



ANNUAL PERFORMANCE PLAN 2016/17



CONTACT DETAILS:

Private Bag X833, Pretoria, 0001

184 Jeff Masemola Street, Pretoria

Fax: (012) 328 7133

Toll Free Number: 0800 007095

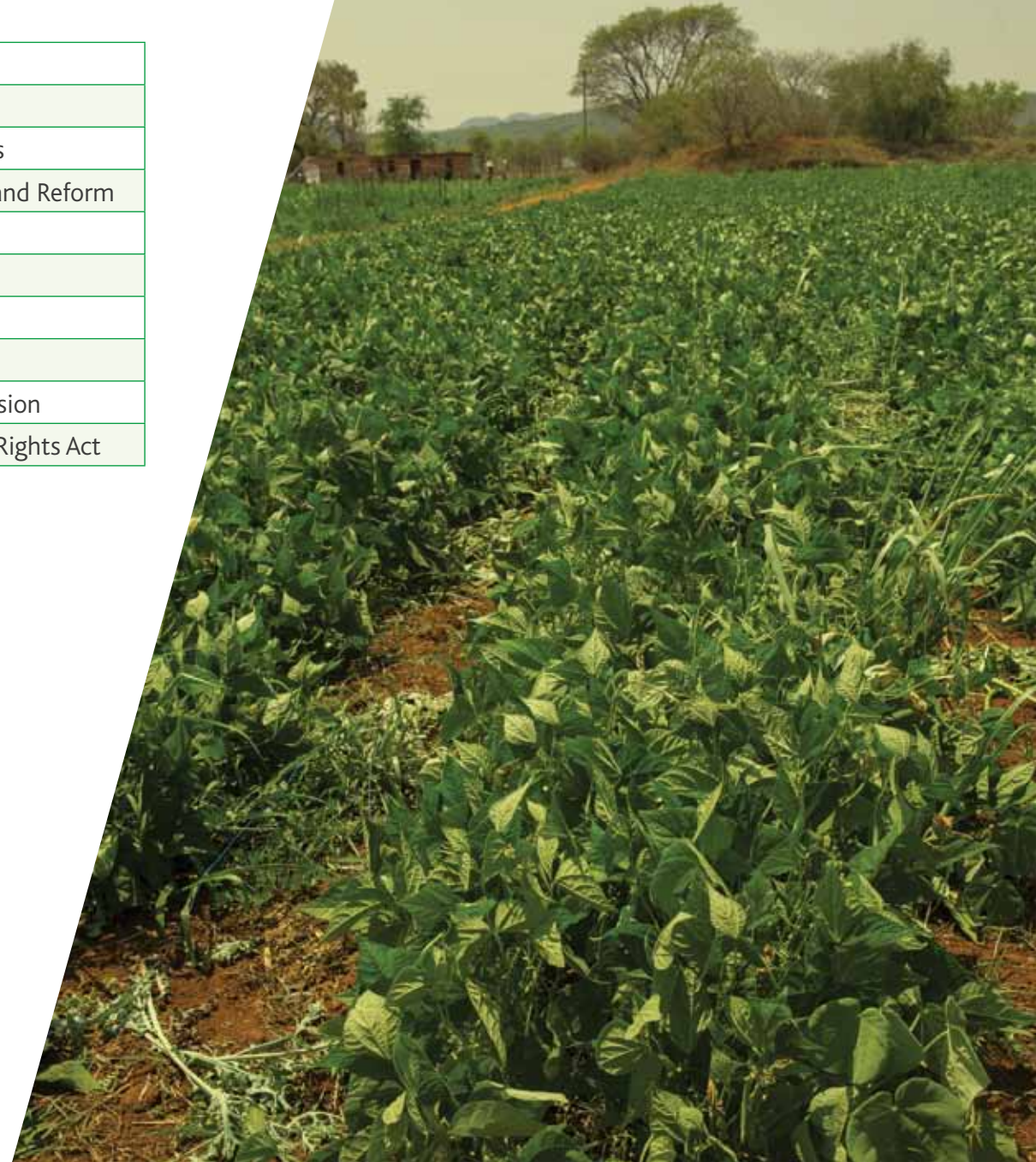
Website: www.ruraldevelopment.gov.za

CONTENTS

LIST OF ACRONYMS	2
MINISTER'S FOREWORD	3
CHIEF LAND CLAIMS COMMISSIONER'S OVERVIEW	4
OFFICIAL SIGN-OFF	5
PART A: STRATEGIC OVERVIEW	6
1 SITUATIONAL ANALYSIS	7
1.1 Performance delivery environment	8
1.2 Organisational environment	8
1.2.1 Organisational establishment	8
1.2.2 Macro Organisational Structure	9
2 LEGISLATIVE AND OTHER MANDATES	11
2.1 Constitutional mandate	11
2.2 Legislative mandate	11
2.3 Policy initiatives	12
3 OVERVIEW OF 2016 BUDGET AND MTEF ESTIMATES	13
3.1 Expenditure analysis	13
PART B: PROGRAMME AND SUB-PROGRAMME PLANS	14
Programme 4: Restitution	15
PART C: LINKS TO OTHER PLANS	17
4 ALIGNMENT TO THE MTSF	18
5 ALIGNMENT TO THE DRDLR STRATEGIC PLAN	18
5.1 Links to long-term infrastructure and other capital plans	18
5.2 Public entities	18
5.3 Public Private Partnerships	18
PART D: TECHNICAL INDICATOR DESCRIPTIONS	19
6. APP INDICATOR NUMBER 1: NUMBER OF LAND CLAIMS SETTLED	20
7. APP INDICATOR NUMBER 2: NUMBER OF LAND CLAIMS FINALISED	21
8. APP INDICATOR NUMBER 3: NUMBER OF PHASED PROJECTS APPROVED	22
9. APP INDICATOR NUMBER 4: NUMBER OF CLAIMS TO BE RESEARCHED	23

LIST OF ACRONYMS

APP	Annual Performance Plan
CLCC	Chief Land Claims Commissioner
CRLR / Commission	Commission on Restitution of Land Rights
DRDLR	Department of Rural Development and Land Reform
MP	Member of Parliament
MTEF	Medium-Term Expenditure Framework
MTSF	Medium-Term Strategic Framework
RLCC	Regional Land Claims Commissioner
Rule 3 / Rule 5	Rules regarding procedure of the Commission
Section 42D/E	Section 42D/E in the Restitution of Land Rights Act



MINISTER'S FOREWORD



