**NATIONAL ASSEMBLY**

**WRITTEN REPLY**

**QUESTION 2116**

**INTERNAL QUESTION PAPER [No 21-2021 SIXTH PARLIAMENT]
DATE OF PUBLICATION: 03 SEPTEMBER 2021**

**2116. Mrs M O Clarke (DA) to ask the Minister of Agriculture, Land Reform and Rural Development:**

1. Whether, with regard to the court outcome dated 28/02/2020 in the case of The Richtersveld Sida’ Hub Communal Property Association versus The Department of Rural Development and Land Reform, an administrative plan has been put in place through the department of Rural Development and Land Reform as instructed by the court; if not, why not; if so, what are the relevant details;

 (2) whether employees have been appointed to implement the administrative plan, take all the necessary steps to comply with the terms of the order and are specifically authorised and instructed to perform the tasks of maintaining the affairs of the Richtersveld Sida’ Hub in good and proper order; if not, why not; if so, what are the relevant details;

1. whether (a) day to day management, (b) control of running expenses, (c) payments of ordinary running expenses, (d) maintenance and control over day-to-day financial processes, (e) updating of members’ register in line with the Communal Property Associations Act, Act 28 of 1996, and (f) mandating and instructing the auditors to prepare financial statements have been included in the administrative plan; if not, why not; if so, what are the relevant details;
2. whether assistance in terms of arranging the annual general meeting (AGM) and other meetings that may be required by the Richtersveld Sida’ Hub has been given; if not, why not; if so, on what date was each meeting held;

(5) whether the Electoral Commission was asked to assist when the AGM was held to ensure that the nomination process was just and transparent; if not, what is the position in this regard; if so, what are the relevant details? **NW2401E**

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

1. Yes, an administration plan has been submitted to Court by the Department as part of the application to place Richtersveld Sida Hub CPA under Judicial Administration, in terms of section 13 of the CPA Act.
2. Yes. Following the Northern Cape High Court order of 28 February 2020, in terms of court order number 961/2019, the Department appointed Honey Attorneys, represented by Mr Don Majiedt as the Judicial Administrator of Richtersveld Communal Property Association for a period of three (3) years. Mr Chris Viljoen has been appointed for a period of 6 months as an Accountant to do the bookings of the CPA from January 2015 to date.
3. (a),(b),(c),(d),(e),(f) Yes. It is part of the Administration Plan as per the court order number 961/2019.
4. Yes. As part of the Judicial Administration process and providing support to the CPA in terms of in terms of the CPA Act, the Department is legally obliged to assist the CPA in terms of arranging AGM and other meetings as indicated below:

|  |  |
| --- | --- |
| Meeting | Date Scheduled |
| Annual General | December 2021 |
| Others: Special General Meeting | 20-23 September 2021 |

1. Yes. The Independent Electoral Commission of South Africa; Northern Cape office has been asked for assistance but are unable to assist due to the coming local government elections. Department has appointed an independent election agency to assist with nominations and elections.