**NATIONAL ASSEMBLY**

**WRITTEN REPLY**

**QUESTION 1282**

**INTERNAL QUESTION PAPER [No 20-2020 SIXTH PARLIAMENT]**

**DATE OF PUBLICATION: 19 JUNE 2020**

**1282. Mrs A Steyn (DA) to ask the Minister of Agriculture, Land Reform and Rural Development:**

What (a) total number of (i) judgments and (ii) court orders were made against (aa) her and (bb) her predecessors (aaa) in each of the past three financial years and (bbb) since 1 April 2020, (b) total number of the specified judgments and court orders (i) have been implemented and (ii) await implementation by her department and (c) are the details of each judgment and court order? **NW1650E**

**THE MINISTER OF AGRICULTURE, LAND REFORM AND RURALDEVELOPMENT**

(a)(i),(ii),(aa),(bb), (aaa): 2017-2018

* Minister AT Didiza (MP): 0
* Predecessors (Mr GE Nkwinti, Ms M Mashabane-Nkoana and Mr Zokwana): 30

(aaa): 2018-2019

* Minister AT Didiza (MP): 0
* Predecessors (Mr GE Nkwinti, Ms M Mashabane-Nkoana and Mr Zokwana): 17

(aaa): 2019-2020

* Minister AT Didiza (MP): 11
* Predecessors (Mr GE Nkwinti, Ms M Mashabane-Nkoana and Mr Zokwana): 0

(bbb): Since 1 April 2020

* Minister AT Didiza (MP): 1
* Predecessors (Mr GE Nkwinti, Ms M Mashabane-Nkoana and Mr Zokwana): 0

1. Total number of the specified judgments and court orders59:
2. Implemented: 39
3. Await implementation: 20

(c) Please refer to **Annexure A**.