On 30 June 2014, the President assented to the Restitution of Land Rights Amendment Act 2014, paving the way for all eligible communities to lodge their land restitution claim for a further period of five years. To date, in excess of 130 000 new land claims have been lodged with the Commission on Restitution of Land Rights, which is almost double the 79 696 claims lodged over a period of four years in the previous window, confirming that reopening the Restitution process was indeed the right thing to do. The past year has seen an escalation in the communication drive to ensure that all those who did not have an opportunity to lodge their claims in the previous window have an opportunity to do so before the new deadline 2019.

It is incumbent on the Commission to ensure that priority is given to claims that were lodged no later than 31 December 1998, to investigate and resolve those claims through negotiations and mediation. This Annual Performance Plan seeks to show how those claims are to be prioritised and finalised for the restoration of lost rights. These claims lodged before the cut-off date of 1998 are indeed a priority.

The settlement of claims has to be supported by a development programme, implemented by the Department of Rural Development and Land Reform, aligned to the Comprehensive Rural Development Programme; and through the three-pronged strategy for rural development set out in the National Development Plan. As such, close alignment has been insured between the Annual Performance Plan of the Department and this Annual Performance Plan.

In this year, 2016, which marks the 50th anniversary of the declaration by the National Party regime that District Six would be a whites-only area, leading to the forced removals of more than 60 000 residents, I hereby endorse the Annual Performance Plan of the Commission on the Restitution of Land Rights and indicate my commitment in ensuring its implementation. I also take this opportunity to wish the Commissioners and the team the best in their endeavours in their programme of operational effectiveness coupled with strong communication aimed at improving the pace of the settlement of land claims, in pursuit of redress for those who were dispossessed as a result of discriminatory laws and/or practices, as mandated by the Constitution.

A handwritten signature in black ink, appearing to be 'Nkwinti'.

