**NATIONAL ASSEMBLY**

**WITTEN REPLY**

**QUESTION 1579**

**INTERNAL QUESTION PAPER [No 21-2017 FIFTH PARLIAMENT]
DATE OF PUBLICATION: 9JUNE 2017**

**1579. Mr A M Shaik Emam (NFP) to ask the Minister of Rural Development and Land Reform:**

(a) What has he found to be the stumbling blocks in addressing land reform in the country, as the relevant legislation does not seem to bring about satisfactory progress in this regard and (b) what steps does his department intend to take to bring about more land reform, as it is one of the issues that needs to be addressed through the process of radical economic transformation? **NW1708E**

**THE MINISTER OF RURAL DEVELOPMENT AND LAND REFORM:**

(a) Our biggest challenge remains the answer to the question – Who owns South Africa? We have just concluded Phase Two: Land Audit in terms of land ownership by race, gender and nationality but still face further challenges as a result of the absence of information in respect of institutions, such as trusts, private and public organisations and companies, as well as sectional title holdings. The source of this enduring challenge is incoherent institutional transformation, both within and external to the DRDLR, for example:

* the absence of a dynamic, interactive relationship between the National Geomatics Management Services (NGMS) and the Deeds Registration system even though the former feeds into the latter; and,
* we have projectised the land claims process. This was a strategic error, which did not take into account fiscal constraints, complexities associated with verification/validation of claims, court challenges and internal capacity constraints.

A further challenge relates to water rights being allocated to individuals, not to the land. When an individual sells the land, he/she leaves with the water rights. Furthermore, subdivisions and changes of land use are happening at a rapid pace. An audit needs to be conducted in respect of both these issues, because they impact negatively on land reform farms. Although regulated by laws, compliance with and enforcement of such legislation needs to be strengthened

(b) The steps the Department is proposing, aligned with radical economic transformation, includes transforming the Land Claims Commission into a Chapter 9 Institution and the NGMS, Deeds Registries and Office of the Valuer-General will be listed as Schedule 2 entities in terms of the Public Finance Management Act, 1999.

DRDLR is also implementing the following measures in its efforts to enhance land reform:

* Introduction of the Regulation of Agricultural Landholdings Bill to Parliament which aims to obtain and access agricultural land as well as to incentivise “national economy responsibility” from farm-land owners, agro-business and primary agriculture magnates and their links to secondary, tertiary international business dimensions and partners. The Land Commission provided for in the Regulation of Agricultural Land Bill, will enforce disclosure of ownership of land and landed property.
* The Agri-Parks programme which aims at transforming the rural economy. It seeks to improve production by small holder farmers, access to markets, finance and research and engagement in the whole agriculture value chain. It is designed to promote cooperative efforts between government, private sector, and rural communities.
* The 1 Household 1 Hectare Programme and 1 Household 2 Dairy Cows Programme is intended to improve production and food security at household level to contribute to the increase in the number of small holder farmers.
* Strenghtening of relative rights of people working the land (50/50) seeks to secure the land rights and residential tenure of the farm-dweller/worker; empower people working the land to acquire majority equity-holdings in farming enterprises and bring about economic transformation of the agricultural sector. It enables farm workers/farm dwellers to sell labour-power across the fence, without fear of eviction; strengthen farmworkers’ bargaining power in advancing worker rights and improving his/her conditions of living; and, address socio-economic livelihood challenges faced by farm dwellers/workers and labour tenants. It will further address land hunger, extreme land concentration, associated poverty and inequity by fostering asset and enterprise equity that introduce fundamental changes to land relations and factors of production.