



ANNUAL REPORT

2014 / 2015



**COMMISSION ON RESTITUTION OF
LAND RIGHTS**

**ANNUAL REPORT OF THE COMMISSION
ON RESTITUTION OF LAND RIGHTS
01 April 2014 – 31 March 2015**



Letter of transmission

May 2015

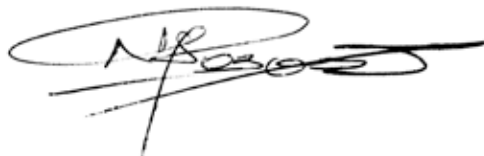
Honourable Nkwinti, GE (MP)
Minister for Rural Development and Land Reform

Sir,

Report to Parliament in terms of section 21 of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994)

It is my pleasure to submit this Annual Report of the Commission On Restitution Of Land Rights for the financial year that ended on 31 March 2015, for tabling in Parliament. This is in compliance with Section 21 of the Restitution of Land Rights Act, No. 22 of 1994, as amended, which prescribes that we submit this report no later than 1 June every year.

I will present the same report to the Portfolio Committee on Rural Development and Land Reform in the National Assembly as well as to the Select Committee of Land and Mineral Resources in the National Council of Provinces, on the dates to be decided by these committees.



Ms Nomfundo Gobodo
Chief Land Claims Commissioner

Table of Contents

ABBREVIATIONS	04
PART 1: GENERAL INFORMATION	05
Foreword by the Minister of Rural Development and Land Reform	06
Overview by the Chief Land Claims Commissioner	08
PART 2: OVERALL PROGRAMME PERFORMANCE	13
Vision, Mission and Values	14
Purpose, strategic objectives and service delivery achievements	15
Eastern Cape Province	17
Free State Province	22
Gauteng Province	25
KwaZulu-Natal Province	33
Limpopo Province	40
Mpumalanga Province	47
North West	53
Northern Cape	58
Western Cape Province	65
PART 3: SUMMARY OF SETTLED RESTITUTION CLAIMS	76
PART 4: FINANCIAL PERFORMANCE	79
CONTACT DETAILS	83
CITIZENS' MANUAL ON HOW TO LODGE A LAND CLAIM	87

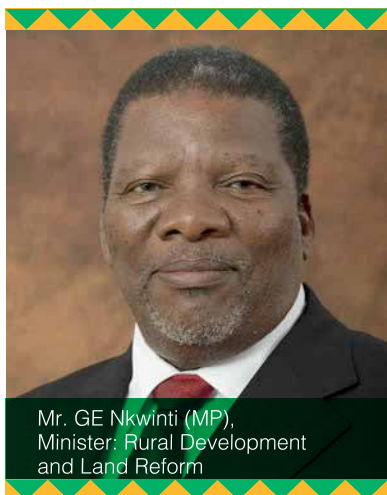
ABBREVIATIONS AND ACRONYMS

BEN	Beneficiaries
CC	Constitutional Court
CLCC	Chief Land Claims Commissioner
CD: LRS	Chief Director: Land Restitution Support
CPA	Communal Property Association
CRDP	Comprehensive Rural Development Programme
CRLR	Commission on Restitution of Land Rights
DLCC	Deputy Land Claims Commissioner
DRDLR	Department of Rural Development and Land Reform
FHHs	Female Headed Households
Ha	Hectares
HHs	Households
RADP	Recapitalisation and Development Programme
RSG	Restitution Resettlement Grant
RLCC	Regional Land Claims Commissioner
NCOP	National Council of Provinces
PFMA	Public Finance Management Act, 1999 (Act No. 1 of 1999)
MTSF	Medium Term Strategic Framework

PART 1: GENERAL INFORMATION



MINISTER'S FOREWORD



Mr. GE Nkwinti (MP),
Minister: Rural Development
and Land Reform

This year marks the 60th anniversary of the adoption of the *Freedom Charter* by the People's Congress.

It is fitting that we review the work of the Commission on Restitution of Land Rights against what is provided for in the *Freedom Charter*.

In its preamble, the *Freedom Charter* includes the following reconciliatory statement: “We, the People of South Africa, declare for all our country and the world to know: South Africa belongs to all who live in it, black and white, and that no government can justly claim authority unless it is based on the will of the people.” It also records that “our people have been robbed of their birthright to land, liberty and peace by a form of government founded on injustice and inequality.”

The *Constitution of the Republic of South Africa, 1996*, which was premised on the spirit and letter of the *Freedom Charter*, provides for various mechanisms to address past injustices. One such mechanism is the restitution programme, whose mandate is set out in the section 25 (7) of the Constitution which states “a person or community dispossessed of property after 19 June 1913 as a result of past racially discriminatory laws or practices is entitled, to the extent provided by an Act of Parliament, either to restitution of that property or to equitable redress.”

The *Restitution of Land Rights Act, 1994* provides the framework through which the right to restitution is given effect.

In giving effect to Clause 1 of the *Freedom Charter* which provides that “the people shall govern” government responded positively to a plea by individuals and communities who missed the initial 1998 deadline to participate in the land restitution programme. The lodgement of land restitution claims was re-opened to give those individuals and communities another chance to do so. On 30 June 2014 the President assented to the Restitution of Land Rights Amendment Act, 2014 (the amendment act) paving the way for the re-opening of the land claims process for a period of five years.

Since the commencement of the process on the 1st of July 2014 in excess of 57 300 new land claims have been lodged with the CRLR the CRLR registers new land claims on a daily basis and it will continue to do so until the new deadline of 30 June 2019.

The CRLR has developed an electronic lodgement system to receive these claims at any of the 14 lodgement offices located in the 9 Provinces, or in mobile lodgement offices.

The mobile lodgment offices are busses that are specially equipped with technology to receive applications for land claims on site. These mobile offices have been well received by communities as they are making it easier for them to lodge their claims without having to travelling long distances from remote areas. The mobile units are affectionately named *Gemsbok*, *Inkanyezi*, *Maruping* and *Mabulandila*.

An additional 2 all-terrain (4 x 4) trucks have been acquired to support the mobile offices so that we are able to reach the most remote areas of our country.

The mobile lodgement offices are supported by 9 Communication Sprinters informing communities on how to lodge a claim. We are taking Government services to the people.

There are 8035 outstanding land claims lodged before the 1998 cut-off date that the CRLR still needs to settle. The Amendment Act requires the CRLR to give priority to those claims lodged before the 1998 cut-off date and which were not finalised on 1 July 2014 when the Amendment Act came into effect (“the old order claims”).

The CRLR is giving priority to old order claims and deems them more important and more urgent than new order claims (those lodged after 1 July 2014). The resources of the CRLR (human and financial) are deployed primarily to the expeditious processing of the old order claims.

New claims are only processed beyond capturing if they compete with old claims.

As an accountable government, we submit this Annual Report of the CRLR for the 2014/15 financial year to Parliament.

A handwritten signature in black ink, appearing to be 'Nkwinti, GE', written in a cursive style.

Nkwinti, GE (MP)
Minister: Rural Development and Land Reform

OVERVIEW BY THE CHIEF LAND CLAIMS COMMISSIONER



“One of the underlying questions is whether restitution should act as a means of reversing the injury itself, knitting the bones of history together as if no fracture had ever occurred, or instead as a salve for an ever-gaping wound”

Van der Westhuizen J in Florence v Government of the Republic of South Africa, 2014 (6) SA 456 (CC)

The restitution programme is at the centre of Government programmes to redress the land injustices perpetrated through colonialism and apartheid, of building a united nation. It gives an opportunity to those that suffered the most brutal and of human rights violations – being forcefully removed from their land – an opportunity not only to be restored the land, but also the restoration of their dignity.

The CRLR is the custodian of the restitution process, being one of the two institutions that was established by the *Restitution of Land Rights Act, 1994* (Act No. 22 of 1994), the other being the Land Claims Court. The CRLR performs administrative functions in relation to claim, those being to solicit land claims, investigate them and attempt to resolve them through negotiation and mediation. The Land Claims Court adjudicates disputes which emanate from the restitution process.

The mandate for restitution of land rights is derived from section 25 (7) of the *Constitution of the Republic of South Africa, 1996* (“the Constitution”) which states that a “person or community dispossessed of property after 19 June 1913 as a result of past racially discriminatory laws or practices is entitled, to the extent provided by an Act of Parliament, either to restitution of that property or to equitable redress”.

Until 30 June 2014 the restitution programme was only available to those who had lodged their claims for restitution by the cut-off date of 31 December 1998. On 30 June 2014 President Jacob Zuma assented to the *Restitution of Land Rights Amendment Act, 2014* (Act No 15 of 2015) which, inter alia, extended the period for lodging a land claim for five years, calculated from 1 July 2014 to 30 June 2019.

Deserving persons and communities who did not lodge their claims for restitution by the cut-off date of 31 December 1998, can now do so.

Extensive preparations for the re-opening of lodgement of land claims had been done by the CRLR such that if the President assented to the *Restitution of Land Rights Amendment Act* it would be ready to assist potential claimants with the preparation and submission of their claims.

