**NATIONAL ASSEMBLY**

**WRITTEN REPLY**

**QUESTION 2511**

**INTERNAL QUESTION PAPER [No 24-2023 SIXTH PARLIAMENT]
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**2511. Mr N S Matiase (EFF) to ask the Minister of Agriculture, Land Reform and Rural Development:**

Whether, since the ruling of the Pietermaritzburg High Court delivered on 11 June 2021, she has corrected the breach of her duty of ensuring that administrative measures to respect, protect, promote and fulfil the constitutional right to property and security of tenure of the holders of informal land rights for persons living under Ingonyama Trust land in KwaZulu-Natal are protected; if not, what is the position in this regard; if so, what are the further, relevant details? **NW2855E**

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

Yes, due to the issuing of Permission to Occupy (PTOs) in KwaZulu-Natal being retained by the former Minister of Land Affairs, in accordance with the KwaZulu-Natal Land Affairs Act, 1992 (Act No. 11 of 1992), the former Minister delegated the function to the Provincial Government of KwaZulu-Natal in 1998 and the Minister of Agriculture, Land Reform and Rural Development has since withdrawn the delegations.

The Ingonyama Trust Board (ITB) technically took over the function from the KwaZulu-Natal Government and stopped issuing PTOs in 2007; however, the litigation on this matter is not completed, and the application (appeal) by Ingonyama Trust is yet to be heard by the Supreme Court of Appeal.