**NATIONAL ASSEMBLY**

**WRITTEN REPLY**

**QUESTION 3463**

**INTERNAL QUESTION PAPER [No 37-2015 FIFTH PARLIAMENT]
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**3463. Ms T Stander (DA) to ask the Minister of Rural Development and Land Reform:**

1. With reference to the Constitutional Court ruling on 20 August 2015 in relation to the Bakgatla Ba Kgafela communal property association’s (CPAs) right to restitution land, (a) how many similar existing court cases where tribal authorities (TAs) and CPAs are in conflict with one another over who controls the land have since been reported to his department and/or its officials, (b) where are the conflicts taking place and (c) which (i) TAs and (ii) CPAs are involved in each such conflict;
2. does his department have a policy to guide such conflicts; if not, why not; if so, what are the relevant details;

(3) will the specified Constitutional Court ruling result in any changes to his department’s policy on land restitution; if not, why not; if so, what are the relevant details? **NW4124E**

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

(1)(a) None.

(b),(c),(i),(ii) Falls away.

1. The department of Rural Development and Land Reform established the Land Rights Management Facility which among other things mediates conflicts in Communal Property Associations.
2. No. The option to decide on the type of legal entity that must hold land for each community has always been the sole prerogative of that community.