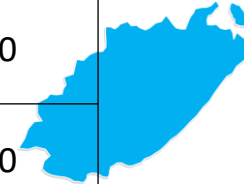


- 1. IOP (pure research) targets (Rule 3 & 5)
- 2. Further research (Rule 5)

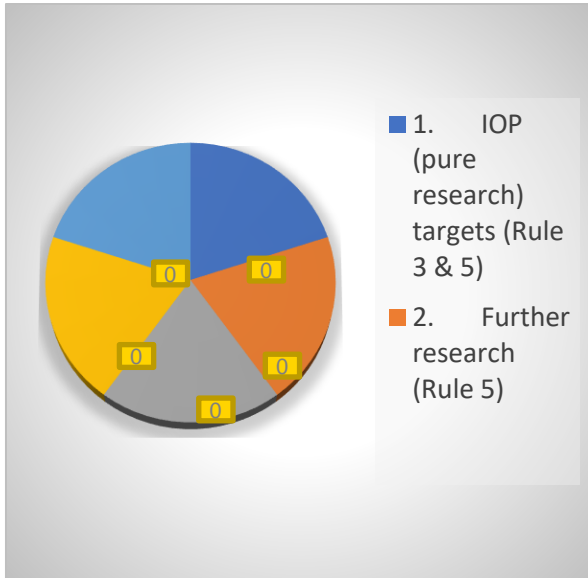
Breakdown of research	Number
1. IOP (pure research) targets (Rule 3 & 5)	60
2. Further research (Rule 5)	50
3. Untraceables	43
4. Phased research	06
5. Deferrals	00

STILL NEED FINAL RECON WITH KUYASA

**TOTAL 159**

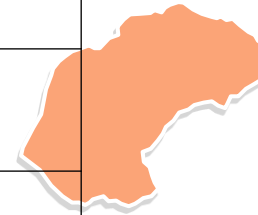


## FREE STATE

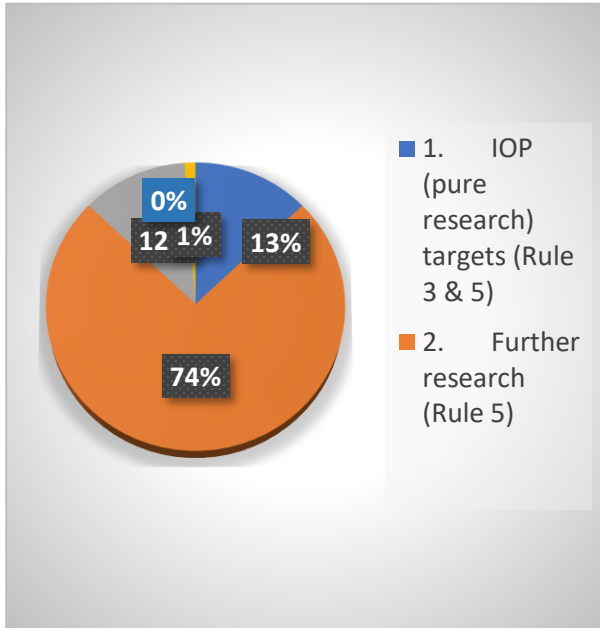


Breakdown of research	Number
1. IOP (pure research) targets (Rule 3 & 5)	0
2. Further research (Rule 5)	0
3. Untraceables	0
4. Phased research	0
5. Deferrals	0

**TOTAL = -0**



# GAUTENG



Breakdown of research	Number
1. IOP (pure research) targets (Rule 3 & 5)	32
2. Further research (Rule 5)	185 (56 E & S)
3. Untraceables	29
4. Phased research	3
5. Deferrals	Still to be determined

