**NATIONAL ASSEMBLY**

**WITTEN REPLY**

**QUESTION 520**

**INTERNAL QUESTION PAPER [No 5-2018 FIFTH PARLIAMENT]
DATE OF PUBLICATION: 2 MARCH 2018**

**520. Ms V van Dyk (DA) to ask the Minister of Rural Development and Land Reform:**

1. Whether the Komaggas community lodged a land claim in Namaqualand in the Northern Cape; if so, (a) on what date was the claim submitted, (b) what are the details of the extent of land claimed and (c) what is the current status of the specified land claim;
2. (a) what is the total number of hectares in Namaqualand that is designated as communal property and (b) what are the details of the communal properties in the (i) Kamiesberg, (ii) Khai-Ma, (iii) NamaKhoi and (iv) Richtersveld Local Municipalities;

(3) whether any plans have been put in place to issue title deeds to communal farmers; if not, what is the position in this regard; if so, what are the relevant details? **NW588E**

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

1. (a) The Office of the Regional Land Claims Commissioner: Northern Cape has no record of receipt of a land claim by the name of “Komaggas” lodged prior to 31 December 1998. Should the enquirer have information of a claim being lodged, kindly bring it to the attention of the Chief Land Claims Commissioner: nomfundo.ntloko-gobodo@drdlr.gov.zaThis email address is being protected from spambots. You need JavaScript enabled to view it. / 012 312 8883 / 012 312 9446.

(b),(c) Falls away.

1. (a) Namakwa district has 7 Communal Property Associations registered in terms of the Communal Property Associations Act, 28 of 1996 holding a total of 232 345.4957 hectares of land and 6 areas held in trust in terms of the Transformation of Certain Rural Areas Act No. 98 of 1998 measuring approximately 1 009 643.6340 hectares.

(b) (i),(ii),(iii),(iv) Please refer to **Annexure A**.

1. Land acquired in terms of the Restitution of Land Rights Act No. 22 of 1994 has been registered in the name of the CPAs. Properties held in trust by the Minister in terms of the Transformation of Certain Rural Areas Act 98 of 1998 (TRANCRAA) are still to be transferred pending the establishment of legal entities as communities have opted. The Spatial Planning and Land Use Management Act require a proper land rights enquiry to be done in order to align the transfer of the land with the Spatial Development Framework of the Municipality involved. The land rights enquiry is planned to be completed in the 2018/2019 financial year. Thereafter communities will be engaged to establish the legal entities. However, the leadership (Transformation Committee/ Municipal Councils) who must be consulted for purposes of implementing TRANCRAA are in dispute thus hindering the Department’s efforts to proceed to implement TRANCRAA in the district.

**ANNEXURE A TO NA-QUES 520 OF 2018**

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| **NAME OF TRANCRAA AREA** | **LOCAL MUNICIPALITY** | **Estimated (HECTARES)** | **CHOICE OF LEGAL ENTITY OPTED** | **COMMENTS**  |
| Leliefontein | Kamiesberg | 159 182 | Municipality | N/A |
| Pella | Khai-Ma | 48,276 | CPA | CPA not yet established  |
| Richtersveld | Richtersveld | 309 328 | CPA | CPA conflict hindering transfer process |
| Concordia | Nama Khoi | 83858 | CPA | CPA not yet established  |
| Steinkopf | Nama Khoi | 285 529 | CPA | CPA not yet established  |
| Komaggas | Nama Khoi | 62,600 | N/A | Community refused the services of service provider appointed to assist them at the time.  |