**ANNEXURE A OF NA-QUES 1282 OF 2020**

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|  | **MINISTEROF RURAL DEVELOPMENT AND LAND REFORM:2017/2018** | | | | |
| **No** | **Case details** | **(i) (aa)Status of implementation** | **(ii)(aa)Nature of court order** | | **(ii)(bb)Nature of judgement** |
| 1 | Zuiping-Dithabaneng Community Traditional Council // Minister of DRDLR,Title Adjustment Commissioner & Others | The designation of land and appointment of a Commissioner in terms of Act 111 of 1993 has been done and he is conducting a land rights enquiry in accordance with the Act. | The applicant required the appointment of the Commissioner in terms of Act 111 of 1993 | | On 26 February 2018, the Land Claims Court ordered that the Minister (3rd Respondent) is directed to appoint a Title Adjustment Commissioner in terms of section 3 of the Land Titles Adjustment Act 111 of 1993. |
| 2 | M. M. Rahube // Minister of Drdlr, H. Rahube & Others | The Upgrading of Land Tenure Amendment Bill was introduced to Parliament on 6 May 2020. Parliament has until 30 April 2021 to enact the amendments. | On 30 October 2018 he Constitutional Court ordered Parliament to introduce a procedure for the determination of the rights of ownership and occupation of land to cure the constitutional invalidity of section 2 (1) of the Upgrading of Land Tenure Rights Act 112 of 1991. Parliament was given until 30 April 2020.  Subsequent to the 2018 order, the Minister of Agriculture, Land Reform and Rural Development applied for and was granted an extension of the suspension of the Constitutional Court’s declaration of invalidity for a further twelve months until 30 April 2021. | | The Court ordered the amendment of Upgrading of Land Tenure Rights Act 112 of 1991. |
| 3 | Felicity Audrey Stirling // Minister of Drdlr, The Registrar of Deeds: Pretoria | Orders complied with.  Full amount paid by the Branch Deeds Registration, of which an attempt will be made to recover 50% from the third respondent.  State Attorney requested to initiate recovery proceedings against third Respondent. | The Applicant was fraudulently deprived of her fixed property and brought an application for the cancellation of the fraudulent transfers, which was duly granted. | | The Registrar of Deeds was found to be negligent in its transfer of the property and was ordered, jointly and severally with the third Respondent to pay the First Respondent R3 830 397.58 together with interest in lieu of damages and legal costs. |
| 4 | The Forum of Concerned Residents of the Naledi & Dr Ruth S Mompati Districts  // The Minister of Rural Development and Land Reform. | Subsequent to the settlement agreement reached by the parties, the Branch Deeds Registration embarked on a project to develop the Electronic Deeds Registration System, during which public consultation was undertaken.  Once the EDRS is ready to be implemented, the status quo in the Vryburg deeds registry can change.  Simultaneously, the Branch Deeds Registration intends opposing Part B of the application (to review and set aside the Minister’s decision to transfer the land parcels from Vryburg to Kimberley, to reduce the jurisdiction of the Vryburg deeds registry and to establish a deeds registry in Mahikeng).  Part B still pending. | As part of the alignment of the jurisdiction of deeds registries in South Africa, the Minister intended to transfer land parcels from the Vryburg deeds registry to the Kimberley deeds registry, as they are situated in the Northern Cape Province. The Applicants brought an urgent application on interdicting the Minister from transferring the property (Part A) and that Minister’s decision to transfer the afore-mentioned properties be reviewed and set aside.  The orders in respect of 1 and 2 above will remain in force pending the outcome of Part B of the Notice of Motion under the above case number.  The costs relating to Part A of the Notice of Motion are reserved for adjudication when Part B of the Notice of Motion is heard. | | The parties agreed on the following settlement order:  That the status quo of the Vryburg deeds registry is to remain unchanged until such time as the electronic deeds registration system is ready to be implemented.  That sufficient public participation processes will precede the envisaged implementation of the electronic deeds registration system. |
| 5 | G Herbert No and 4 others vMinister of Rural Development and Land Reform and others | A wholistic amendment of the Upgrading of Land Tenure Rights 112 of 1991 will be undertaken in due course. | Legislation declared inconsistent with the Constitution of the Republic of South Africa: - Legislation: Land Affairs General Amendment Act 61 of 1998 read with s25 A of the Upgrading of Land Tenure Rights 112 of 1991 | | The Court ordered that section 25A is unconstitutional in so far as it does not extend the application of section 3 of the Act to the entire Republic.  The court ordered that section 25A from 22 August 2019 must be read as if it makes no reference to section 3 of the Act. |
