**NATIONAL ASSEMBLY**

**WRITTEN REPLY**

**QUESTION 1863**

**INTERNAL QUESTION PAPER [No 17-2021 SIXTH PARLIAMENT]
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**1863. Mrs A Steyn (DA) to ask the Minister of Agriculture, Land Reform and Rural Development:**

Whether, with reference to her reply to question 1199 on 8 July 2020, (a) her department acted on the court order in the case of *DRDLR vs Unlawful Occupiers of R/E & PTN 1 of Farm Nooitgedacht 11 JQ,* case no. 7212/2017; if not, why not; if so, what (a) was the outcome of the eviction and (b) will she do to help Mr Rakgase to get rid of the illegal occupiers? **NW2091E**

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

1. An order for eviction was granted by court on 15 October 2019. The Department did not act on the order because it had not yet received the Court order from the State Attorney. The delay was caused by the fact that after matters are finalised at High Court Registry files are taken and stored somewhere.

(b)The Court order was received on 30 September 2021. The State Attorney was instructed on 8 October 2021 to instruct the Sheriff to serve the order on the respondents (unlawful farm occupiers) to give them time to vacate the farm on their own accord.

(c) On the 11 October 2021 the Sheriff of Mogwase, Northwest, served the Court order on persons who reside in villages. The same process was undertaken by the Sheriff of Thabazimbi, Limpopo on persons on the farm Nooitgedacht 11 JQ.

(d)In terms of the Court order the Sheriff is authorised to evict any occupant who fails to vacate the farm, within fourteen (14) after service of the order.

(e)The countdown commenced on the 13 October 2021 and ends on 3 November 2021.

1. If the occupants fail to vacate the farm on their own accord, the Sheriff will be instructed to execute the order by :
	1. Demolishing the herdsmen’s shack erected on the farm.
	2. Liaising with the nearest Poundmaster to find space where the livestock will

 be accommodated after removal from farm.

* 1. The Sheriff will, with the assistance of the South African Police Services

 remove the livestock from the farm, using trucks or hired trucks.

* 1. After removal the animals will be accommodated at the pound of the nearest

 Poundmaster so that their owners can go and remove them there.

 (f)In terms of the Court order, “in the event that that unlawful occupiers and any other

 unauthorised person fail to vacate the farm on 3 November 2021, the costs of

 removing, transporting and impounding the livestock are borne by the owners

 thereof”.