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



CHIEF LAND CLAIMS COMMISSIONER'S OVERVIEW



The Commission on Restitution of Land Rights recognises, from the onset, the concerns of various stakeholders voiced at the slow pace of the settlement of claims, particularly in relation to the claims lodged before 31 December 1998. As such, the Annual Performance Plan shows how the research and settlement of claims targets are increased to ensure that by end 2017/18, all claims lodged before the 1998 cut-off date, have been researched and investigated for compliance and acceptance by the Regional Land Claims Commissioner so that they can be processed for settlement thereafter. This is the commitment made by the Commission in our Strategic Plan 2015–2020, not only to focus on speeding up the investigation and finalisation of the claims lodged before the 1998 cut-off date, but also to improve the quality of the settlements; a strong focus on the improvement of communication with all stakeholders, particularly those who lodged their claim before the 1998 cut-off date, using new technologies; and the clearer definition of the role of sector departments and other spheres of government in the development projects, resulting from the settlement of claims.

The Annual Performance Plan ("APP") for 2016/17 is the first APP submitted in parallel with the APP of the Department of Rural Development and Land Reform. This is done to ensure that the autonomy of the Commission is strengthened, while the interdependence with the Department is simultaneously emphasized. As an autonomous institution as defined by the Restitution Act created to implement the land restitution programme, the Commission will be guided by applicable legislative and other prescripts in implementing its mandate – whilst remaining fully accountable to the Minister, as the executive authority, and Parliament.

While the Commission has identified the key deliverables as being to solicit land claims, investigating and researching them, and to settle them through negotiations and mediation where necessary, the Commission has also embarked on a significant programme of transformation. In light of the concerns raised by stakeholders, this transformation will be key to ensuring that we do not only meet our annual targets, but meet them in an efficient, cost effective manner that improves the experience of the constituency we serve.

My team and I are committed to ensuring that the mandate given to us by the Constitution is effectively implemented.

Ms Nomfundo Ntloko-Gobodo
Chief Land Claims Commissioner

OFFICIAL SIGN-OFF

It is hereby certified that this 2016/17 Annual Performance Plan:

- *Was developed by the management of the Commission on Restitution of Land Rights under the guidance of Minister GE Nkwinti (MP);*
- *Was prepared in line with the current Strategic Plan of the Commission on Restitution of Land Rights;*
- *Accurately reflects the performance targets, which the Commission on Restitution of Land Rights will endeavour to achieve, given the resources made available in the budget for the 2016/17 financial year.*

Ms R. Sadiki

Chief Financial Officer

Signature:



Mr PM Shabane

Accounting Officer

Signature:



The Honourable M Skwatsha (MP)

Deputy Minister: Rural Development and Land Reform

Signature:



The Honourable C Mashego-Dlamini (MP)

Deputy Minister: Rural Development and Land Reform

Signature:



Approved by:

The Honourable GE Nkwinti (MP)

Minister of Rural Development & Land Reform

Signature:





PART A: STRATEGIC OVERVIEW

STRATEGIC OVERVIEW

1. SITUATIONAL ANALYSIS

The Strategic Plan 2015-2010 of the Commission on Restitution of Land Rights ("CRLR / Commission") highlighted the outcomes of four studies that were conducted on the Restitution Programme between 2013/14 and 2014/15. These studies accurately captured the state of affairs in the Commission. These studies include the *Regulatory Impact Assessment*, which led to the promulgation of the Restitution of Land Rights Amendment Act, 2014 (Act No. 15 of 2014) ("Restitution of Land Rights Amendment Act") and independent studies done by the then Department of Performance Monitoring and Evaluation in the Presidency; by the Government Technical Assistance Component in National Treasury; and the South African Human Rights Commission in a report titled "*Monitoring and Investigating the Systemic Challenges Affecting the Land Restitution Process in South Africa*". The recommendations and findings of the four reports echoed one another on various fronts and provided very good insight into the situational context of the CRLR.

