
Agri SA Centres of Excellence (COE's)

Policy Work | Q1 2019

Agri SA Sentrums van Uitnemendheid (SvU's)

Beleidswerk | Q1 2019



We develop the South African Agricultural Industry.
Ons ontwikkel die Suid-Afrikaanse Landbou Industrie.

Foreword

Agri SA is primarily focused on policy work which is spread across five Centres of Excellence (COE's) being Natural Resources, Economics and Trade, Land, Rural Safety and Labour and Development. The aim of these COE's/centres is to provide the Agri-value chain with bespoke solutions and insights on policy matters and industry developments.

A Policy Work Document will be released every quarter to keep our stakeholders informed about every centres' activities and/or their policy focus areas. This document is a non-exhaustive summary of the work that each COE is currently doing. The quality of the work is largely dependent on the insights and inputs from the Agri SA membership base.

Agri SA would like to thank its membership for their contributions in this regard.

Voorwoord

Agri SA fokus hoofsaaklik op beleidswerk wat versprei is oor vyf Sentrums van Uitnemendheid (SvU's), naamlik Natuurlike Hulpbronne; Ekonomie en Handel; Grond; Landelike Veiligheid; en Arbeid en Ontwikkeling. Die doel van hierdie SvU's is om die Agri-waardeketting te voorsien van toepaslike oplossings en insigte oor beleidsake en industrie verwickelinge.

'n Beleid-werksdokument sal elke kwartaal versprei word om ons belanghebbendes in te lig oor elke sentrum se aktiwiteite en/of beleidsfokusareas. Hierdie dokument is nie 'n volledige opsomming van die werk waarmee elke SvU tans besig is nie. Die gehalte van die werk hang grootliks af van insigte en insette vanaf Agri SA se ledebasis.

Agri SA wil graag sy lede bedank vir hul bydrae in hierdie verband.



Land Affairs

Section 25

Agri SA is doing everything in its power to prevent section 25 of the Constitution from being amended. To this end, we have made oral and written submissions and regularly receive media exposure. We also have a legal strategy in place.

Agri SA will not hesitate to take on test cases on zero compensation to court. If threats to expropriate productive Northern Cape farms on a list made public on Twitter is realized, Agri SA will get involved in such litigation.

Just and equitable compensation

Agri SA ensures that the courts set clear guidelines for just and equitable compensation and how this should be calculated. Agri SA's position is that market value should be the point of departure and that just and equitable compensation should be as close to market value as possible. This principle was confirmed in the Msiza case where Agri SA was involved as friend of the court.

Melmoth case

Agri SA opposes unfairly low valuations by the Valuer-General and supported the farmers in the Melmoth case on 6 March, to challenge the Valuer-General's stance that his valuations were binding on the court. The Minister of Rural Development took the position that she could not increase the offer by the Valuer-General. The Court found both these arguments to be wrong in law and ruled on favour of the farmers with costs.

Expropriation Bill

Agri SA provides input on the Expropriation Bill and the proposal that certain types of land may be expropriated at zero value. Agri SA is opposed to expropriation at zero value.

Grondsake

Artikel 25

Agri SA werp alles in die stryd om te verhoed dat artikel 25 van die Grondwet gewysig word. In die verband doen ons mondelinge en skriftelike voorleggings, is ons gereeld in die media en het ons ook 'n regstrategie in plek.

Agri SA sal nie huiwer om toets sake oor nul-waarde vergoeding hof toe te neem nie. Indien dreigemente om produktiewe pleuse in die Noord-Kaap op 'n lys wat op Twitter geplaas is, teen nul-waarde te onteien, sal Agri SA betrokke raak by sulke litigasie.

Regverdige en billike vergoeding

Agri SA verseker dat die howe duidelike riglyne stel oor regverdige en billike vergoeding en hoe dit bereken word. Agri SA se uitgangspunt is dat die vertrekpunt markwaarde is en dat regverdige en billike vergoeding so na moontlik aan markwaarde behoort te wees. Hierdie beginsel is bevestig in die Msiza saak waar Agri SA as vriend van die hof betrokke was.

Melmoth saak

Agri SA baklei teen die onbillike lae waardasies waarmee die Waardeerder-Generaal vorendag kom. Agri SA het die boere in die Melmoth saak ondersteun wat beswaar gemaak het teen die Waardeerder-Generaal se lae waardasies en sy standpunt dat die hof gebonde is aan sy waardasie. Die Minister van Landelike Ontwikkeling het standpunt ingeneem dat sy nie by magte was om die Waardeerder-Generaal se aanbod te verhoog nie. Die hof het beide die Waardeerder-Generaal en die Minister se argumente verwerp en met koste ten gunste van die boere beslis.

Onteieningswetsontwerp

Agri SA lewer insette op die Onteieningswetsontwerp en die voorstelle dat sekere tipes grond teen 'n nul waarde onteien kan word. Agri SA is gekant teen onteiening teen nulwaarde.

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