The window for submitting new claims was opened when there were still outstanding land claims which were lodged before the 1998 cut-off date. To date, 8035 of the claims remain to be settled.

Various evaluations were conducted on the operations of the CRLR and its readiness for the lodgement of land claims in the 2014/15 financial year. The CRLR recognises the concerns of all stakeholders at the slow pace of the settlement of claims, particularly in relation to the claims lodged before the 1998 cut-off date; and apprehensions that the CRLR will not finalise the claims lodged before the 1998 cut-off date prior to processing those lodged in the new lodgement period: 1 July 2014 to 30 June 2019.

Some of those stakeholders have challenged the validity of the *Restitution of Land Rights Amendment Act, 2014* on procedural grounds, and impugned the section in the Act providing for the prioritisation of claims lodged before 1998 cut-off date on the grounds that it is unconstitutionally vague.

This annual report for the period 1 April 2014 to 31 March 2015 is presented to Parliament to account for the activities of the CRLR during that period in that context.

Service Delivery

Even though the CRLR had to ready itself for the lodgement of claims, and receive new claims from 1 July 2014 it continued with its core business of the settlement of claims.

The CRLR exceeded its targets by settling 428 new claims against a target of 379, finalising 372 claims against a target of 239, approving 119 projects against a target of 53 and researching 1525 claims against a target of 1445. The CRLR also established 14 operational claims lodgement offices and acquired 4 mobile lodgement offices as had been planned.

Of the 428 new claims which were settled, 241 are urban claims and 187 rural. The settlement of the claims benefitted 78, 600 beneficiaries from 15, 457 households of which 6, 244 are female headed households. Awards of 144, 406 hectares were made at the cost of R1, 777, 514, 536.86, and financial compensation amounting to R1, 000, 691, 810.49 were made. The total financial implications of the settlement of the 428 claims is R2, 778, 206, 347.35. In addition, a total of 53 claims were dismissed as they did not meet the requirements for restitution.

Re-Opening of the Lodgement of Claims

As stated above, those who missed the 1998 cut-off date to lodge claims may now do so at any of the 14 claims lodgement offices nationwide, or in one of the mobile lodgement offices, which we have named the *Gemsbok, Inkanyezi, Maruping and Mabulandila*. The mobile lodgement offices will visit areas that are far from the lodgement offices, ensuring that even those who cannot afford to travel to the lodgement offices are assisted.

The CRLR has partnered with Government Communication and Information Systems and developed a comprehensive communication campaign which is going to reach every corner of the country. The message to individuals and communities is as follows: the lodgement of land claims has been re-opened for a period of five years, ending 30 June 2019; claims are lodged at the lodgement offices, or in mobile lodgement offices through an electronic system; there are no forms; those living in far flung areas will be visited by mobile lodgement offices to collect claims; lodging a fraudulent claim is a criminal offence; lodging a claim is a free government service; and that the claims lodged before 1998 cut-off date are prioritised by the CRLR over new ones.

The CRLR calls upon all its stakeholders to pass the message that those who were dispossessed of rights in land may now submit their claims to the CRLR, until 30 June 2019.

Evaluation of the Restitution Programme

Five studies have been conducted on the Restitution Programme over the past two (2) years. These include the *Regulatory Impact Assessment (RIA)* which led to the promulgation of the *Restitution of Land Rights Amendment Act* and independent studies done by the Department of Performance Monitoring and Evaluation (DPME) in the Presidency; by the Government Technical Assistance Component (GTAC) in National Treasury; the South African Human Rights Commission (SAHRC) and the Human Sciences Research Council. These provide very good insight into the situational context of the CRLR and have largely informed the development of a programme which is set out in the CRLR's Strategic Plan 2015-2030 to improve the efficacy of the CRLR's operations, the pace of the settlement of the claims, and the quality of those settlements.

The CRLR adopted the McKinsey 7S Framework as a management tool to perform the organisational analysis and to consolidate all the recommendations and findings of the different studies performed. The consolidation is set out in the paragraphs below.

Strategy

The mandate of the CRLR has very often been clouded by matters that are beyond its legal mandate which is to solicit, investigate and prepare claims for settlement. These unmandated matters have created additional strain on the CRLR and its work.

In addition, the process that underpins the Restitution Programme is an inherently complicated, and highly structured process. A number of factors compromise the efficiency of the programme including the lack of a standardised business process and unclear delineation of roles and responsibilities between the DRDLR and the CRLR.

Structure

The current structure of the organisation does not align with the mandate and structure of the CRLR as defined by the Restitution Act. The Chief Land Claims Commissioner reports directly to the Minister pertaining to the issues of restitution and land claims as required by the Restitution Act. The reports recommend that the Director General of the DRDLR should delegate to the Chief Land Claims Commissioner financial and administrative functions whilst the CRLR will develop its own operational and corporate policies that are informed by national government frameworks and policies of the *Department of Public Service and Administration* and the *Public Finance Management Act*.

In addition, the budget structure and programming of budgetary processes need to be clarified and appropriate delegation framework be put in place.

Systems

The rationalisation of the entire management information system (MIS) into a single, web-based system is recommended. The MIS should provide for the electronic management of every step in the business process and lay the basis for performance management, monitoring and evaluation. The current absence of an electronic, systematised MIS means that information management is poor and there is no single system that is able to interface with other systems. The process is plagued by issues such as an ineffective monitoring system, although a project management system is in place.

Style

The Restitution Programme has inadequate communication and awareness-raising regarding the restitution process amongst the general public, with one study reporting that as late as 2006 a significant number of people remained unaware of the programme.

Because of the integration and close relationship with the DRDLR and the CRLR is not seen to be autonomous and separate from the DRDLR.

Staff

Achieving the vision of the *National Development Plan* will require leadership on land reform, communal tenure security, financial and technical support to farmers, and the provision of social and physical infrastructure for successful implementation. It will also require capacity building to enable state institutions and private industries to implement these interventions. Improved co-ordination and integration in the planning and implementation of area-based and differentiated rural development plans will be needed over the medium term to achieve the vision of an inclusive rural economy.

Competent and dedicated human resource capacity should be established within the CRLR. Performance management systems should be put in place which manage and reward staff according to: the quality of the work; adherence to procedures and systems; the integrity of the claims process; and the quality and the rate of settlement of claims.

Questions relating to high staff turnover and inadequate research capacity and concerns that the re-opening of the claims will require additional financial and technical resources were raised. Additional staff capacity will therefore be required for new claims.

Skills

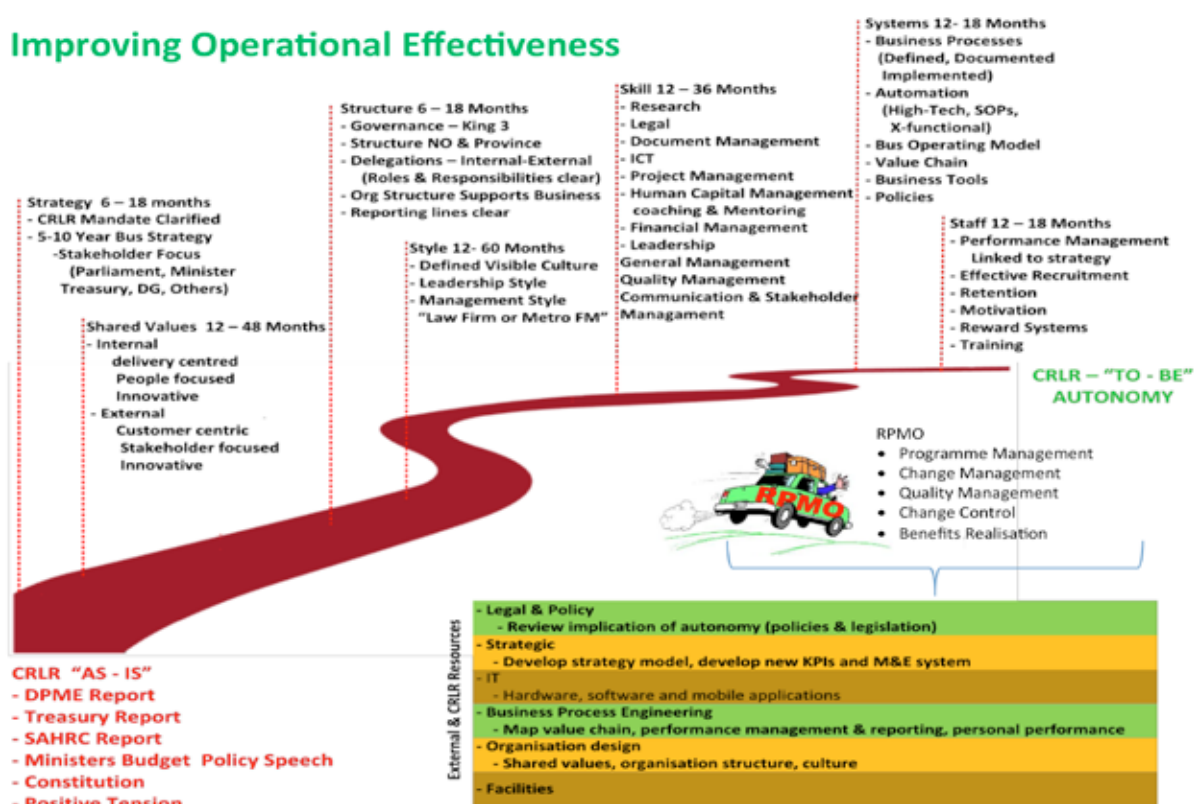
Poor research was raised as a concern and linked to capacity, skills and experience in research in the CRLR. Training, in particular regarding the manner in which new claims are to be processed was also raised.