Broadly, the outcome and recommendations of those reports can be summarised as follows:

- Establish an autonomous CRLR that will be able to construct its work in a manner that is impartial to and independent of the Department of Rural Development and Land Reform ("DRDLR"). The mandate(s) and role of the CRLR vis-à-vis the DRDLR must be clarified;
- Ensure that proper delegations are in place to ensure that the CRLR takes up their responsibilities fully and that accountability is placed in the correct position;
- Develop detailed Standard Operating Procedures based on the legal and administrative Business Processes and implement those consistently across provinces;
- Rationalise various project management, reporting and monitoring tools into an end-to-end claims management system, including the development of an electronic claims capturing system;
- Enhance the human resource capacity, including performance management systems, training and capacity;

- Broaden the monitoring and evaluation system to measure intermediate outputs and monitor the effectiveness of the programme in achieving intended policy objectives;
- Reconsider the budget requirements as well as the budget structure.

In terms of the National Evaluation Plan processes, led and implemented by the then Department of Performance Monitoring and Evaluation, the outcomes of the Implementation Evaluation were presented to Cabinet on 5 November 2014, and a comprehensive intervention programme was developed to improve the efficacy of the CRLR's operations, the pace of the settlement of the claims and the quality of those settlements. It was agreed that the establishment of an autonomous CRLR was a process of transforming the CRLR into an efficient, cost effective organisation that improves the experience of the CRLR constituents, of which becoming autonomous ("being a separate public entity") is but one project.

Since the Cabinet meeting in November 2014, the CRLR has developed and tabled a stand-alone Strategic Plan for 2015-2020 and its own Annual Report for 2013/14. The CRLR has sought legal opinion on the autonomous nature of the CRLR with the subsequent result that the Chief Land Claims Commissioner ("CLCC") now reports directly to the Minister of Rural Development and Land Reform. The administrative and operational reporting lines have also been amended in line with an organisational structure analysis being concluded.

A second significant change in the operational environment of the Commission came about when the government responded positively to a request, by persons and communities that could not participate in the land restitution programme and did not claim by the deadline of 1998, that it re-open the lodgement of land restitution claims to enable those who did not participate previously, to do so. On 30 June 2014, the President assented to the Restitution of Land Rights Amendment Act 2014, paving the way for deserving persons and communities to lodge their land restitution claim for a period of five years. The Restitution of Land Rights Amendment Act 2014 extends the date for lodgement of land claims by those who did not do so by the past deadline of 31 December 1998. The new deadline for the lodgement of claims is 30 June 2019.



1.1 PERFORMANCE DELIVERY ENVIRONMENT

As indicated by the CLCC above, the CRLR was established to solicit, investigate and resolve through negotiations and mediation claims for restitution from persons and communities dispossessed of rights in land, after 19 June 1913, as a result of past racially discriminatory laws and practices, and where a claim was lodged no later than 31 December 1998. Where a claim cannot be resolved by negotiations or mediation, it is referred to the Land Claims Court for adjudication.

As at 31 November 2015, 78 483 claims had been settled of which 59 758 were finalised. The settlement of claims has resulted in the award of 3,290,685 hectares of land, at a cost of R19,291,888,564.05, to qualifying claimants, of which 1,444 million hectares have been transferred to beneficiaries. The restitution programme has benefitted 1,94 million individuals who are members of 390 621 households. Of these 136,968 households are female headed households and 885 are headed by persons with disability.

By the end of the third quarter of the 2015/16 financial year, the CRLR had already met its targets in respect of the settlement and finalization of claims planned for the year in order to focus all its attention on the research targets set for the remainder of the year as the research targets from the previous year, 2014/16, had increased substantially.

The Commission has spent its entire budget every financial year since 2007/08 financial year.

A total of 133, 778 new land claims have been lodged since the re-opening of land claims on 1 July 2014. These claims were lodged in 14 lodgement offices of the CRLR, and in 6 mobile lodgement offices of the Commission. Assisted by the GCIS, the Commission is implementing a comprehensive communication campaign to inform citizens about the right to restitution and how to go about lodging a land claim.

We currently have 7 584 land claims lodged by 31 December 1998 awaiting finalisation and at various stages in the business process.

1.2 ORGANISATIONAL ENVIRONMENT

1.2.1 Organisational establishment

The CRLR delivers service to claimants and other stakeholders from 15 offices throughout the country with representation in at least one location per province. The CRLR believes that in order to achieve its core mandates, it must have a skilled and capable workforce. Its offices are occupied by 763 staff members. Due to the considerable cut in the budget for compensation of employees, only unequivocally critical posts can be filled over the Medium Term Expenditure Framework ("MTEF").

