

Land Commission receives over 50,000 claims

PRETORIA: A total of 55,973 land claims have been lodged to the Land Claims Commission, since government re-opened the restitution claims process last year, Rural Development and Land Reform Minister, Gugile Nkwinti, announced on Tuesday.



Gualberto107 via freedigitalphotos.net

"As of 15 April 2015, a total of 55,973 claims have been lodged with the Commission. This represents 70% of the 79,696 claims lodged over a period of four years in the previous window, confirming that reopening the Restitution process was indeed the right thing to do," he said.

Mobile lodgements

Minister Nkwinti made the announcement during his Budget Vote Speech in Parliament on Tuesday. Last year, President Jacob Zuma signed the Restitution of Land Rights Amendment Act, giving victims of land repossession an opportunity to lodge their claims until 30 June 2019.

The Minister said the mobile lodgement units are moving through the country, receiving claims, adding that the mobile lodgement units have been in the Free State from 28 April and will remain there until 10 July. He said the mobile lodgement offices are supported by nine communication sprinters informing communities on how to lodge a claim.

Ownership by foreign nationals

With regard to land ceilings and the prohibition of land ownership by foreign nationals, Nkwinti said there has been outright rejection from the greater part of the sector. He said the matter has divided the sector across racial and class lines. "The lines have become sharply drawn here.

"The prohibition of land ownership by foreign nationals has drawn a sharp response from, particularly, the Banking Association of South Africa/Agricultural Business Chamber and Agri-SA. The basis of their rejection is that it will drive away foreign investment, not only in the agricultural sector, but in the economy as a whole.

"We certainly do not agree with this view. Our conviction is that any investor, whether foreign or national, wants policy certainty. Once they understand what the policy is, they adapt accordingly," he said.

Land ownership patterns

The Minister said they have looked at South Africa's history of land ownership patterns, since the advent of the 1913 Natives' Land Act as well as experience elsewhere in the world, particularly Europe and a few countries in Latin America.

"The South African experience shows that the aggregate farmland over this period has generally remained stable, being disturbed by fluctuations in the number of people entering or leaving farming, influencing in turn, the fall of average farm size from 950ha and 750ha (between 1918 and 1950); and, between 750ha to over 2,000ha, currently. "In Europe, the general average farm size is 14ha, while in Latin America it ranges between approximately 72ha (Brazil) and 84 ha (Chile)," he said.

Nkwinti said in the Southern African Development Community (SADC), the general trend is that of prohibition, unless foreign nationals joined up with nationals (citizens), provided the latter is the majority shareholder in such joint venture.

"We have come up with a special category to address the 12,000ha maximum announced by the president during his SONA. "We are proposing that this maximum applies only to three categories of land use: forestry, game farms and renewable energy farms, especially wind energy.

Addressing the strategic thrust of land reform

"We are of the strong view that these policy proposals would go a long way towards addressing the strategic thrust of land reform, such as rekindling the class of black commercial farmers which was destroyed by the 1913 Natives' Land Act; that all land reform farms, including communal land, are 100% productive; and, achieving the objectives of the NDP, as rapidly as possible," he said.

Apart from redistributing land to deracialise ownership, Nkwinti said they have to align land relations in communal areas controlled by traditional institutions with the Constitution of the land. In this regard, he said a Bill will be submitted to the House as soon as consultations with all interested parties have been completed; and, a policy finalised.

Similarly, he said a policy is being developed to give full title to households which have been given land under collectives, such as Trusts and Communal Property Associations (CPAs).

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