| 6 | Hlalefo S Moshoeshoe v Minister of Rural Development and Land Reform and others | Conveyancers have been instructed and are currently busy with the transfer of the property | Transfer of property, as described, into the name of the Applicant and is responsible for all the fees and transfer costs and duties as may be applicable. | | The court ordered the transfer of the property to the Applicant. |
| 7 | Patrick s Mpaka v KSD Municipality &Minister of Police &Minister of DRDLR | Not applicable | The Municipality sought to use a court order which was obtained in 2011 to effect evictions to illegal occupations which happened in 2017. The 2017 illegal occupants applied for an interdict in that the 2011 order did not apply to them. | | Interdict was granted. |
| 8 | Alfred Shongwe / The Minister of Rural Development and Land Reform & Others | The Applicant has been relocated to portion 3 of the farm Vaalpoort, temporary houses were constructed for the family. The Department is in the process of transferring the subdivided portion of the farm to the Shongwe family | Mr Shongwe approached the Court for a declaratory order as a Labour Tenant and for the Department to provide him with a suitable accommodation. | | Mr Shongwe was declared a Labour tenant and the Department was ordered to assist him in looking for, identifying and acquiring suitable land for him. |
| 9 | Mzayifane Hadebe & Others /Minister of RDLR & Others | The gravel road leading to the Hadebe settlement has been completed. Nine houses were about to be completed as the country went into lockdown. The fencing of the 250 hectares of land awarded to the Hadebes, preparation of arable and the transfer of land to them is ongoing. | Mr Hadebe approached the Court for an order to compel the Department to build his family a house, construct the road leading to his homestead and also for the Department to register a Communal Property Association for the benefit of his family. | | The Court granted the prayers as requested by Mr Hadebe.. |
| 10 | Asla Construction (Pty) Ltd Vs the Minister Of Rural Development And Land Reform & Exeo Khokela Civil Engineering Construction (Pty) Ltd. | The court order was implemented as directed and the tender was awarded to ASLA (Pty) Ltd. | This was an application for the review of the award of a tender in terms of the Promotion of Administrative Justice Act 3 of 2000 (PAJA) | | The decision of the Department taken on or about 13/02/2018 to disqualify ASLA Pty. Ltd. and award the tender to EXEO KHOKELA (Pty) Ltd was reviewed and set aside. The Department was directed to award the tender to ASLA (Pty) Ltd within 30 days of the date of the order. |
| 11 | Minister of Rural Development and Land Reform v Public Servants Association obo JA George & others | Implemented. | Employees referred a dispute regarding their placement in terms of the Occupation Specific Dispensation to arbitration. Award was in their favour. Department took award on review. Department’s review application was dismissed, and arbitration award was implemented | | Department’s review application was dismissed, with costs. |
| **MINISTER OF AGRICULTURE, FORESTRY AND FISHERIES:2017/2018** | | | | | |
| 12 | ALCARI 406 CC vs The Minister and others | Implemented | This was an application to compel the Minister to finalise the Appeal on a subdivision of land matter. | | The Court ordered the Minister to finalize the Appeal. |
| 13 | Zonnebloem Coal vs The Minister | Implemented | This was an application to compel the Minister to finalise the Appeal on a subdivision of land matter. | | The Court ordered the Minister to finalize the Appeal. |
| 14 | Meister Cold Store (Pty) Ltd // The Minister | Implemented | This was an application to compel the Minister to take a decision on an application for certification of a cold storage. | | Court ordered the Minister to take a decision on the Applicant’s application for certification of its cold storage. |
| 15 | B & B Properties (Pty) Ltd & others vs the Minister, Dr Mcdonald Gayakaya | Implemented | This was an application to review and set aside the decision of the Director: Animal Health to test the Buffalos. | | The decision of the Director was reviewed and set aside. |
| 16 | Oluf Hendrik Erichsen N.O vs The Minister | Implemented | This was an application to compel the Minister to take a decision on application for export certification. | | The Minister finalised the matter by granting the certificate. |
| 17 | Eurosemillas S.A vs The Minister | Implemented | This was an application to compel the Minister to instruct the Department to appoint a service provider who had been successful in the quote process. | | The Applicant succeeded, and the Minister was ordered to instruct the department accordingly. |