Additional research capacity will be required for new claims, and the re-opening of claims will require additional financial and technical resources.

Programme of Operational Effectiveness

During the year under review the CRLR developed its own Strategic Plan for the period 2015 to 2020. The strategic plan contains a Programme to improve the efficacy of the CRLR's operations; the pace of the settlement of claims; and the quality of those settlements. As part of "business unusual" the CRLR will particularly ensure a continued focus on the speedy investigation and finalisation of claims lodged before 1998 cut-off date; the improvement of its communication with all stakeholders, particularly those who claimed land before 1998 cut-off date, using new technologies; and the definition of the role of sector Departments and other spheres of government in development projects resulting for the settlement of claims. Interventions are summarised in the diagram below.

Improving Operational Effectiveness



Research of Claims

The Human Sciences Research Council conducted a diagnosis of the CRLR's capacity to research land claims. It found that the CRLR lacks adequate capacity to research claims at the pace it requires to. This led to the development of a strategy for research, which has the following elements: investigate simple and intermediate land claims internally; outsource investigation of complex land claims to institutions of higher learning and research institutions (including skills transfer); the utilization of Section 12(4) for competing land claims to maximize the resources of the CRLR and research new claims if they overlap with old claims.

The backlog of outstanding research on land claims in the period under review was 6691 claims, with a target of 1445 claims which were to be researched by 31 March 2015. The CRLR researched 1525 claims.

In 2015/16 financial year, the CRLR has set itself a target to research 2660 of the 5152 outstanding claims for research, targeting the provinces with the highest backlogs, being the Eastern Cape, Limpopo, Mpumalanga and KwaZulu-Natal.

Prioritisation of claims

The prioritisation of claims is informed by Section 6 (1) (g) of the *Restitution of Land Rights Act*, 1994 which requires the CRLR to ensure that priority is given to claims that were lodged before the 1998 cut-off date and were not finalised as at 1 July 2014. The prioritisation criterion is as follows.

The CRLR distinguishes between claims lodged before 1998 cut-off date (old claims) and those lodged from 1 July 2014 to 30 June 2019 (new claims).

It treats old claims as more important and more urgent than new order claims, and deploys resources to the expeditious processing of old claims.

It ordinarily processes new claims only to the point of data capture after lodgement. New claims are only processed with the old if they overlap.

Communication Strategy

The CRLR has developed a communication strategy to deal with claimants, especially those who lodged their claims in 1998 and whose claims are still outstanding. The CRLR will endeavour to communicate the status of the claims at all times, and shall, as part of the prioritisation criteria and to comply with section 6 (1) (g), prioritise the 1998 claims for speedy settlement.

Corporate Governance

In compliance with section 21 of the *Restitution of Land Rights Act*, 1994 the Annual Report on the CRLR for the 2013/14 financial year was tabled in the National Assembly and National Council of Provinces.

Meetings of the CRLR, as required by section 5 of the Restitution Act were held, focusing on the monitoring of the performance of the CRLR, review and development of policies.

In line with the statutory requirements, the CRLR has participated in all the meetings of the Portfolio Committee of Rural Development and Land Reform, as well as meetings of the Select Committee of Land and Mineral Resources of the National Council of Provinces, and in all other Parliamentary Committees when invited. The CRLR also attended all public hearings on the *Restitution of Land Rights Amendment Bill* that were held by the Parliament.

Conclusion

In conclusion, I would like to take this opportunity to thank the staff of the CRLR for their hard-work and dedication. The CRLR's work improves on a daily basis because of the efforts that is put by officials and management. The achievement of our targets is because we work as a team: Team Restitution.



Nomfundo Gobodo
Chief Land Claims Commissioner

PART 2: PROGRAMME PERFORMANCE





Vision

A Commission of excellence that ensures that effective, efficient and speedy redress is provided to victims of racially based land disposessions.

Mission

We exist to provide redress to victims of racially motivated land dispossession, in line with the provisions of the *Restitution of Land Rights Act, 1994* (Act No. 22 of 1994), as amended.

Values

We uphold the following values:

- We value and encourage diversity and will not discriminate against anyone. We uphold the rights of individuals as enshrined in the *Constitution of the Republic of South Africa*.
- We strive to be transparent, accountable and responsive in all the services we offer to claimants and other stakeholders, in order to ensure equitable redress.
- We strive towards maintaining high service standards through improved business processes and a focus on ethical and professional operational principles.
- We ensure that we have a dedicated, loyal, results-oriented, professional and people-focused workforce that is passionate and committed to serve the people of South Africa.
- In collaboration with all stakeholders, we comply with all laws of this country and will not pass any legislation that is in conflict with the Constitution.

SUMMARY OF PROGRAMME PERFORMANCE

Purpose

The purpose of the restitution programme is the settlement of land restitution claims in terms of the *Restitution of Land Rights Act, 1994* (Act No. 22 of 1994). The CRLR is responsible for investigating and processing restitution claims. The CRLR also develops and coordinates restitution policies and oversees restitution court cases.

Strategic Objective

The strategic objective of the CRLR is the restitution of rights in land or awards of alternative forms of equitable redress to claimants, within Medium Term Expenditure Framework budgetary allocation.

Service Delivery Achievements

The CRLR exceeded its targets by settling 428 new claims against a target of 379, finalising 372 claims against a target of 239, approving 119 projects against a target of 53 and researching 1525 claims against a target of 1445. The CRLR also established 14 operational claims lodgement offices and acquired 4 mobile lodgement offices.



The settlement of claims benefitted the beneficiaries as follows:

Quarter	Beneficiaries	Hectares Awarded	Land Cost	Financial Compensation
Quarter 1	7860	13824.567	484,445,585.30	37,390,494.29
Quarter 2	15543	45619.08	421,531,371.45	106,847,990.15
Quarter 3	18377	24062.725	251895172.6	246,224,357.25
Quarter 4	36820	60899.732	619642407.5	610,228,968.80
TOTAL	78600	144406	R 1,777,514,536.86	R 1,000,691,810.49

Table 1. Quaterly performance (Cummulative)

Performance against the set targets was as follows:

Strategic Objective	Performance indicator	Annual Target	Achievement (Actual Performance)	Variance	Reason for variance
Strategic Objective 1: Land Rights restored	Number of land claims settled	379	428	+49	Additional financial resources were provided to the CRLR by the DRDLR (via virement) to settle land claims
	Number of land claims finalised	239	372	+133	Additional financial resources were provided to the CRLR by the DRDLR (via virement) to finalise land claims
	Number of phased projects approved	53	119	+66	Additional financial resources were provided to the CRLR by the DRDLR (via virement) to process projects
	Number of claims lodged by 1998 to be researched	1445	1525	+80	The research of claims lodged before 1998 cut-off date is key to the finalisation of those claims. Staff was motivated to research as many claims as possible.
Strategic Objective 2: Lodgement of restitution land claims	Number of lodgement offices functional	14 lodgement offices opened and functional	14 lodgement offices opened and functional reported in Q1	Target achieved	Target was achieved

Table 2. Performance against strategic objectives (cumulative)

EASTERN CAPE PROVINCE



COMMISSION ON RESTITUTION OF
LAND RIGHTS

SUMMARY OF PERFORMANCE: EASTERN CAPE PROVINCE

Overview

During the first period of lodgement of land claims the Eastern Cape Province verified and confirmed a total of 17, 638 land claims lodged before the 31 December 1998 cut-off date. These land claims are distributed and located across the six districts that include two Metros, namely Nelson Mandela Metro and Buffalo City Metro. These land claims included of Betterment claims in the Communal farming areas; Conservation claims; Commonage claims; and Forestry land claims. The total number of land claims lodged in the various districts in the Eastern Cape revealed that Amathole district had the highest number of claims lodged followed by Cacadu, 8, 053 and 7, 137 land claims respectively.

As at 31 March 2015, the Eastern Cape had settled a total of 16, 726 land claims and is now left with a total of 912 outstanding land claims. During the 2014/15 Financial Year, the Province projected in the Annual Performance Plan to settle 76 land claims, finalise 30 land claims and research 220 land claims. At the end of the 2014/15 Financial Year, the Eastern Cape Province settled 79 land claims, finalised 39 land claims and researched 198 land claims. The Office of the Regional Land Claims Commissioner of the Eastern Cape has performed well in achieving the projected APP Provincial targets for the 2014/15 Financial Year despite the limited Pre-Settlement/Operations human resource capacity.

