**NATIONAL ASSEMBLY**

**WRITTEN REPLY**

**QUESTION 2189**

**INTERNAL QUESTION PAPER [No 36-2020SIXTH PARLIAMENT]
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**2189.Mrs A Steyn (DA) to ask the Minister of Agriculture, Land Reform and Rural Development:**

What are the full details of the persons who are the delegated officials with regard to the Subdivision of Agricultural Land Act, Act 70 of 1970? **NW2758E**

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

The delegations in terms of the Subdivision of Agricultural Land Act, No 70 of 1970 are attached to official posts and not persons. This has been purposefully provided to accommodate any changes arising from resignation and movement of officials without impacting on service delivery. Delegations are assigned to the posts of Director, Chief Director and Deputy Director-General levels as per table below:

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| **SECTION** | **TYPE OF POWER** | **POSITION TO WHICH POWERS ARE DELEGATED** |
| 1(f) of the definition of agricultural land  | To determine which land the Minister may after consultation with the executive committee concerned and by notice in the *Gazette* exclude~~s~~ from the provisions of this Act. | Non delegable. |
| 3 (a-e) | To consent in writing that an action regarding subdivision of agricultural land which is otherwise prohibited, may be executed. | Chief Director: Natural Resources and Disaster Management. |
| 3 (f) | To consent in writing that an action regarding establishment of a township or enlargement of activities other than agriculture which is otherwise prohibited, may be permitted.  | Deputy Director General: Agricultural Production, Health and Food Safety, Natural Resources and Disaster Management. |
| 3(g) | To provide consent in writing regarding public notice to the effect that a scheme relating to agricultural land or any portion thereof has been prepared or submitted under the ordinance in question. | Deputy Director General: Agricultural Production, Health and Food Safety, Natural Resources and Disaster Management. |
| 4(1)(a)(ii) | To determine the place, form, plans and documentation which must accompany the application for the purpose of section 3 of the act. | Director: Land and Soil Management. |
| 4(2) | To refuse or grant any such application on such conditions. | Deputy Director General: Agricultural Production, Health and Food Safety, Natural Resources and Disaster Management. |
| 4(3) | To enforce a condition in terms of section 4 (2.) | Deputy Director General: Agricultural Production, Health and Food Safety, Natural Resources and Disaster Management. |
| 4(4) | To vary or withdraw any condition imposed by section 4 (2)(b), and if it has been registered against the title deed of the land, direct that it is varied or cancelled. | Deputy Director General: Agricultural Production, Health and Food Safety, Natural Resourcesand Disaster Management |
| 6A (1) (a) (aA) (b) (2) | To give consent for the registration of servitudes over agricultural land and subdivision. | Chief Director: Natural Resources and Disaster Management. |
| 7 | To authorise any person to enter upon any land at all reasonable times to carry out thereon investigations or to perform thereon such other acts as are necessary for achieving the objectives of the Act. | Director: Land Use and Soil Management |
| 10 | Regulations  | Non delegable |