| 18 | Viking vs Minister of Agriculture, Forestry and Fisheries | Implemented | Review and setting aside of the decision of the Minister to allocate rights in the Hake Inshore Trawl Sector | | The decision of the Minister to allocate rights in the Hake Inshore Trawl Sector was reviewed and set aside |
| 19 | Hackey vs Minister of Agriculture, Forestry and Fisheries | Implemented | Review and setting aside of the decision of the Minister to allocate rights in the Hake Inshore Trawl Sector | | The decision of the Minister to allocate rights in the Hake Inshore Trawl Sector was reviewed and set aside |
| 20 | Boloko vs Minister of Agriculture, Forestry and Fisheries | Implemented | Review and setting aside of the decision of the Minister to allocate rights in the Hake Inshore Trawl Sector | | The decision of the Minister to allocate rights in the Hake Inshore Trawl Sector was reviewed and set aside |
| 21 | Lofty Du Bruyn N.O vs The Minister | Implemented | This was an application to compel the Minister to register a right of way over the farm. | | The application was granted, and the Minister approved the registration of the servitude. |
| 22 | Nanaga Property vs The Minister | Implemented | This was an application to review and set aside the decision of delegated authority to remove 10 Milkwood trees. | | The decision of the Minister was reviewed and set aside. |
| 23 | Xhalibile Kleinbooi Phindiso vs The Minister and others | Implemented | This was an application to compel the Minister to sell specified land to the Applicant and others. | | The Court ordered the Minister to sell the land to the Applicant. |
| 24 | South African Veterinary Association vs Minister of Agriculture, the Speaker of the National Assembly and others | Implemented | This was an application to declare the amendment of the Medicine and related substances control act, 1995 (Act No.101 of 1995) unconstitutional. | | The Amendment was declared unconstitutional. |
| 25 | Federated Meats (Pty) Ltd vs The Minister | Implemented | This was an application of semi-urgency requesting an order to declare that the Applicant is entitled to use any approved laboratory to meet the statutory and the regulatory obligation for the testing of imported meat. | | The Court ordered that the Applicant can use any approved Laboratory. |
| 26 | Sofiline (Pty) Ltd vs The Minister. | Implemented | This was an application to review and set aside the decision of the Minister not to grant approval for the subdivision of agricultural land. | | The Court ordered the Minister to grant the application for subdivision of land. |
| 27 | HL Hall & Sons Properties vs The Minister. | Implemented | This was an application to review and set aside the decision of the Minister. | | The decision referred was back to the Minister for reconsideration. |
| 28 | TD Mashinini vs The Minister and others. | Implemented | The Applicant made an application to Court for an order to compel the Minister to transfer specified property to him. | | The parties’ agreement for the transfer of the farm to the Applicant was made the order of the Court. |
| 29 | Maxrae Estates vs The Minister | Implemented | This was an application to compel the Minister to take a decision on the Appeal lodged for the subdivision of agricultural land. | | The Court ordered the Minister to take a decision within sixty days (60). |
| 30 | Petrus Laubscher Coetzee & Others vs the Minister & Others | Implemented | This was an application to compel the Minister to transfer three portions of agricultural land into the names of the Applicants. | | The Court ordered the Minister to transfer the three portions of land to the Applicants. |
| **MINISTER OF RURAL DEVELOPMENT AND LAND REFORM: 2018/2019** | | | | | |
| **No** | **Case details** | **(i) (aa)Status of implementation** | **(ii)(aa)Nature of court order** | | **(ii)(bb)Nature of judgement** |
| 31 | Bakgatla Ba Kgafela Communal Property Association // Minister of Drdlr | The implementation of the court order has been finalized. | The applicants were seeking an order that the DG assist them with the holding of the general meeting and the election of the new executive committee of the CPA. | | The court ordered that the DG should take all necessary steps to assist the CPA to hold the Annual General Meeting and monitor the election of the new executive committee. The CPA appealed the judgment at the constitutional court. The constitutional court dismissed the appeal. |