The Province had a total of 34 Project Officers who were expected to settle a Provincial target of 76 land claims and research a total of 220 land claims, whilst the Quality Assurance with a capacity 26 personnel had to process financial compensation payments of about R252 860 623.00 and finalise 30 projects.

The summarised performance against targets is as follows:

Performance indicator	Annual Target	Achievement
Number of land of claims settled claims settled	76	79
Number of land claims finalised	30	39
Number of phased projects approved	5	4
Number of claims lodged by 1998 researched	220	198

Table 3: Performance against targets in the Eastern Cape in 2014/15

The statistical information with regards to claims which were settled during the period under review is as follows:

Claim (Project)	No of Claims Settled	Claim Type		Hectares awarded	Hectares that would have been restored in financial compensation claims	Total Award Cost	Type of Award
		Rural	Urban				
Bikizana Community Claim (Phase 1)	-	-	-	-	2713	3,454,210.40	Financial Compensation
Sombijwa Family Claim	1	1	-	-	0.134198	96,362.00	Financial Compensation
Mateza Family Claim	1	1	-	-	11.477	354,796.50	Financial Compensation
Sejoseng Family Claim	1	1	-	-	485.9052	826,432.77	Financial Compensation

Claim (Project)	No of Claims Settled	Claim Type		Hectares awarded	Hectares that would have been restored in financial compensation claims	Total Award Cost	Type of Award
		Rural	Urban				
Mngqibisa Family Claim	1	1	-	-	8.421	453,851.18	Financial Compensation
Matsha Family Claim	1	1	-	-	3	181,421.16	Financial Compensation
Bentsa Community Claim	1	1	-	-	175	2,292,274.03	Financial Compensation
16 Rooival families	16	16	-	-	137.5	3,363,134.00	Financial Compensation
Nxele Family Claim	1	-	1	-	0.0991	96,362.00	Financial Compensation
Soci Family Claim	1	1	-	-	4.4568	145,690.60	Financial Compensation
Rayepen Family Claim	2	-	2	-	0.073	209,594.59	Financial Compensation
Norman Michael Peinke	1	1	-	-	273.5488	507,917.34	Financial Compensation
Peggy Peinke	1	1	-	-	88.751	133,930.79	Financial Compensation
Witness Cumming Family Claim	1	-	1	-	0.4047	96,362.00	Financial Compensation
Ketso Family Claim	1	1	-	-	3	64,948.13	Financial Compensation
Mbobo Family Claim	1	1	-	-	4	202,347.00	Financial Compensation
Naidoo Family Claim	1	-	1	-	0.1586	839,492.43	Financial Compensation
Arosi Family Claim	1	1	-	-	5	96,362.00	Financial Compensation
Dlokolo Family Claim	1	1	-	-	10	278,241.00	Financial Compensation
Thornhill Community Land Claim (Phase 2)	-	-	-	-	-	168,379,500.77	Financial Compensation
Sheila Marie-Anne Peinke	1	1	-	-	1837.2324	631,127.88	Financial Compensation
Waterford Group Claim	30	30	-	-	1250.5741	4,013,532.90	Financial Compensation
Mgungundlovu Community & Others v Minister of Rural Development and Land Reform and Others [LCC 10/2011]	1	1	-	639.2563	-	50,000,000.00	Land Restoration and Financial Compensation

Claim (Project)	No of Claims Settled	Claim Type		Hectares awarded	Hectares that would have been restored in financial compensation claims	Total Award Cost	Type of Award
		Rural	Urban				
Silimeni Family Claim	1	1	-	-	2	146,027.71	Financial Compensation
Sikoti Family Claim	1	1	-	-	9.33	324,078.67	Financial Compensation
Magqazolo Family Claim	1	1	-	-	2	189,818.23	Financial Compensation
Saki Community Claim	1	1	-	-	1885	12,050,368.20	Financial Compensation
Yawa Family Claim	1	1	-	-	1	96,362.00	Financial Compensation
Gqodi Community Claim	1	1	-	-	1762	11,531,513.98	Financial Compensation
Mkhanzini Community Claim (Phase 2)	-	-	-	51.3919	-	549,000.00	Land Restoration
Leslie Herbert Family Claim	1	-	1	-	0.0475	96,362.00	Financial Compensation
Fihla Family Claim	1	1	-	-	8.0108	591,129.46	Financial Compensation
Dauids Family Claim	1	1	-	-	108	696,330.06	Financial Compensation
Cunningham Family Claim	1	-	1	-	0.0949	328,863.70	Financial Compensation
Mbulali Family Claim	1	1	-	-	62.1457	96,362.00	Financial Compensation
Thungavaloo Naidoo Family	1	-	1	-	0.0572	230,997.67	Financial Compensation
Cwaru Community Claim	1	1	-	650.8416	-	10,580,714.40	Land Restoration and Financial Compensation
Ncora Community Claim (Phase 1)	-	-	-	-	9121.1505	144,591,056.39	Financial Compensation
	79	71	8	1341.4898	19972.5725	418,816,875.94	

Table 4: List of claims settled in the Eastern Cape in 2014/15

**Where the number of claims settled is "-", the claim is a part settlement and will be counted once fully settled.*

The following claims were finalized during the period under review:

Claim	Approval Date	No of claims Finalised	No of HHs finalised	No of Ben finalised	Type of Claim	Expenditure on finalised claims
Njibana Family	2008-09-30	1	5	13	Urban	3,201.25
Pongoma Family	2013-07-29	1	3	34	Rural	2,987.49
Mbizela Family	2014-03-24	1	1	6	Rural	318,194.25
Sipolo Family	2009-03-09	1	7	14	Urban	12,129.01
Lindi Family	2006-08-21	1	2	7	Urban	34,500.00
Gogela Family	2006-08-30	1	5	13	Urban	3,625.00
Amambalu Community Claim	2009-03-27	1	115	494	Rural	40,680.55
Mbebe Family Claim	2009-02-19	1	7	8	Urban	10,292.43
Korsten Group Claim	2013-03-13	7	7	-	Urban	9,047.59
Cradock Group Claim	2008-11-24	2	2	-	Urban	16,629.62
Sombijwa Family	2014-08-11	1	1	2	Rural	96,362.00
Soci Family	2014-09-17	1	1	1	Rural	145,690.60
Witness Cumming Family Claim	2014-11-03	1	1	3	Urban	96,362.00
Matsha Family	2014-09-03	1	1	2	Rural	181,421.16
Norman Michael Peinke	2014-11-03	1	1	1	Rural	507,917.34
Peggy Peinke	2014-11-03	1	1	1	Rural	133,930.79
Mateza Family Claim	2014-08-15	1	1	4	Rural	354,796.50
Sheila Marie Peinke	2014-12-22	1	1	1	Rural	631,127.88
Arosi Family Claim	2014-11-23	1	1	6	Rural	69,362.00
Leslie Herbert Family Claim	2015-03-13	1	1	1	Urban	96,362.00
Waterford Group Claim	2014-12-22	1	1	-	Rural	591,071.46
Waterford Group Claim	2014-12-22	1	1	-	Rural	568,684.70
Waterford Group Claim	2014-12-22	1	1	-	Rural	352,589.67
Waterford Group Claim	2014-12-22	1	1	-	Rural	735,894.02
Waterford Group Claim	2014-12-22	1	1	-	Rural	281,318.94
Waterford Group Claim	2014-12-22	1	1	-	Rural	177,147.33
Waterford Group Claim	2014-12-22	1	1	-	Rural	100,687.20
Waterford Group Claim	2014-12-22	1	1	-	Rural	140,871.79
Waterford Group Claim	2014-12-22	1	1	-	Rural	69,404.19
16 Rooival Families	2014-09-11	3	3	-	Rural	51,998.71
TOTAL		39	176	611		R 5,834,287.47

Table 5: List of claims finalised in the Eastern Cape in 2014/15

FREE STATE PROVINCE



COMMISSION ON RESTITUTION OF
LAND RIGHTS

SUMMARY OF PERFORMANCE: FREE STATE PROVINCE

Overview

Since the establishment of the CRLR, the Regional Land Claims CRLR for the Free State has settled 3075 claims out of 3081 claims that were lodged before the 1998 cut-off date.

Only 7 claims are outstanding for settlement in the Free State at the end of the period under review.

1 claim and 5 phased claims were settled during the period under review and an amount of R81,5 million was approved *in lieu* of 12170.7834 hectares. 1134 individuals from 245 families benefitted from the settlement of these claims.

The highlights of the claims which were processed during the period under review were Altona, Zoar, Ramahutse, Crowther, Maseru and Qwaqwa National Park Land claims. The claims were lodged on behalf of families and communities and will benefit 1134 beneficiaries from 245 families, of which 128 are female headed. The Province focused a lot of its attention on planning for the reopening of lodgment claims.

These communities and families opted for financial compensation and an amount of R 81,500,000.00 was approved and paid as financial compensation to the 245 families. Each household for Zoar claim received an amount of R121,398.00. Each household for Qwaqwa National Park claim received an amount of R377,305.92. Each household for the Maseru claim received an amount of R120,118.21. Households for the Crowther claim received an amount of R830,807.35. Each household for the Altona claim received an amount of R235,028.67. The Ramahutse land claim comprised of 9 households which received different shares in relation to the shares held by each household.

