



Department:
Rural Development & Land Reform
REPUBLIC OF SOUTH AFRICA

1. ON THE 10TH NOVEMBER 2010, THE PORTFOLIO COMMITTEE REQUESTED THE REGIONAL LAND CLAIMS COMMISSION:WC TO RESPOND ON THE FOLLOWING:

A. LIST OF ALL DEVELOPMENTS TAKING PLACE ON LAND UNDER CLAIM, WHERE DEVELOPERS HAVE APPLIED TO THE COMMISSION IN TERMS OF S11.7. (aA) OF THE RESTITUTION OF LAND RIGHTS ACT.

Response

The office did not receive S11.7. (aA) applications in respect developments.

B. DEVELOPMENTS TAKING PLACE ON THE LAND WITHOUT APPLYING TO THE COMMISSION FOR S11.7. (aA) OF THE ACT

Response

The Sadien claim, involving Erf. 2274, Constantia is the only claim where the current owner intends to develop the land without the application of S11.7. (aA) of the ACT.

The claim was advertised in the Government Gazette, Notice 499 of 1999.

The current owner was of the opinion that the claim was for tenancy purposes and commenced with minor developments to the property.

The Commission applied for an interdict to stop the proposed development and informed the current owners accordingly. The current owners have taken the Commission to court regarding this matter.

C. HOW WAS PARAGRAPH (B) ABOVE COMMUNICATED TO CLAIMANTS?

Response

The Commission informed the Sadien family by convening a meeting and written communiqué. Copies are readily available on file.

D. HOW MANY CLAIMS ARE STILL TO BE SETTLED, WHEN WILL THESE BE SETTLED?

Response

919 claims are still outstanding as at 01st November 2010 as per the following business phases:

Outstanding claims per business phase:

Research	Gazetting	Valuation	Negotiations	S42D	Claims in Court	Section 6(2)(b) claims	Total
100	14	31	229	537	8	0	919

Some of the claims in the research phase may be found to be non-complaint and therefore rejected. Others may also be consolidated as previous experiences, found that more than 1 person lodged a claim on a specific property, thus the outstanding figure may be reduced. Similarly, some claims may be found to have been lodged incorrectly as a group or community claim, and were registered as one claim, but during research, found to be individual claims and then registered as such, which may increase the number of outstanding claims.

The Western Cape office has planned to settle 342 claims for the 2010/11 financial year. The remaining claims will be settled over two financial years, i.e. 2011/12 and 2012/13, depending on the availability of funds. An Operational Plan is attached as Annexure A1.

**E. WHETHER THERE IS A STRATEGY TO FASTTRACK THE SETTLEMENT OF THE
OUTSTANDING CLAIMS.**

Response

The Commission has embarked on a Turn-Around Strategy which focuses on improving operational, organizational and financial efficiency. Thus, the Turn-Around Strategy will assist in expediting the finalization of all outstanding claims. A copy of this presentation is attached as Annexure A2, as presented to the Portfolio Committee on the 17th November 2010.