



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

## STATUS REPORT: LAND REFORM FEBRUARY 2020

This report is intended to bring members of Agri SA up to date with the latest developments regarding land reform.

Agri SA has handed in its submission on the amendment of section 25 of the Constitution. In essence, the submission provides that Agri SA strongly opposes the proposed amendment. The amendment to section 25 will not fix systemic institutional incapacity and will not achieve just and equitable land reform. Agri SA points out in its submission that an unnecessary amendment to the Constitution undermines the foundational values of the Constitution. The potential negative consequences for the sector and the economy are also highlighted.

Public hearings on the proposed constitutional hearings will now be held in all the provinces and in Parliament. The program for the hearings was sent to all affiliates and posted on the Agri SA Facebook page. Agri SA would like to encourage its members to participate in these public hearings.

The engagement on the Expropriation Bill in NEDLAC, the National Economic, Development and Labour Council, is still ongoing. Business has a mandate to oppose the new sections 12(3) and (4) which provides for expropriation at nil compensation. Business also objected to the narrow definition of “expropriation”. The NEDLAC engagement will likely be concluded on 13 March, where after the Bill will be tabled in Parliament.

Agri SA has in the meantime sought further legal opinions on both the Constitutional Amendment Bill and the Expropriation Bill.

Agri SA has submitted comments on the draft Beneficiary Selection and Land Allocation policy. The gist of the Agri SA comments are that whilst a holistic approach to beneficiary selection and land allocation is welcomed, the significance of commercial agriculture both in the economy as a whole and in food supply should not be underestimated. There seems to be a big focus on smallholder farming as the solution to rural land reform. Only about one-third of the land surface of South Africa is suitable for smallholder farmers, because the rest is semi-desert, which requires considerable input into water systems and other infrastructure to be farmed viably. Smallholder farming has only succeeded where the farmers have been heavily subsidized and supported. A careful distinction should be drawn between land required for residential purposes, and land required for farming: Agri SA agrees in principle that land reform should be demand-driven and the beneficiary selection, especially when it comes to settling people on agricultural land is critical. However, this needs to happen within a proper spatial development framework in which high

**[www.agrisa.co.za](http://www.agrisa.co.za)**

**Tel** | +27 12 643 3400 **Fax** | +27 12 663 3178 **Email** | [agrisa@agrisa.co.za](mailto:agrisa@agrisa.co.za)

**Physical Address** | Inkwazi Building | Block A | 1249 Embankment Road | Zwartkop X7 | Pretoria | South Africa

**Postal Address** | Private Bag X180 | Centurion | 0046 | South Africa

potential and productive agricultural land is protected and used for agricultural purposes only. The biggest need is for housing in towns and cities.

Agri SA has also prepared draft comments on the draft Donations policy on land, which has been sent to affiliates for their inputs.

Agri SA is busy compiling draft comments on the draft National Spatial Development Framework, which will also be sent to affiliates in the near future.

Agri SA will hold its Land Centre of Excellence meeting on 9 March, where some strategic planning will be done for the year ahead.

Agri SA will also be meeting the newly appointed Special Master for labour tenants during March.

## Enquiries



**Annelize Crosby**

Agri SA, Head of the Centre of Excellence on Land

E-mail | [annelize@agrisa.co.za](mailto:annelize@agrisa.co.za)