Qwaqwa National Park Restitution Claim

The history of dispossession around QwaQwa area started way back in 1986/1987 when the then government expropriated 95 farms owned by white land owners for purposes of incorporating such to augment the native reserve. The white land owners were paid even though some of them did not receive a fair and equitable compensation. Later, the very same farms were used to establish, what is now known as Golden Gate Highlands National Park. The claimed properties fell within the scheduled areas as at the time of dispossession (1991) hence only Blacks (Natives) could have ownership and stay on those farms in terms of section 18 (1) of the Development and Trust Act 18 of 1936. Therefore, the establishment of a National Park on the 30th January 1991 dispossessed the claimants of the right to inherit the farms and the right of a beneficiary under a trust arrangement, they would have acquired had the land remained under the trust arrangement in terms of the Native Trust Act.

Qwa Qwa National Park Community Land Claim is a rural land claim that was lodged on the 24th of December 1998, over 30 different farm portions which used to constitute what is currently known as Golden Gates Highlights. The claim was settled in terms of section 42D on the 25th February 2015 for the 79 out of 115 Households who opted for Financial Compensation, as Phase 1. The 3961.4775 hectares will be purchased on behalf of thirty six (36) Originally Dispossessed Individuals, as Phase 2 submission for the settlement of the claim, for those who opted for land restoration. The total award is **R 29 807 168.00** for financial compensation was approved and was handed over to the Community Representative on the day of the 25 April 2015.

Performance against performance indicators was as follows

Performance indicator	Annual Target	Achievement
Number of land of claim settled claims settled	9	1
Number of land claims finalised	20	3
Number of phased projects approved	1	5
Number of claims lodged by 1998 researched	0	3

Table 6: Performance against targets in the Free State in 2014/15

The statistical information of claims that were settled during the period under review is as follows:

Claim (Project)	No of Claims Settled	Claim Type		Hectares awarded	Hectares that would have been restored in financial compensation claims	Total Award Cost	Type of Award
		Rural	Urban				
Witbanksfontein no. 234 (Koloï Family: Amendment)	-	-	-	-	-	37,086.00	Financial Compensation
Senoge Family	1	1	-	-	229.1	704,673.00	Financial Compensation
Crowther Family Claim (Phase 2: Ballot and Crowther Family Claim)	-	-	-	-	342.6128	830,807.35	Financial Compensation
Maseru Farm No. 64 Land Claim (Phase 1)	-	-	-	-	968.18776	12,612,412.64	Financial Compensation
QwaQwa National Park Community (Phase 1)	-	-	-	-	12654.7086	29,807,168.00	Financial Compensation
Zoar Community Claim (Phase 1)	-	-	-	-	112.14	2,185,163.93	Financial Compensation
Farm Ramahutse No. 47 (Goronyane Family) (Phase 2)	-	-	-	-	1813.578	2,089,839.00	Financial Compensation
TOTAL	1	1	-	-	16120.32716	48,267,149.92	

Table 7: List of settled claims in the Free State in 2014/15

**Where the number of claims settled is “-”, the claim is a part settlement and will be counted once fully settled.*

The following claims were finalised during the period under review:

Claim	Approval Date	No of claims Finalised	No of HHs finalised	No of Ben finalised	Type of Claim	Expenditure on finalised claims
Morokashoek and Groothoek List 1, Morokashoek and Groothoek List 2, Morokashoek and Groothoek List 3, Morokashoek and Groothoek List 4	2014-01-31	1	99	495	Rural	28,564,732.00
Viljoen Family	2014-03-26	1	1	2	Rural	726,759.09
Greyling Family	2014-03-26	1	4	4	Rural	446,225.64
TOTAL		3	104	501		R 29,737,716.73

GAUTENG PROVINCE



COMMISSION ON RESTITUTION OF
LAND RIGHTS

SUMMARY OF PERFORMANCE: GAUTENG PROVINCE

Overview

The year under review brought its share of challenges but the office overcame the challenges with achievements. In the quest to fulfill its mandate, the Office of the Regional Land Claims Commissioner for Gauteng began the financial year with 747 land claims outstanding and 905 land claims not finalized, all of which were complex claims.

The office adopted a new strategy and established a specialised team to focus on backlog challenges. A detailed plan was to thoroughly screen individual files and the outcomes were reconciled with financial information. The effort resulted in clearly identifying the claimants that were eligible for the restitution award and those not. The big hurdle was in trying to trace and locate land claimants thorough verification for the implementation of the financial restitution awards. The product of this team was that the office was able to finalise (implement the full rewards) for 100 claimants to the value of R14, 8 Million against the target of 20.

The office excelled tremendously with regard to formation of legal entities for improved management of restored properties. The office has successfully transferred 15 state land properties totaling 826.786 hectares. A precedent was set by the use of the provisions of the Section 42D to register a title deed of beneficiaries in the name of more than 01 beneficiary.

The office is still faced with the challenge of untraceable claimants, who cannot be contacted for the purpose of obtaining outstanding information and documentation crucial for the verification process. The issue of family disputes and labour tenants is also hampering the process of finalizing land claims.

Complexities relating to the settlement of rural claims include community disputes, traditional authority, legal entities, border disputes as well as the competing claims.

During the period under review 9 land claims were settled, which benefitted 209 Households at the cost of R 44,369,908. The Office managed to spend 89 percent of its allocated budget of R 50 000 000 for the 2014/2015 financial year.

The following are some of the claims that which settled during the period under review

Masango Family

The land claim was lodged by the late Petrus Masango in his capacity as the direct descendants of the Masango family who lost right in land in 1966. The land being claimed is portion 4 (the remaining extent) of farm Rietvlei 518 JR measuring **304.5891 hectares** and is privately owned by Rhenosterfontein Wild Life Conservation.

Claimants were awarded with financial compensation of **R1, 133,309.00** towards settlement and finalisation of their land claim.

Mahlangu Family

The office received a land claim from Mr. Toko Geelbooi Mahlangu in his capacity as the originally dispossessed person, but because he has since passed on, Mr. Zondi Emmanuel Mahlangu who is the grandson was given Power of Attorney to continue with the land claim. Mr. Toko Geelbooi Mahlangu was also lodging on behalf of the original dispossessed Mahlangu clan which after investigations by the Office of the Regional Land Claims CRLR it transpired that there were seven (7) original dispossessed household. The affected portions are Portions 2 measuring 613.8651 ha, and Portion 12 measuring 39.5675 ha of the farm Boschkop 543 JR. The rights which claimants had at the farm before the dispossession include cropping, grazing, residential and cultural rights.

The claimants opted for financial compensation and indicated that they have already settled in various areas in and around Mpumalanga and Gauteng Provinces and are not in a position to start a new settlement elsewhere.

Masemola Family

Mr. Geelbooi Agos Masemola lodged the land restitution claim on behalf of his grandparents who have since passed on. This claim therefore comprises of one (1) originally dispossessed household. The claimant lodged a land claim on Portion 18 (Remaining Extent) of the farm Zusterstroom 447 JR measuring 351.1867 ha situated in the City of Tshwane Metropolitan Municipality, Gauteng Province.

The Masemola family is claiming beneficial occupational or unregistered rights on the farm Zusterstroom 447 JR. Before the dispossession, the Masemola family enjoyed land use rights including cultivation for residential rights, burial rights, use of water and grass for grazing livestock.

The land claimants opted for financial compensation for settlement in lieu of 351.1867 ha.

Perry Land Claim

In 1998, Ms. Ester Perry lodged a complaint regarding the eviction of her family from the house they owned and occupied. The property, at the time of dispossession, was used for residential purposes. In 1953 the land claimant's grandmother Ms. Betty Brown applied for the allocation of a residential house and she was allocated house number 99 Vlakfontein (which later changed to Erf 554 Mamelodi).

Statistically the total number of verified current households is one (1), and is a female headed household and one (1) beneficiary, being the direct descendant of the originally dispossessed.

The land claimant opted for financial compensation and the property cannot be restored to her as it is currently occupied by another family and restoration could cause social disruption which is against the mandate of the land restitution policy. The land claimant indicated that she wants no other property other than the originally dispossessed therefore an alternative property could not be sought hence she opted for financial compensation. The property has a total extent of 358.00 square meters. The total settlement costs for the land claim of Ms. Esther Perry in respect of Erf 554 Mamelodi amounts to R259,959.76

Boshoma Land Claim

Ms. Malefyane Priscilla Boshoma's land claim lodged has been proven to being that of both labour tenancy and beneficial occupation rights. The verification findings are that there is one (1) originally dispossessed household that has produced seven (07) current households with a total of twenty two (22) beneficiaries. Statistically the total number of verified current households is seven (07), with six (06) female headed households

The portion comprises of two types of land; that is 11.0054 ha on small holding and 1.000 ha on homestead and wasteland. Since the land claimants had rights only on 0.8957 ha of the small holding land type; the value of this land type per hectare is R 3,021.24 p/ha which when multiplied by the extent of the rights (0.8957 ha) amounts to R189, 641.96

Mahlangu and Masilela Families

The individual claims were lodged by Foro Mahlangu, Gudiwabo Mahlangu and Japie Sukela Masilala, on behalf of nine dispossessed individuals. The claimants claimed the same property being (RE) of Ptn 2 of the farm vlakfontein, 457 JR, measuring 817, 3625 ha of land. The property situated in the Tshwane Metropolitan Municipality.