The Office of the Chief Land Claims Commissioner is located in Pretoria, and the 14 Provincial Land Claims Commissioner offices are headed by a Chief Director (one per province). As from 1 April 2015, these offices were supplemented by six (6) mobile lodgement offices, two (2) that have specifically been designed for access to rugged rural areas. These offices are roaming the length and breadth of the country to afford communities and prospective claimants to lodge their land claims.

A total of 58 key posts were filled during the financial year 2015/2016, the majority of which were to provide capacity to the mobile lodgement offices. Given the drastic reduction in the Compensation of Employees budget throughout the DRDLR, also impacting on the CRLR, the allocation of human resources will have to be reconsidered in order to redirect the scarce resources to areas where service delivery is required.

The CRLR attracts prospective employees by awarding them bursaries and provides interns with workplace-integrated learning to ensure that they gain experience in their field of work. The CRLR recruited 29 interns

in the financial year to gain workplace experience and skills, and support Government's job creation programme. During 2015, the CRLR had 18 bursary holders who were registered at various tertiary institutions in the country. That number increased to 33 registered bursars within the Commission during 2016.

The CRLR continues to offer learning and development interventions to its employees that are critical for the successful execution of the strategies of the organisation. A Skills Audit has commenced to assess the skills levels and devise learning and development initiatives to close the identified gaps and appropriately direct training and development resources.

1.2.2 Macro Organisational Structure

The structure, as illustrated below, is the current *de facto* organogram and reporting structure. However, the CRLR is in the process of formalising this organisational structure as part of the Autonomy Programme of the CRLR.

Although the CLCC reports directly to the Minister of Rural Development and Land Reform, the Director General remains the Accounting Officer in terms of the Public Finance Management Act, 1999 (Act No. 1 of 1999).





Nomfundo Ntloko-Gobodo
Chief Land Claims Commissioner



Thami Mdontswa
Deputy Chief
Land Claims
Commissioner



Lebjane Maphuta
Regional
Land Claims
Commissioner



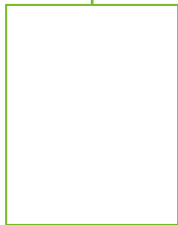
Irene Sinovich
Chief Director:
Restitution
Management
Support



Sunjay Singh
Chief Director:
Service Delivery
Coordination



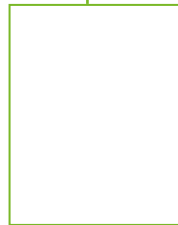
Isaac Peter
Director:
Legal Services



Vacant
Director:
Restitution Policy



Rirhandzu Shilote
Director: Quality
Assurance



Vacant
Director: Restitution
Research



**Francis
Mc Menamin**
Director: Finance



Zodwa Phakedi
Director: Management
Support



Vacant
Director: Project
Management



Bheki Mbili
Chief Director:
KwaZulu-Natal



Cindy Benyane
Chief Director:
Gauteng



David Smit
Acting Chief
Director: Western
Cape



Lengane Bogatsu
Acting Chief Director:
North West



Lezanne Naran
Chief Director:
Free State



Sam Nkosi
Chief Director:
Mpumalanga



Tele Maphoto
Chief Director:
Limpopo



Zukile Pityi
Chief Director:
Eastern Cape



2. LEGISLATIVE AND OTHER MANDATES

2.1 CONSTITUTIONAL MANDATES

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".

2.2 LEGISLATIVE MANDATE

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 Commission on Restitution of Land Rights and a Land Claims Court; and to provide for matters connected therewith".

The Restitution Act requires the CRLR to:

- i. Receive and acknowledge receipt of all claims for the restitution of rights in land;
- ii. Take reasonable steps to ensure that claimants are assisted in the preparation and submission of claims;
- iii. Advise claimants of the progress of their claims at regular intervals and upon reasonable request;
- iv. Investigate the merits of claims;

- v. Mediate and settle disputes arising from such claims;
- vi. Report to the Land Claims Court on the terms of settlement in respect of successfully mediated claims;
- vii. Define any issues that may still be in dispute between the claimants and other interested parties with a view to expediting the hearing of claims by the Land Claims Court;
- viii. Draw up reports on unsettled claims for submission as evidence to the Land Claims Court and present any other relevant evidence to the Court;
- ix. At regular intervals, take appropriate steps to make public information regarding the persons entitled to claim restitution of rights in land, the limitations imposed by the Act, and the manner in which claims may be lodged with the CRLR.