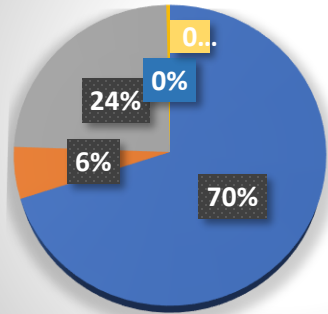
STILL NEED FINAL RECON WITH KUYASA

**TOTAL 249**





## KWAZULU NATAL



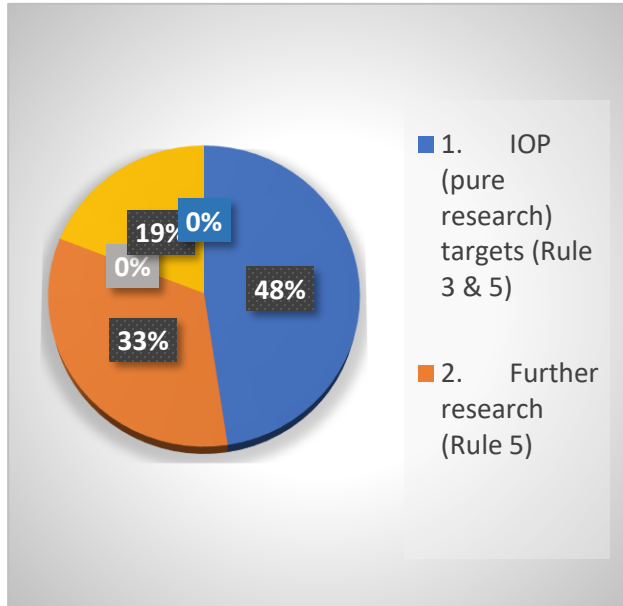
- 1. IOP (pure research) targets (Rule 3 & 5)
- 2. Further research (Rule 5)

Breakdown of research	Number
1. IOP (pure research) targets (Rule 3 & 5)	541
2. Further research (Rule 5)	43
3. Untraceables	186
4. Phased research	3
5. Deferrals (if applicable)	0

**TOTAL 773**

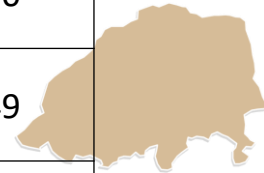


# LIMPOPO

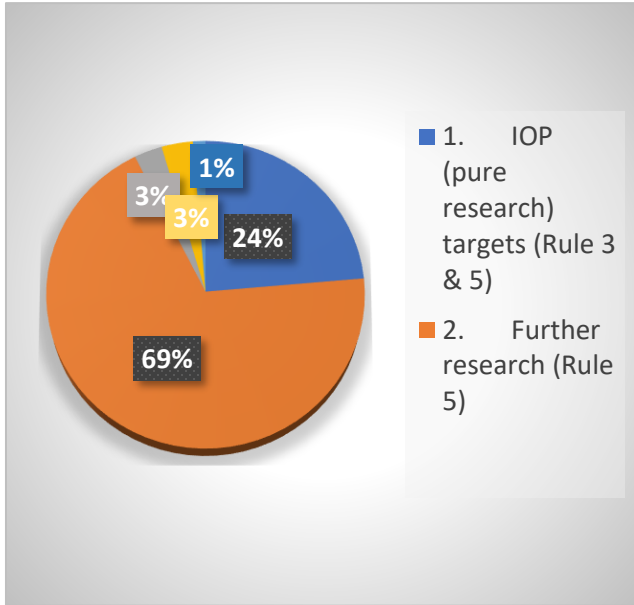


Breakdown of research	Number
1. IOP (pure research) targets (Rule 3 & 5)	70
2. Further research (Rule 5)	49
3. Untraceables	0
4. Phased research	28
5. Deferrals	0