The families lived on the land practicing their land use rights which included having large number of livestock and working the farm. They were allowed to plant and increase their livestock until there was a change of farm owners which led Mahlangu and Masilela families being dispossessed of their rights in land.

The families opted for financial compensation and was settled with a total package of R 3 253, 433, 67, benefiting 2 household from Foro Mahlangu, 6 households from Gudwabo Mahlangu and 1 household from Jacob Masilela.

Tholo Family Claim

Mr. Setlhako Michael Tholo lodged a restitution land claim against Portion 13 of farm Nooitgedacht 525 JR measuring 86.7952 hectares for and on behalf of the dispossessed Tholo family. The subject property of Nooitgedacht 525 JR farm measures 86.7952 hectares. The Tholo family rights on the subject property were the use of land for residential, grazing, burial purposes, subsistence cultivation, use of water and grass for grazing livestock.

The Tholo family is claiming for unregistered rights as there were beneficial occupants in the aforementioned property. The family occupied the property for more than ten years as they were removed in 1986.

The Tholo family beneficiaries unanimously opted for financial compensation. Consequently, the DRDLR will incur a total amount of **R1, 296,362.00** towards compensating the Nooitgedacht beneficiaries in terms of financial compensation award benefiting 9 household with 10 beneficiaries and 6 headed female household as direct descendants.

Performance against performance indicators was as follows:

Performance indicator	Annual Target	Achievement
Number of land of claims settled	15	9
Number of land claims finalised	20	100
Number of phased projects approved	0	1
Number of claims lodged by 1998 to be researched	60	27

Table 9: Performance against targets in Gauteng in 2014/15

Statistical information on claims that were approved for settlement is as follows

Claim (Project)	No of Claims Settled	Claim Type		Hectares awarded	Hectares that would have been restored in financial compensation	Total Award Cost	Type of Award
		Rural	Urban				
Tholo Family	1	1	-	-	86.7952	1,296,362.00	Financial Compensation
Mahlangu Clan (Boschkop 543 JR)	1	1	-	-	653.4326	2,333,982.35	Financial Compensation
Amandebele Akwa Manala Community (Phase 1)	-	-	-	-	378.1144	26,392,524.00	Financial Compensation

Claim (Project)	No of Claims Settled	Claim Type		Hectares awarded	Hectares that would have been restored in financial compensation	Total Award Cost	Type of Award
		Rural	Urban				
Vlakfontein 457 JR Remaining Extent [Foro Mahlangu, Joseph Masilela & Gudlwabo Mahlangu Families]	3	3	-	-	817.3625	3,253,433.67	Financial Compensation
Zusterstroom 447 JR Portion 18	1	1	-	-	351.1867	3,489,000.00	Financial Compensation
Rietvlei 51 JR Portion 4 (R/E)-Masango Family	1	1	-	-	304.5891	1,133,309.00	Financial Compensation
Erf 554 Mamelodi	1	-	1	-	0.0358	259,959.76	Financial Compensation
Portion 65 of the farm Witpoort 406 JR (Boshoma)	1	1	-	-	0.8957	189,641.96	Financial Compensation
TOTAL	9	8	1	-	2592.412	38,348,212.74	

Table 10: List of claims settled in Gauteng in 2014/15

The following claims were finalised during the period under review.

Claim	Approval Date	No of claims Finalised	No of HHs finalised	No of Ben finalised	Type of Claim	Expenditure on finalised claims
Finetown Pretoria (N0200, XX039, XX040, XX032, XX035, XX031)	2007-08-27	6	6	19	Urban	360,000.00
Asiatic Bazaar (II108; II 109; II 241; II 067)	2004-04-20	4	4	4	Urban	140,800.00
Top Location (Mpopote family)	2004-05-09	1	1	1	Urban	6,000.00
Waterkloof XX060	2006-11-29	1	1	1	Urban	1,250.00
Boekenhoutkloof P0006	2007-03-16	1	1	1	Urban	8,796.32
Benoni I0444	2003-10-01	1	1	1	Urban	50,000.00
Evaton K0304	2004-07-01	1	1	2	Urban	138,960.00
Top Location AL416	2004-05-09	1	1	11	Urban	60,000.00
Top Location AL441	2004-05-09	1	1	4	Urban	6,000.00
Top Location AL0205	2004-05-09	1	1	1	Urban	3,000.00
Top Location AL113	2004-05-09	1	1	1	Urban	8,490.42
Top Location AL420	2004-05-09	1	1	1	Urban	60,000.00
Top Location AL357	2004-05-09	1	1	1	Urban	3,333.33

Claim	Approval Date	No of claims Finalised	No of HHs finalised	No of Ben finalised	Type of Claim	Expenditure on finalised claims
Evaton K0002	2004-07-01	1	1	2	Urban	17,806.24
Asiatic Bazaar II262	2004-04-20	1	1	1	Urban	35,200.00
Alberton Y0145	2003-09-29	1	1	1	Urban	16,666.67
Vaal Mixed AN004	2006-05-12	1	1	1	Urban	75,640.00
Top Location AL006	2004-05-09	1	1	1	Urban	2,500.00
Top Location AL198	2004-05-09	1	1	1	Urban	2,142.85
Brakpan Q0836	2014-08-08	1	1	1	Urban	16,666.66
Wallmansthal F0567	2002-01-31	1	1	1	Rural	2,500.00
Evaton K0051	2004-07-01	1	1	1	Urban	30,000.00
Eersterust HH064	2004-06-03	1	1	1	Urban	13,060.00
Top Location AL 198	2004-05-09	1	1	3	Urban	3,214.27
Top Location AL 165	2004-05-09	1	1	1	Urban	60,000.00
Top Location AL 262	2004-05-09	1	1	1	Urban	5,500.00
Evaton K0046	2004-07-01	1	1	7	Urban	250,720.00
Evaton K0218	2004-07-01	1	1	7	Urban	142,450.00
Evaton K0322	2004-07-01	1	1	4	Urban	142,450.00
Evaton K0126	2004-07-01	1	1	1	Urban	35,612.50
Evaton K0203	2004-07-01	1	1	1	Urban	36,580.00
Boksburg OP009	2004-05-12	1	1	4	Urban	94,000.00
Brakpan Q0426	2003-09-29	1	1	3	Urban	50,000.00
Benoni I0487	2003-10-01	1	1	1	Urban	50,000.00
Alberton Y0053	2003-09-29	1	1	1	Urban	50,000.00
Alberton Y0054	2003-09-29	1	1	1	Urban	2,777.78
Marabastad (Asiatic Bazaar) II318	2004-04-20	1	1	1	Urban	17,600.00
Brakpan Q00373	2003-09-29	1	1	1	Urban	25,000.00
Benoni I 0486	2003-10-01	1	1	1	Urban	5,000.00
Benoni I 0009	2003-10-01	1	1	1	Urban	5,555.55
Benoni I 0549	2003-10-01	1	1	1	Urban	7,142.85
Evaton K0148	2004-07-01	1	1	4	Urban	142,450.00
Residentia AM090	2004-04-28	1	1	1	Urban	142,440.00
Top Location AL116	2004-05-09	1	1	1	Urban	6,000.00
Evaton K0325	2004-07-01	1	1	2	Urban	143,640.00

Claim	Approval Date	No of claims Finalised	No of HHs finalised	No of Ben finalised	Type of Claim	Expenditure on finalised claims
Evaton K0287	2004-07-01	1	1	2	Urban	105,030.00
Residentia AM093	2004-04-28	1	1	1	Urban	143,340.00
Eastern Native Township W0299	2003-07-31	1	1	1	Urban	2,380.96
Benoni I0198	2003-10-01	1	1	1	Urban	50,000.00
Alexandra A1510	2000-10-09	1	1	1	Urban	50,000.00
Alexandra A1509	2000-10-09	1	1	1	Urban	50,000.00
Alexandra A1236	2000-10-09	1	1	1	Urban	50,000.00
Alexandra A0783	2000-10-09	1	1	1	Urban	50,000.00
Evaton	2004-07-01	1	1	1	Urban	10,192.85
Evaton	2004-07-01	1	1	1	Urban	10,175.01
Eastern Native W 0186	2003-07-31	1	1	2	Urban	25,000.00
Asiatic Bazaar II353	2004-04-20	1	1	1	Urban	35,200.00
Benoni I 0026	2003-10-01	1	1	3	Urban	50,000.00
Brakpan Q 0329	2003-09-29	1	1	5	Urban	50,000.00
Brakpan Q 123	2003-09-29	1	1	1	Urban	50,000.00
Brakpan Q 0493	2003-09-29	1	1	4	Urban	50,000.00
Evaton K 0189	2004-07-01	1	1	4	Urban	49,241.13
Evaton K 0207	2004-07-01	1	1	1	Urban	10,175.00
Evaton K 0224	2004-07-01	1	1	2	Urban	29,677.10
Evaton K 0067	2004-07-01	1	1	1	Urban	9,496.67
Evaton K 0282 & K 0283	2004-07-01	2	1	1	Urban	40,700.00
Evaton K 0196	2004-07-01	1	1	1	Urban	8,571.43
Alexandra A 0740	2000-10-09	1	1	5	Urban	250,000.00
Top Location AL 132	2004-05-09	1	1	1	Urban	2,857.10
Top Location AL 200	2004-05-09	1	1	2	Urban	6,000.03
Top Location AL 266	2004-05-09	1	1	1	Urban	2,400.00
Top Location AL 261	2004-05-09	1	1	1	Urban	1,666.71
Top Location AL 247	2004-05-09	1	1	3	Urban	9,600.00
Top Location AL 361	2004-05-09	1	1	4	Urban	3,750.01
Eastern Native W 0321	2003-07-31	1	1	2	Urban	50,000.00
Eastern Native W 0281	2003-07-31	1	1	2	Urban	5,000.00
Walmansthal F 0618	2002-01-31	1	1	4	Rural	20,000.00

