



rural development  
& land reform

Department:  
Rural Development and Land Reform  
REPUBLIC OF SOUTH AFRICA

OFFICE OF THE REGIONAL LAND CLAIMS COMMISSION: WESTERN CAPE  
Private Bag X9163 ■ Cape Town, 8000 ■ Tel: 021 486 7400 ■ Fax: 021 424 5146

Enquiries: Basil Swartz

Mr. J.J. Arries  
70 Hurther Street  
GEORGE  
6530

Claim no: A769

Dear Mr. Arries,

Re: NOTICE OF NON-COMPLIANCE OF CLAIM A769 IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT, ACT NO. 22 OF 1994 AS AMENDED

The office of the Regional Land Claims Commission: Western Cape refers to the above in respect of claim file number A769 as lodged by your late brother, Mr. Abraham Arries, for the restitution of land rights in respect of Pacaltsdorp Landelike (also known as Erf 325).

This property is situated within Pacaltsdorp of the local George Municipality which forms part of the Eden District Municipality of the Western Cape province. Our office would therefore like to inform you that after careful consideration of the circumstances under which the nineteen farmers were denied use of the historical Pacaltsdorp Landelike, this claim does not *prima facie* meet the requirements as per Section 2(1)(a) of the Restitution of Land Rights Act, Act No. 22 of 1994.

Section 2(1)(a) states that a person shall be entitled to restitution of a right in land if he/she is a person dispossessed of a right in land after 19 June 1913 as a result of past racially discriminatory laws or practices.

In terms of a copy on the claim file (A769) Mr. Gideon Apollis entered into a lease agreement on 17 May 1978 with the then Municipality of Pacaltsdorp on behalf of 19 farmers for the lease of erf no. 325. The lease agreement was to be effective between 1 October 1979 and 28 February 1984. However, these farmers lost their exposure to the land in 1982 because of a municipal decision that all grazing and farming activities be ceased as the Municipality wanted to develop the land for township establishment. Furthermore, these farmers also received notice in 1982 that the lease contract would be terminated.

However, should you have in your possession any [other] information and/or proof that may alter the decision of this office regarding the status of your claim, you are requested to submit such information to our office within 60 days after receipt of this letter. Failure to honour this request will offer the Regional Land Claims Commission: Western Cape no alternative but to render this claim as non compliant in terms of Section 2(1)(a – e) of the Restitution of Land Rights Act.

We therefore request that you use this opportunity and present such information should you be in possession thereof. We want to thank you for your kind cooperation in this regard.

Yours faithfully,

  
MR. L.H. MAPHUTHA  
REGIONAL LAND CLAIMS COMMISSIONER

DATE: 2012/08/20