| 32 | B Mwelase vs DG and Minister | The Special Master was appointed on 10 December 2019. On 29 May 2020, the Special Master submitted an implementation plan to the Land Claims Court and such a Plan is still being considered by the Land Claims Court. | The Mwelase matter comprised of two applications. The first application sought an order to compel the Director General to refer to the Land Claims Court 4 labour tenant applications; and the second application was a class action seeking an order to compel the Department to process labour tenant applications under the supervision of a Special Master.  The 4 labour tenant applications were referred to the Land Claims Court by the Director General in November 2013. | | On the 8th December 2016, the Land Claims Court granted an order against the Department, a special master was appointed by the court to oversee compliance with Labour tenants Act by the Department. The Department lodged an application for leave to appeal with the Land Claims Court and such was granted on the 1st March 2017. The appeal was heard by the SCA on 13 March 2018 and the appeal was decided in favour of the Department on 17 August 2018. AFRA appealed to the Constitutional Court and on 20 August 2019, the court issued a judgment which re-instated the initial order of the Land Claims Court dated 8th December 2016. |
| 33 | Nieuco properties 1005 (Pty) Ltd// Minister of Drdlr | Nieuco Properties must still refer the case to the North Gauteng High Court for the determination of the quantum. | Veld fire claim instituted against the Department in terms of the National Veld and Forest Fire Act, Act 101 of 1998 where a private farm was damaged by veld fires that started on a state-owned farm. | | The case was initially decided in favour of the Department by the North Gauteng High Court however, Nieuco Properties lodged an appeal which was heard by the SCA on 31 August 2018 and judgment delivered in favour of Nieuco Properties on 21 September 2018. |
| 34 | JM Tshabalala vs Minister & others | The property was transferred into the name of the beneficiary on 20 March 2020. | The applicants were seeking an order that the Minister and DG should acquire land on behalf of labour tenants and a just and equitable compensation to be paid to the landowner. | | The Land surveyor appointed by the Department was to conduct an inspection in loco to ascertain the correctness of the fencing around the portion to be acquired; the conveyancers appointed were to proceed with the transfer of the portion upon receipt of guarantees from the Department. |
| 35 | Pretoria Attorneys Association & 12 others //  The Minister of Rural Development and Land Reform & 4 others | The Branch duly complied with the settlement agreement.  Minister subsequently halted / terminated this process, following a legal opinion to the effect that the process followed may have been flawed.  Minister instructed that the re-alignment process be re-initiated, in accordance with all applicable legal strictures (including the provisions of PAJA). | The Minister, through a Public Notice expressed his intention to align the jurisdiction of the Deeds registries in the Gauteng province (Johannesburg and Pretoria) according to metropolitan municipal boundaries.  The Applicants objected thereto, stating that the Minister failed to conduct a public consultation process as enjoined by PAJA and prayed that the Minister be interdicted from implementing the decision to align the areas of jurisdiction of the afore-mentioned deeds registries. | | The parties agreed that the Minister will not proceed with the alignment initiative in the Gauteng province until the Minister takes the decision to align the deeds registries in Gauteng in accordance with the prescripts of PAJA. |
| 36 | Neels van Tonder Trust vs Minister of Drdlr, Mogabule (LCC04/2018) | Not applicable. It was found that Mr Magabole already had alternative accommodation. | The applicant Mr. Van Tonder applied for eviction order against Mr. Magabole and his family. | | Eviction Order was made on 28/05/2018. The Department was ordered to provide alternative accommodation to Mr. Mogabodi in terms of section 4 of the Extension of Security of Tenure Act (ESTA). |
| 37 | Roodepoort Grondeienaarsvereeniging vs Minister of Drdlr, Roodepoort 63 Community (642/17 and 643/17) | The Department is in the process of complying with the court order in consultation with the City of Tshwane. | The applicant Rooderpoort Grondeinaarsvereening applied for an order to compel the City of Tshwane to evict the occupiers who has established a squatter camp in the City property which is adjacent to the applicant’s properties.  The High Court Granted the Order but the respondents took the matter on appeal and the decision of the High Court was overturned.  On appeal Decision, the Supreme Court ordered the Minister to prepare and file a report with the High Court on the Department`s ability to provide the alternative accommodation as provided for in terms of section 4 of the Extension of Security of Tenure Act (ESTA). | | The Department was ordered to submit a report to the High Court on its ability to provide alternative accommodation as per its mandate in terms of section 4 of the Extension of Security of Tenure Act (ESTA). |