Claim	Approval Date	No of claims Finalised	No of HHs finalised	No of Ben finalised	Type of Claim	Expenditure on finalised claims
Walmansthal F 0149	2002-01-31	1	1	1	Rural	3,000.00
Walmansthal F 0151	2002-01-31	1	1	1	Rural	3,000.00
Walmansthal F 0143	2002-01-31	1	1	1	Rural	3,000.00
Vlakfontein 453 JR Portion 9 (R/E)-Masilela Family	2014-01-31	1	38	65	Rural	400,000.00
Zusterstroom 447 JR Portion 18	2014-09-28	1	38	111	Rural	3,489,000.00
Tholo Family	2014-09-07	1	9	10	Rural	1,296,362.00
Mahlangu Clan (Boschkop 543 JR)	2014-09-07	1	38	133	Rural	2,333,982.35
Vlakfontein 457 JR Remaining Extent [Foro Mahlangu, Joseph Masilela & Gudlwabo Mahlangu Families]	2014-09-28	3	65	174	Rural	3,253,433.67
Rietvlei 518 JR Portion 4- Masango Family Z 0005	2014-09-28	1	51	149	Rural	655.95
Mamelodi Erf 544 (Ester Perry) XX 108	2015-03-05	1	1	1	Urban	259,959.76
Residentia AM 114	2004-04-28	1	1	2	Urban	12,510.69
Residentia AM 155	2004-04-28	1	1	1	Urban	11,244.00
TOTAL		100	330	818		R 14,823,547.86

Table 11: List of finalised claims in Gauteng in 2014/15

KWAZULU-NATAL PROVINCE



COMMISSION ON RESTITUTION OF
LAND RIGHTS

SUMMARY OF PERFORMANCE: KWAZULU-NATAL PROVINCE

Overview

Introduction

The year under review was an historic year in the history of South Africa in many respects. Principal among these is the fact that 2014 was an election year, but also it marked the passing and promulgation of the *Restitution of Land Rights Amendment Act, 2014*. The passing of the abovementioned Act heralded the re-opening of the lodgment of land claims until 30 June 2019 allowing persons and communities who missed the initial deadline for the land claims to lodge their land claims.

Within the context of KwaZulu-Natal, we went into overdrive in terms of our communication with a view to sensitize potential claimants to take advantage of this new window of opportunity presented to them by government. On 3 July 2014, we had a wide-ranging media briefing session where we were announcing this important milestone in the history of our country. However, the media briefing was the beginning of many meetings and information sessions that we would have with potential claimants across the 11 District and Metropolitan municipalities of KwaZulu-Natal.

The office facilitated engagements between the CRLR and the South African Sugar Association resulting in the signing of a memorandum of agreement setting out how the two institutions would co-operate with each other in the settlement of land claims.

The performance of the RLCC: KZN in the 2014/ 2015 financial year is as follows:

Performance indicator	Annual Target	Achievement
Number of land of claims settled	25	59
Number of land claims finalised	13	13
Number of phased projects approved	9	22
Number of claims lodged by 1998 to be researched	300	320

Table 12: Performance against targets in KwaZulu-Natal in 2014/15

The performance of the Office of the Regional Land Claims Commissioner, KwaZulu-Natal exceeded all its core targets. The total value of the abovementioned settlements and approvals amount to R1, 052, 754, 127.25; of this amount, R839, 922, 865.03 was spent in settling claims through land restoration and R212, 831, 262.22 was spent in settling claims through financial compensation. Whilst we regard the settlement of any land claim as important, we would like to highlight the settlement of the following land claims.

The following are some of the highlights of claims that were settled during the period under review

Nkanini Community (Ilembe District Municipality)

This Nkanini community was dispossessed of their land rights in the 1971. During the options workshop this community opted for land restoration. The Minister awarded land totaling 2395.4969 hectares to this community, which is predominantly under sugar cane. The total value of the settlement amounts to R 67 978 022.00. The community has

set up an operating company, which is working the land with the assistance of a strategic partner. The total number of households that will benefit from this settlement is 184.

Nzimakwe Community (Ugu District Municipality)

The Nzimakwe community was dispossessed of their land rights in the 1971. During the options workshop this community opted for land restoration. The Minister awarded land totaling 332.4171 hectares to this community, which Macadamia and Banana plantation. The total value of the settlement amounts to R 69 873 420.00. The total number of households that will benefit from this settlement is 36.

Trado B Community (Zululand District Municipality)

The Trado B community was dispossessed of their land rights in the 1962. During the options workshop this community opted for financial compensation. It was not feasible for the Minister to restore 6993.2453 hectares to this community since there is currently a township developed in the claimed land. The total value of the settlement amounts is R 70 003 553.30. The total number of households which will benefit from this settlement, is 153.

Roosboom Community (Uthukela District Municipality)

The Roosboom community was dispossessed of their land rights in the 1960 to 1975. During the options workshop this community opted for financial compensation. It was not feasible for the Minister to restore 889.9376 hectares to this community since there is currently a township developed in the claimed land. The total value of the settlement amounts is R 55 986 322.00. The total number of households which will benefit from this settlement, is 581.

Hluthankungu (Harry Gwala District Municipality)

The Hluthankungu community was dispossessed of their land rights in the 1964. During the options workshop this community opted for land restoration. The Minister awarded land totaling 1748.394 hectares to this community, which is under sugar cane, commercial timber and small scale sand mining. The total value of the settlement amounts to R 24 630 000.00. The already existing companies have standing memorandums with the DRDDL to provide mentorship and support to claimants. The total number of households which will benefit from this settlement, is 99.

Family Claims (EThekweni Metropolitan Municipality)

There were numerous family claims that were removed from suburbs such as Queensburgh, Clairwood, and Cato Manor as a result of the heinous *Group Areas Act* which were also approved. The settlement and celebration of the abovementioned claims sought to bring closure to the affected families and symbolically restore their dignity which was taken away from them as a result of land dispossessions.

Research of Outstanding Land Claims

The office of the Regional Land Claims Commissioner for KwaZulu-Natal researched a total number of 326 claims in the financial year under review. This is the highest number of land claims that the KwaZulu-Natal Office has researched in the past four financial years. It is also worth noting that the abovementioned land claims were researched internally without the use of consultants or external researchers. In the new financial year, we will calculate the financial implications of taking the abovementioned land claims to settlement stage.

The statistical information on the claims that were settled during the period under review is as follows:

Claim (Project)	No of Claims Settled	Claim Type		Hectares awarded	Hectares that would have been restored in financial compensation	Total Award Cost	Type of Award
		Rural	Urban				
PR Naidoo (LCC 112/2007) [Addendum to Durban and Pinetown Landowners]	-	-	-	-	25.4037	3,250,000.00	Financial Compensation
Dumisa Community Land Claim	1	1	-	5023.9738	-	57,081,266.00	Land Restoration
Naidoo Family Queensburgh Landowner Claim	1	-	1	-	7.3348	1,302,074.07	Financial Compensation
Nodunga Community Land Claim (Phase 3)	-	-	-	685.5305	-	7,466,250.00	Land Restoration
Mungar Family Queensburgh Landowner Claim	2	-	2	-	8.8073	2,007,176.47	Financial Compensation
Govender Family Queensburgh Landowner Claim	1	-	1	-	3.3175	765,925.93	Financial Compensation
Nkanini Community Land Claim (Phase 1)	-	-	-	545.8601	-	23,517,500.00	Land Restoration
Nodwatshana Community Land Claim (Phase 1)	-	-	-	498.7742	-	5,159,600.00	Land Restoration
Izigqoza Community Land Claim (LCC133/2009)	-	-	-	788.6222	-	10,000,000.00	Land Restoration
Nhanhleni Community [LCC 72/2009]	3	3	-	67.09683	-	11,410,198.00	Land Restoration
Masibumbane Community Land Claim	2	2	-	1092.0071	-	5,810,008.87	Land Restoration
Izigqoza Community Land Claim (Phase 3)	-	-	-	1259.3088	-	20,120,224.16	Land Restoration
Reddy Family Land Claim	1	-	1	-	0.2394	255,778.95	Financial Compensation
Haffejee Family Claim	1	-	1	-	0.4616	386,699.19	Financial Compensation
Jadwat Family Bellair Landowner Claim	1	-	1	-	31.8057	1,096,040.00	Financial Compensation