**TOTAL - 147**



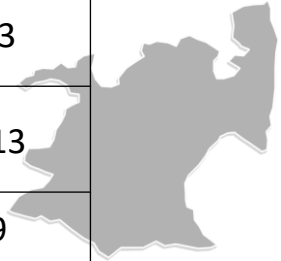
# MPUMALANGA



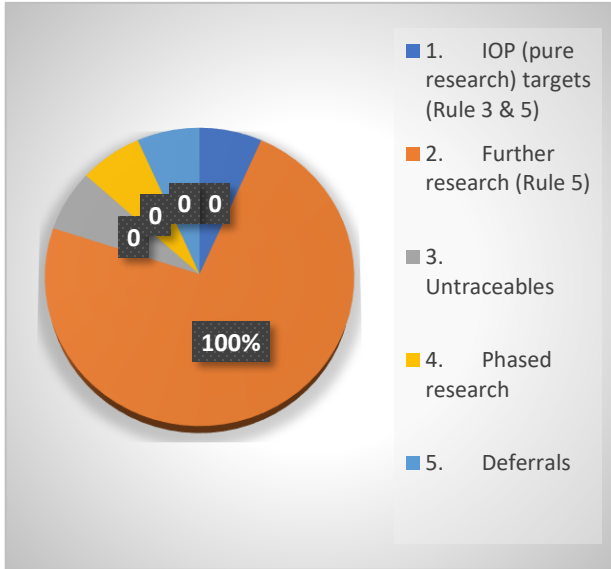
Breakdown of research	Number
1. IOP (pure research) targets (Rule 3 & 5)	73
2. Further research (Rule 5)	213
3. Untraceables	9
4. Phased research	10
5. Deferrals	4

STILL NEED FINAL RECON WITH KUYASA

**TOTAL - 309**



# NORTH WEST



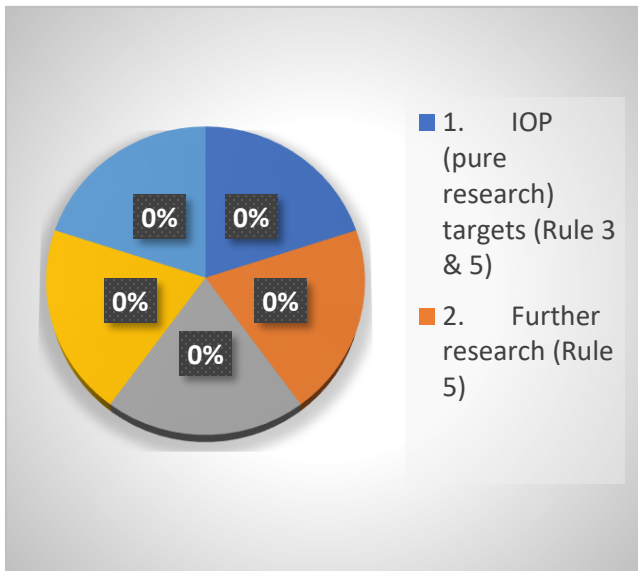
Breakdown of research	Number
1. IOP (pure research) targets (Rule 3 & 5)	0
2. Further research (Rule 5)	11 (130 CLAIM FORMS)
3. Untraceables	0
4. Phased research	0
5. Deferrals	0

STILL NEED FINAL CLEANING UP ON  
KUYASA

**TOTAL – 11**  
(120 CLAIM FORMS)



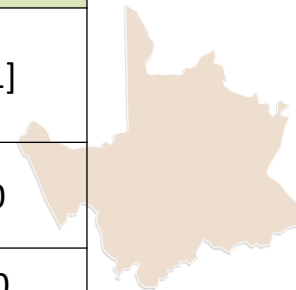
## NORTHERN CAPE



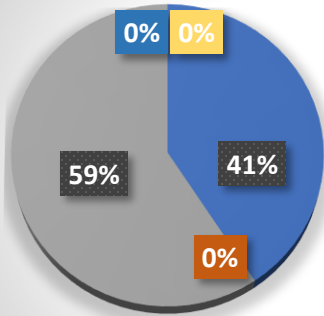
Breakdown of research	Number
1. IOP (pure research) targets (Rule 3 & 5)	[1]
2. Further research (Rule 5)	0
3. Untraceables	0
4. Phased research	0
5. Deferrals	0

STILL NEED FINAL RECON WITH KUYASA

**TOTAL – [1]**

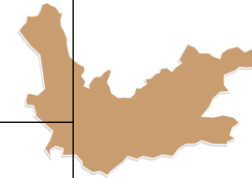


## WESTERN CAPE



- 1. IOP (pure research) targets (Rule 3 & 5)
- 2. Further research (Rule 5)

Breakdown of research	Number
1. IOP (pure research) targets (Rule 3 & 5)	22
2. Further research (Rule 5)	0
3. Untraceables	32
4. Phased research	0
5. Deferrals	0



STILL NEED FINAL RECON WITH KUYASA

**TOTAL – 54 [22]**

**THANK YOU**



**COMMISSION ON RESTITUTION OF  
LAND RIGHTS**