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. The Amendment Act also provides for:

- The prioritisation of claims lodged not later than 31 December 1998 and which were not finalised on 1 July 2014;
- The amendment of notification requirements once a land claim has been accepted, where the CRLR is required to make the acceptance known in the media circulating nationally and in the province;

- The CRLR to establish and maintain a National Land Restitution Register, which will contain the details of all land restitution claims lodged from 30 June 2014;
- The alignment of the appointment and conditions of service of judges of the LCC with those of the High Court [this part shall be implemented by the Department of Justice and Constitutional Development]; and
- The creation of two new offences. The first offence will be committed by a person who prevents another person from lodging a claim. Punishment for this offence will be a fine or imprisonment up to a period of six (6) months. The second offence will be committed by a person who lodges a claim with the intention of defrauding the state. Punishment applicable to persons convicted of fraud will be applicable to this offence.

2.3 POLICY INITIATIVES

The following are the planned policies for the upcoming MTEF period:

- Policy on Exceptions to the 1913 Natives Land Act cut-off date to accommodate the descendants of the Khoi and San, Heritage Sites and Historical landmarks.





3. OVERVIEW OF 2016 BUDGETS AND MTEF ESTIMATES

3.1 EXPENDITURE ANALYSIS

R thousands	Past			Adjusted allocation 2015/16	Projected		
	2012/13	2013/14	2014/15		2016/17	2017/18	2018/19
Restitution National Office	38,786	160,048	622,562	59,303	217,546	233,467	239,254
Restitution Regional Office	356,416	388,073	610,128	427,356	437,740	490,006	522,577
Restitution Grants	2,470,532	2,288,581	2,260,900	2,116,010	2,512,922	2,622,562	2,783,371
Total	2,865,734	2,836,702	2,997,937	2,602,669	3,168,208	3,346,035	3,545,202

R thousands	Past			Adjusted allocation 2015/16	Projected		
	2012/13	2013/14	2014/15		2016/17	2017/18	2018/19
Compensation of Employees	177,806	216,914	255,323	312,321	336,637	369,315	395,835
Goods & Services	147,570	270,768	192,660	159,494	310,927	347,032	358,457
Transfers and Subsidies	2,470,568	2,278,600	2,278,729	2,124,827	2,518,185	2,622,886	2,783,714
Capital assets	27,183	62,967	264,843	5,727	2,459	2,576	2,725
Financial Assets	6,937	2,075	1,018	0	0	0	0
Total	2,865,734	2,836,702	2,997,937	2,602,669	3,168,208	3,346,035	3,545,202



PART B: PROGRAMME 4 AND SUB-PROGRAMME PLANS

PROGRAMME 4: RESTITUTION

Purpose:

Settle and finalise land restitution claims under the Restitution of Land Rights Act (Act 22 of 1994).

Strategic Objectives, Performance Indicators and Annual Targets for 2016/17

Annual MTEF targets for strategic objectives for Programme 4 are shown in the table below:

Strategic Objective Statement		Performance indicator	Audited/Actual Performance			Estimated performance	Medium-term targets		
			2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19
4.1	Facilitate the restoration of land rights or alternative forms of equitable redress by 2020	Number of land claims settled	602	270	428	463	615	670	785
		Number of land claims finalised	376	292	372	373	454	389	459
		Number of phased projects approved	New indicator	New indicator	119	62	76	91	74
		Number of claims lodged by 1998 to be researched	New indicator	New indicator	1,525	2,660	1,530	3,098	-

Quarterly Targets for 2016/17

Performance Indicator		Reporting Period	Annual target	Quarterly Targets			
				1st	2nd	3rd	4th
4.1.1	Number of land claims settled	Quarterly	615	92	192	181	150
4.1.2	Number of land claims finalised	Quarterly	454	57	135	144	118
4.1.3	Number of phased projects approved	Quarterly	76	11	25	20	20
4.1.4	Number of claims lodged by 1998 to be researched	Quarterly	1,530	229	490	422	389

Reconciling Performance Targets with the Budget and MTEF

Programme 4 Restitution

Performance and expenditure trends

During 2014/15, Restitution settled 428 and researched 1,525 claims, and approved 119 phased projects. The cost of these performance indicators was funded from the operational budget. The cost of finalising claims amounted to R2,2 billion.