| 38 | Hlaniki Trust vs Minister of Drdlr, Daniel Sibanyoni (LCC59/2018) | The Department complied with the court order. | Hlaniki Trust applied for an eviction order against Mr. Sibanyoni who is an occupier.  During the Preceding the Land Claims Court issued a directive order, ordering the Minister to submit a report on the Department’s ability to provide alternative accommodation in case of eviction. | | Department was ordered to submit a report on ability to provide alternative accommodation in terms of section 4 of the Extension of Security of Tenure Act (ESTA). |
| 39 | Hupp Properties vs Moneni (308/2017)// Minister of Drdlr & others | The matter was heard, and eviction granted. Mr Moneni moved into his RDP house. | Hupp Properties applied for the eviction of the occupier Mr. Moneni and his family. | | The eviction order was granted against Mr Moneni and his family and the Minister was ordered to provide alternative accommodation for Mr. Moneni in terms of section 4 of the Extension of Security of Tenure Act (ESTA). |
| 40 | Land and Agricultural Bank  V Cpad Holdings Pty Ltd, Alfred Mde, Minister of Drdlr and 4 Others | The Department has appointed a valuer to determine the value of the property so that it can satisfy the debt to Land Bank whilst retaining the property for purposes of Land Reform. | The Land Bank approached the court to vary a Forfeiture Order, which sought to transfer the property to the Department. This order was to include the protection of their interests as bondholders. | | The court granted the inclusion of the protection of the interests of the bondholders in the Forfeiture Order. |
| 41 | Anjucel & Another v Minister of Drdlr, Shadrack Bhekanini Ntshingila NO & others (Case no LCC 25/2019) | The Province is implementing the order. Approval for the acquisition of land in favour of the affected labour tenants is underway. A deed of sale has been signed and registration and transfer is due to occur soon.  The order is being observed in its entirety**.** | Draft order made an order of court. | | Sharack Bhekanini (2nd resp) awarded a piece of farm Bloemhoek and registered in deeds office; |
| 42 | Makgari CPA vs Minister of Drdlr, case number 5158/2018 | Implementation is in progress | Matter received on 31 August 2018. Applicant, Makgari approached court, for the court to give a mandatory order directing the Department and Minister to register the applicant's CPA within 45 court days of the granting of the order. | | The Minister was ordered to register the CPA within 45 days of granting the court order.  Further to effect a Title Deed rectification to reflect the CPA as the owner of the farm registered as “The Farm Louissenthal 366, Registration Division Mr, Limpopo Province, 2346, 5022 Hectares” within 14 days of the registration of the constitution of Makgari Communal Property Association |
| 43 | M D Rakgase vs Minister of DRDLR case number 33497/2018 | The land was sold to Mr Rakgase and transfer is under way. | Matter received on 13 June 2018. Mr Rakgase applied to the High Court to review the Minister's decision of refusing to sell to him Portions 0 (remaining extent and 1 of the Farm Nooitgedacht 11 JQ | | The Minister was ordered to sell and transfer the farm to Mr Rakgase. |
| 44 | JC Prinsloo / The Minister of DRDLR & Others LCC 177/16 | The farm was acquired and is currently registered in the name of the State. | State ordered to acquire portion 27 of the farm Welgekozen | | Default judgment was obtained against the Minister |
| **MINISTER OF AGRICULTURE, FORESTRY AND FISHERIES: 2018/2019** | | | | | |
| 45 | Willjaro vs Minister of Agriculture, Forestry and Fisheries | Implemented | Review and setting aside of an agreement entered into. To process confiscated abalone on behalf of DAFF | | The agreement between The Minister and Willjaro was reviewed and set aside |
| 46 | Visko vs Minister of Agriculture, Forestry and Fisheries | Implemented | Review and setting aside of the decision of the Minister to allocate rights in the Hake Inshore Trawl sector | | The decision of the Minister to allocate rights in the Hake Inshore Trawl sector was reviewed and set aside. |
| 47 | WWF vs Minister of Agriculture, Forestry and Fisheries | Implemented | Review and setting aside of the decision of the Delegated Authority in terms of Section 14 of the MLRA to increase the allowable Total Allowable Catch (TAC) in the West Coast Rock Lobster sector | | The decision of the delegated authority in terms of section 14 of the MLRA to increase the allowable Total Allowance Catch in the West Coast Rock Lobster sector was reviewed and set aside. |
