



agriculture & rural development

Department:
agriculture
& rural development
PROVINCE OF KWAZULU-NATAL

KZN Department of Agriculture & Rural Development
Private Bag X9059, Pietermaritzburg, 3200

Enquiries: Nalini Dickson
Tel: 033-3438254 or 0832340475

Fax: 033-343 82551 not
Toll-Free: 0800 000 996
Email: Nalini.Dickson@kzndard.gov.za

SPEECH BY MEC FOR KZN AGRICULTURE AND RURAL DEVELOPMENT, MR CYRIL XABA, AT THE EVENT TO LAUNCH THE MOBILE LODGEMENT BUS 03 AUGUST 2015

Programme Director and Chief Director for Restitution Support, Advocate B. Mbili

Mayors and Speakers Present

Representatives of the House of Traditional Leaders

Representatives of the Association for Rural Advancement and the Landless
People's Movement

Chief Director Provincial Shared Services Centre, Mr N. Mndaweni

Community representatives and officials

Ladies and Gentlemen

The people have spoken and Government has listened!

When the re-opening of the land claims process was announced, Minister of Rural Development and Land Reform, the Honourable Mr Gugile Nkwinti said this was done because of submissions by thousands of people who had missed the initial **deadline. He said, and I quote, "We thought we should heed the cries of people who spoke to us about other people who lived with them and had not claimed."**

The land claims process is very sensitive and has resulted in heaps of criticism on government, but we cannot leave ourselves in a situation where some people benefit and others do not. Everyone who was dispossessed of land rights after June 1913 must have hope that they have a fair chance for redress. This is the reason the deadline for the lodgement of land claims which ended on 31 December 1998 has been extended to 30 June 2019.

Here in KwaZulu-Natal, 16 000 claims were lodged by the first deadline and of these, 14 000 have been processed with just 2000 claims outstanding. These will be processed simultaneously with the new claims; with priority for payment given to those lodged before 1998.

Nationally, over 77 000 land claims have been settled by the Commission on Restitution of Land Rights. By the turn of the second decade since the first democratic elections, the post-apartheid land reform program has resulted to land in excess of 9.5 million transferred into black ownership. By March last year, total expenditure for the land restitution program sat at over R24 billion and of this, more than R7 billion was paid out as financial compensation for beneficiaries who opted for cash payment. Government, as I said remains committed to assist all those who qualify for restitution of land rights, in line with the provisions of the Constitution of South Africa.

Yes, the process has not been easy, but in many ways we have been on a steep learning curve. As Minister Nkwinti has said, government remains confident that we can work faster this time round because of the lessons learnt. The mobile lodgement office in the form of a bus going out to different areas, that is being launched today, is one such initiative. I will outline details of how this will work. You have been invited to the launch today, to get to know the process so that you can assist in creating awareness around the mobile unit and its schedule. This is yet another example of making government services more accessible to communities and bringing government closer to the people.

Before I go on to give you details about the mobile lodgement service, I want to use this opportunity as MEC for KZN Agriculture and Rural Development to talk about the land claims process and agriculture.

Government does listen. There was criticism of land reform farms lying fallow and being unproductive. We recognised that a key factor for this failure of commercial land reform projects has been a lack of pre and post transfer support, hence a review in our approach. The KZN Department of Agriculture and Rural Development has developed a strategy for Agrarian Transformation in the province and a key pillar is post-settlement and the re-capitalisation of land reform farms. We have recognised that support systems have to be put in place for new entrant black farmers. The strategy also recognises that this can be achieved by building partnerships with commercial farmers, commodity organisations and organised agriculture. In other words, the farming community working in a united manner to grow the sector.

An example of this unity was displayed two weeks ago when the forestry company Mondi and two land claimants – the Nodunga Communal Property Association from Stanger and the Mkhuzane community from Richmond signed an agreement to work together. As part of the deal, it was agreed that Mondi would help communities set up forestry businesses. Deputy Minister for Rural Development and Land Reform, Ms Candith Mashego-Dlamini was present at the event. The Deputy Minister said that government would assist the communities in capacity building and to come up with business plans that would then be submitted to the different arms of government and other entities for funding.

Over the past months, I have also gone out with the Commission for Land Restitution to various areas in the province to hand over compensation to land

claimants. I have been struck by the stories that many of these communities had strong connections with the land and were once successful farmers.

These situations reminded me of the words of The Dean of Agri-Sciences at Stellenbosch University. Professor Mohammad Karaan said that apartheid's "biggest crime," was the detachment of African people from the land. He said, and I quote: "Now Africans can't farm profitably but it shouldn't be a surprise – they have lost 100 years of agriculture tradition and expertise."

Hopefully, with the re-opening of the land claims process, more people will have the opportunity to find their connection to the land.

This is why the launch of the mobile lodgement bus service is so important. In KwaZulu-Natal at present we have two lodgements centres, one in Pietermaritzburg and the other in Vryheid. The bus, which is a mobile office will be going around to all the districts to allow people to lodge their claims close to where they live, without having to travel long distances. This will be especially helpful for the elderly and the disabled. The bus will be shared with the Eastern Cape. It will be in our province for three months and then move to the Eastern Cape where it will spend three months, before returning to KZN. This schedule will continue until the cut-off date for lodgements in June 2019.

The bus is fitted with technology so that claims are processed electronically. In fact, government is confident that this time round the process will work much faster because all claims will be lodged electronically rather than manually which was done in the previous process.

To be able to create awareness around the process, please know that those who can claim include:

- *Individuals dispossessed of a land right.
- *A direct descendant of a person with a land right, such as the wife and children.
- *A juristic person, such as a company or a trust.
- *An executor or an administrator of an estate of a deceased person.
- *A representative of a community.

Those who have claimed before and received redress either in the form of land or financial compensation, may not claim again for the same right. Communities must be made aware that it is illegal to submit a fraudulent claim, including not disclosing other potential interested parties.

When claimants go to the mobile lodgement office they must take along the following documents:

- *The description of the property, for example the farm name and number or the erf or stand number in an urban area.

*Information on the department or state organ that had removed the land.

*The year of dispossession

*What compensation was paid at the time of the dispossession

*Particulars of the person who lost the right.

*Particulars of the claimant and the capacity in which they are acting, for example whether they are a family member, community representative or executor of the estate.

*a history of the land dispossession. The more information and documentation that can be provided to support the claim, the quicker it can be processed.

As I said earlier, the claim will be captured electronically. Claimants will be given a letter with a unique reference number. They will also receive an SMS within 48 hours of the mobile lodgement office visiting their area. This will confirm receipt of the claim. Claimants will also receive updates on the progress of the claim or upon request.

Besides creating awareness about the mobile lodgement office, please warn communities that the service is absolutely free and that they must beware of opportunists who are charging people.

The mobile office will be in the Harry Gwala district from the 4th to the 21st of August, Thereafter it will go to eThekweni from August 24 to September 11. It will be in Ugu from the 14th to 18th September, Uthungulu from September 28 to 8th October and finally in Umkhanyakude from October 19th to the 29th. It will then move onto the Eastern Cape for three months before returning to KwaZulu-Natal.

I thank all of you for attending this event and please assist the Commission on Land Restitution by creating awareness around this very important free service.