The Restitution of Land Rights Amendment Act (2014) extended the lodgement of land claims for five years, from 1 July 2014 to 30 June 2019. As at 25 February 2016, 133,778 new claims have been lodged through an electronic system in 14 lodgement service centres and in 6 mobile lodgement offices. Consultation is a key part of the pre-settlement of claims, and major cost drivers in 2015/16 were for specialist consultants such as valuers and conveyancers as well as travel and subsistence in the *Restitution Regional Offices* sub-programme of the Restitution programme. Over the MTEF period, R674 million will be spent on consultants and travel and subsistence. Research, verification and valuation to check the validity of claims are allocated R150 million in the same sub-programme for 2016/17. This will cover expenses for travelling to interview claimants and hold options and negotiations workshops.

R10 billion is allocated for finalising land restitution claims over the MTEF period, which constitutes 31% of the DRDLR's budget. Personnel numbers will largely remain static due to adverse fiscal conditions and only increase very marginally above inflation from R336 million to R395 million over the three years.





PART C: LINKS TO OTHER PLANS



4. ALIGNMENT WITH THE MTSF

The APP is guided by the Strategic Plan 2015-2020, which in turn is guided by and aligned with the 2014–2019 MTSF, more especially Outcome 7, which aims to achieve “vibrant, equitable and sustainable rural communities”. Sub-outcome 2 aims to ensure that Sustainable Land Reform contributes to agrarian transformation.

5. ALIGNMENT WITH THE DRDLR STRATEGIC PLAN

The Strategic Plan of the CRLR presents its over-arching strategic goals, objectives and thematic areas of focus over the next five (5) years with a specific focus on the mandate of the CRLR and the manner in which it relates to Medium Term Strategic Framework (“MTSF”) Outcome 7, namely sustainable land reform and agrarian transformation.

This Strategic Plan is directly aligned with the DRDLR Strategic Goal 7, dealing with “Restoration of Land Rights” with the goal statement being “Restoration of land rights or equitable redress to those dispossessed of rights in land as a result of past racially discriminatory laws or practices, and solicitation and receipt of new claims for restitution of land rights, by 31 June 2019”.

In the processing of the land claims, the CRLR will be assisted by the Land Rights Management Board and Land Rights Management Committees (to be established) in managing and resolving disputes; by the office of the Valuer-General in determining values for land (historical and current); and by the Land Management Commission (to be established) in determining ownership of land at various points through history.

5.1 LINKS TO THE LONG-TERM INFRASTRUCTURE AND OTHER CAPITAL PLANS

N/A

5.2 PUBLIC ENTITIES

N/A

5.3 PUBLIC-PRIVATE PARTNERSHIPS

N/A



PART D: TECHNICAL INDICATOR DESCRIPTIONS



6. APP INDICATOR NUMBER 1: NUMBER OF LAND CLAIMS SETTLED

Indicator title	Number of land claims settled
Short definition	The indicator refers to a total number of claims lodged that have been settled either by the Minister or as per delegations at the time or through court directives
Purpose/importance	This indicator enables the Department to track how it fares towards restoring land rights
Source/collection of data	Signed section 42D/ 42E/Court Order making an award of land or alternative redress
Method of calculation	Simple count: Claims are counted as settled when signed by the DRDLR Minister / as per delegation or court directive is received
Data limitations	Claims are likely to be at different stages of processing. Therefore, there is a risk that even claims that are not yet settled can be reported as such
Type of indicator	Output
Calculation type	Cumulative
Reporting cycle	Quarterly
Means of verification	Review of the signed section 42D
Portfolio of evidence	Dated and signed section 42D/42E memo on the approved letterhead, signed by the Minister of Rural Development and Land Reform or as per delegation at that time or through court directives making an award of land or alternative redress Dated and signed addendum and amendment memorandum as well memorandum to pay in terms of the court order signed by the Director-General of DRDLR or as per delegations at that time or through court directives making an award of land or alternative redress
New indicator	No
Desired performance	615
Indicator responsibility	CLCC