| **MINISTER OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT: 2019/2020** | | | | | |
| **No.** | **(b) Case details** | **(i),(ii)Status of implementation** | 1. **Nature of court order** | | 1. **Nature of judgement** |
| 48 | Ga-Segonyana Local Municipality vs Minister of DRDLR | Payment made by the Department | A claim for outstanding property rates and taxes in the amount of R4 073 621.00. | | A default judgment obtained against the Department. |
| 49 | Excellent Meat International Trading vs The Minister and Others | Implemented | This was an application to review and set aside the decision of the Minister not to accept the Applicant’s consignment as being compliant with the permit condition contained in the permit. | | The court reviewed and set aside the Minister’s decision. |
| 50 | Red Meat Industry Forum vs The Minister and Others | Implemented | This was an application to review and set aside the Minister’s decision to impose new tariffs, rates and scale for services, goods and supplies provided by the Department. The Department did not notify the industry of the new tariffs regarding importing and exporting of meat. | | The Court reviewed and set aside the Minister’s decision. |
| 51 | PVM Nutritional Sciences vs The Minister. | Implemented | This was an application to compel the Minister to issue an export permit for goods sent to the United States of America and kept at the port of entry due to the fact that the Applicant did not have an export permit. | | The Court ordered that the Applicant need not to register as a dairy export facility and need not comply with the standards of the VPN 20/2010-01. |
| 52 | PJ van der Walt N.O vs The Minister and Others. | Awaiting implementation. The Minister is reconsidering the matter. | This was an application to review and set aside the decision of the Minister to uphold the decision of the Delegate of the Minister not to grant consent to subdivide agricultural land. The Court ordered that the decision of the Minister be reviewed and set aside for reconsideration by the Minister. | | The Court ordered that the decision of the Minister be reviewed and set aside for reconsideration by the Minister. |
| 53 | Barnabus Xulu Incorporated Attorneys (BXI) vs The Minister and the Director General | On Appeal | BXI attached the bank accounts of the Department on the basis that the Departmentallegedly entered into a settlement agreement with BXI for the payment of monies due for services rendered.The settlement agreement entered into. and | | The invoices raised against the Department were successfully challenged and judgment was granted in favour of the Minister / Department. However, BXI is appealing the judgment. |
| 54 | Baron vs Minister of Agriculture, Forestry and Fisheries | Implemented | Unfair dismissal as contemplated in terms of section 186(1)(b)(i) of the LRA. The Labour Appeal Court dismissed the Department’s appeal and upheld the Labour | | Court’s order for the reinstatement of Mr. Barron into the three-year contract post as Programmer Manager for the Working for Fisheries Programme. |
| 55 | Scott Russel vs Minister of Agriculture, Forestry and Fisheries | Matter is subject to application for leave to appeal. | Review and setting aside of the decision of the Minister to allocate rights in the West Coast Rock Lobster sector.  An application for leave to appeal was granted | | An application for leave to appeal was granted |
| 56 | Seavuna vs Minister of Agriculture, Forestry and Fisheries | In the process of being implemented | Review and setting aside of the decisions made by the Minister in terms of section 80 of the MLRA in the Hake Inshore Trawl Sector. | | Minister is in the process of appointing an Appeals Advisory Team |
| 57 | Cyril Burrel vs Minister of Agriculture, Forestry and Fisheries | In the process of being implemented | Review and setting aside of the decisions made by the Minister in terms of section 80 of the MLRA in the Hake Inshore Trawl Sector. | | Minister is in the process of appointing an Appeals Advisory Team |
| 58 | Interfish vs Minister of Agriculture, Forestry and Fisheries | In the process of being implemented | Review and setting aside of the decisions made by the Minister in terms of section 80 of the MLRA in the Hake Inshore Trawl Sector. | | Minister is in the process of appointing an Appeals Advisory Team |
| **MINISTER OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT: SINCE APRIL 2020** | | | | | |
|  | **(b) Case details** | **(i),(ii) Status of implementation** | **(c)Nature of court order** | **(c)Nature of judgement** | |
| 59 | Schmidtsdrift CPA v Minister of DRDLR | To be implemented as Judgment issued on 12/06/2020 | The Department ordered to hold the AGM for the purposes of electing a new committee for the CPA. | The CPA sought an interdict to prohibit the Department from facilitating an AGM. | |