7. APP INDICATOR NUMBER 2: NUMBER OF LAND CLAIMS FINALISED

Indicator title	Number of land claims finalised
Short definition	The indicator refers to the land claims that have already been settled, which have now been finalised. Finalised means full financial compensation being disbursed or land purchase price has been disbursed; and /or land has been transferred or a combination thereof. The indicator includes the number of claims that have been dismissed. The indicator also now includes the release and disbursement of grants from the commitment, including declarations from the commitment register to clear the commitment register
Purpose/importance	This indicator enables the DRDLR to track how it fares towards restoring land rights
Source/collection of data	Commitment register Signed off provincial reports BAS reports Project summaries Dismissal letter to claimant signed by the Regional Land Claims Commissioner ("RLCC") Land Allocation and Recapitalisation Control Committee approval for the release and disbursement of grants Suspense account
Method of calculation	Simple count of the number of claims that were finalised within the period under review
Data limitations	Improper verification of beneficiaries Minimum period of 30 days not yet lapsed at the time of reporting dismissed claims
Type of indicator	Output
Calculation type	Cumulative
Reporting cycle	Quarterly
Means of verification	Review of both the national and provincial project expenditure reports and the commitment register against payments that are made Review of RLCC signed off dismissal letter
Portfolio of evidence	Detailed dated and signed register of land claims finalised and proof of payment / financials provided on the approved departmental letterhead dated within the period under review Dated and signed dismissal letter on approved letter head, signed by the RLCC, where the minimum period of 30 days have lapsed after RLCCs signature
New indicator	No
Desired performance	454
Indicator responsibility	CLCC

8. APP INDICATOR NUMBER 3: NUMBER OF PHASED PROJECTS APPROVED

Indicator title	Number of phased projects approved
Short definition	The indicator provides a brief explanation on the projects that are settled in phases due to all the claimed properties not being settled at once
Purpose/importance	This indicator enables the DRDLR to track how it fares towards restoring land rights
Source/collection of data	Signed phased section 42D/42E
Method of calculation	The claim would only form part of the claims settled when the final phase is settled /approved. In the meantime, it would constitute a partial settlement. Since there are numerous phases to the claim settlement and it is referred to as a phased project in this indicator to avoid duplicate counting of settled claims
Data limitations	Not all land portions and households are settled at once. No clear indication on whether it is a phase project and how many phases are still remaining for the project. Therefore, there is a risk in terms of final reporting
Type of indicator	Output
Calculation type	Cumulative
Reporting cycle	Quarterly
Portfolio of evidence	Dated and signed memo on the approved letterhead signed by the Minister of Rural Development and Land Reform or by a delegated official or through court directive
New indicator	No
Desired performance	76
Indicator responsibility	CLCC



9. APP INDICATOR NUMBER 4: NUMBER OF CLAIMS TO BE RESEARCHED

Indicator title	Number of claims lodged by 1998 to be researched
Short definition	The indicator provides a target for claims to be researched in a given financial year
Purpose/importance	This indicator tracks how far the process is towards the settlement of the claim
Source/collection of data	Rule 3 or Rule 5 report signed off as approved by the (RLCC)
Method of calculation	Simple count: Claim is counted as researched when it is approved by the RLCC
Data limitations	Not all annexures to the Rule 3 or Rule 5 reports might be available at time of verification
Type of indicator	Activities towards settlement
Calculation type	Cumulative
Reporting cycle	Quarterly
Portfolio of evidence	Dated and signed Rule 3 or Rule 5 reports by the RLCC
New indicator	No
Desired performance	1 530
Indicator responsibility	CLCC





CONTACT DETAILS:

Private Bag X833, Pretoria, 0001

184 Jeff Masemola Street, Pretoria

Fax: (012) 328 7133

Toll Free Number: 0800 007095

Website: www.ruraldevelopment.gov.za