Claim (Project)	No of Claims Settled	Claim Type		Hectares awarded	Hectares that would have been restored in financial compensation	Total Award Cost	Type of Award
		Rural	Urban				
Pillay Family Claim	1	-	1	-	2.9656	1,272,164.67	Financial Compensation
Trado B Community Land Claim (Addendum)	1	1	-	-	5702.8763	70,003,553.30	Financial Compensation
Nodunga Community Land Claim (Phase 4)	-	-	-	810.7644	-	23,615,500.00	Land Restoration
Gounden Family Land Claim	1	-	1	-	0.3236	804,222.22	Financial Compensation
Ahmed Taher Rasool Family Land Claim	1	-	1	-	0.0638	219,725.00	Financial Compensation
Mfeka Family Land Claim	1	-	1	-	0.0929	96,362.00	Financial Compensation
Roosboom Community Claim (Phase 3)	-	-	-	-	889.9376	55,986,322.00	Financial Compensation
Indira Macken- Ministry	1	-	1	-	0.1976	292,966.67	Financial Compensation
Essop Dawood Gany's Queensburgh Landowner Claim	3	-	3	-	0.6616	304,117.65	Financial Compensation
Manjee Family Claim	1	-	1	-	0.1738	555,296.30	Financial Compensation
Phuthini Family Land Claim	1	-	1	-	-	96,362.00	Financial Compensation
Izigqoza Community Land Claim (Phase 4)	-	-	-	1417.4986	-	8,908,469.00	Land Restoration
Mthembu- Sithole Community Land (Phase 3)	-	-	-	790.2897	-	36,249,400.00	Land Restoration
Ntshangase Golela Community Land Claim (Phase 1)	-	-	-	546.6934	-	18,300,000.00	Land Restoration
Nkanini Community Land Claim (Phase 2)	-	-	-	2395.4969	-	67,978,022.00	Land Restoration
Nzimakwe Community (Phase 2)	-	-	-	291.6169	-	69,873,420.00	Land Restoration
Naicker Family	1	-	1	-	0.1524	658,000.00	Financial Compensation

Claim (Project)	No of Claims Settled	Claim Type		Hectares awarded	Hectares that would have been restored in financial compensation	Total Award Cost	Type of Award
		Rural	Urban				
Zagila Community Land Claim (Phase 2- Final Phase)	2	2	-	1240.202	-	25,550,000.00	Land Restoration
Glencoe Old Stand Community Claim (Phase 3)	-	-	-	-	775.516	50,300,964.00	Financial Compensation
St Francis Xavier Community Claim	6	-	6	-	-	14,647,024.00	Financial Compensation
Singh Family	1	-	1	-	0.0338	630,487.80	Financial Compensation
Hlutankungu Community Claim: Addendum	23	23	-	-	-	-	Not applicable-addendum
	59	34	25	29512.4126	7450.3650	1,052,754,127.25	

Table 13: List of settled claims in KwaZulu-Natal in 2014/15

**Where the number of claims settled is “-”, the claim is a part settlement and will be counted once fully settled.*

The following claims were finalised during the period under review.

Claim	Approval Date	No of claims Finalised	No of HHs finalised	No of Ben finalised	Type of Claim	Expenditure on finalised claims
Msiya Family	2014-03-24	1	1	1	Urban	R 84,000.00
Hawa Turkey	2014-03-26	1	1	4	Urban	R 84,000.00
Motane Community: Pravina Govender Att (10%) and Ptn 4 Rensburg Driff No. 797	2013-03-12	1	89	650	Rural	R 17,286.22
C Harry	2007-01-31	1	1	1	Urban	R 43,470.75
D Ramiah	2006-10-19	1	1	1	Urban	R 50,000.00
Buffelsbosch, Queensburgh & Bellair (ABSA List 40- various claimants)	2007-01-31	1	34	34	Urban	R 1,038,402.90
S Naidoo (Buffelsbosch)	2007-01-31	1	1	3	Urban	R 14,490.25
R Lall (Buffelsbosch)	2007-01-31	1	1	6	Urban	R 28,980.50
Ganas Govender (Chatsworth and Newlands)	2006-01-17	1	1	1	Urban	R 901,795.35
U Moonlall (Cator Manor)		1	1	3	Urban	R 12,236.00

Claim	Approval Date	No of claims Finalised	No of HHs finalised	No of Ben finalised	Type of Claim	Expenditure on finalised claims
PR Naidoo	2007-01-31	1	1	5	Urban	R 3,250,000.00
LM Naidoo	2007-01-31	1	1	7	Urban	R 20,076.08
Karrim Family Claim	2013-11-26	1	3	9	Rural	R 14,000.00
TOTAL		13	136	725		R 5,558,738.05

Table 14: List of finalised claims in KwaZulu-Natal in 2014/15

LIMPOPO PROVINCE



SUMMARY OF PERFORMANCE: LIMPOPO PROVINCE

Overview

The motto in the Office of the Regional Land Claims Commissioner in Limpopo Province is Excellence and Efficiency. Guided by the EE principle, the staff continuously stretches itself to the limit and strive to excel to the best of their ability with minimal resources as possible.

Finance

The office had an original household budget allocation of R412 000 000.00, of which R20 000 000.00 was re-allocated to other needs in the CRLR in September 2014. The office had exceeded its budget by the 1 January 2015. The office was further allocated an amount of R105 000 000.00 as at 1 March 2015. Our spending as at 31 March 2015 was R419 937 247.36.

The office places great emphasis on implementing sound management systems to monitor performance. The office holds two Financial Management Meetings a month to monitor spending and identify areas that need intervention.

Operations

Operationally for the year under review, the office performed well. The office surpassed all its targets. Luck cannot be credited for the achievements of the office. The achievements were an obvious outcome of well-rehearsed strategies agreed by the office to contribute to the overall performance of the CRLR. The biggest claim finalised in the year under review is the Montina claim which cost as well above R200 000 000.00. Montina is a going concern and the second largest tomatoes producer in the country. Presently our Recapitalization and Development unit is negotiating the sale of movables and to structure a deal to continue with the operation. The claim has been settled on behalf of 7 communities in the Vhembe and Mopani Districts.

Summary of Settled Claims per District

Vhembe District

Tshikota Individual Claims

4 individual claimants, Matodzi Sarah Ramabulana, Mmboyi Mmbengwa Elisa, Mavhungu Marandela and Thivhlonali Mphaphu lodged different land claims on the farms Tshikota 272 LS. These claimants were forcefully removed from the land they once lived on as a result of the implementation of the *Promotion of Self Government Act of 1959*. This Act was foundation upon which the Bantu Homelands were based. The Tshikota people were removed they were located next to an area that was designated for white people, and this went against the grain of grand of apartheid. Xitsonga speaking people were relocated to an areawhich was set aside for them based on their ethnic affiliation as defined the erstwhile apartheid government. The Tshivenda speaking people were removed to a place set aside for them because the apartheid Policy dictated they could also not live side by side with Xitsonga people.

Acting on delegated authority, the Chief Land Claims Commissioner approved the financial compensation to the amount of R476, 918.63.

Mhinga Xikundu

In 1969, the Mhinga-Xikundu Community was ordered to leave its land by the Department of Agriculture, to newly demarcated residential sites at present-day Botsoleni, Magomani and across the Luvuvhu River. It was removed because it was located in an area designated for Tshivenda people. This was in fulfilment of the Bantu Homeland Consolidation Scheme which was based on ethnic separation of people. The Tsonga-speaking group was ordered to settle at Botsoleni and Magomani villages, which were situated in the then Gazankulu homeland area, while the Venda-speaking group was carried by G.G trucks across the Luvuvhu River to Lukalo and other villages that fell under the former Republic of Venda.

The *Native Administration Act 34 of 1927* and the *Bantu Authorities Act 68 of 1951* laid the foundation for the establishment of homelands and self-governing states in South Africa. These two pieces of legislation and other legislations pertinent to the establishment of homelands resulted in the establishment of the Venda Republic and Gazankulu Homeland.

The claimants of Mhinga-Xikundu Community consist of 132 (one hundred and thirty two households) and 385 (three hundred and eighty five) beneficiaries. The members of the Xikundu Community were awarded financial compensation to the amount of R13,970,484.00.

Sekhukhune District

Bakone Ba Maimela Community

The Bakone Ba Maimela suffered dispossession of land rights that was occasioned by the provisions of both Native Land Act of 1913 and Bantu Administrative Act of 1927 respectively. The land that has been restored is in Greater Tubatse Local Municipality, Sekhukhune District.

The property in question is the farm Belvedere 362 KT. Portions of the farm that have been bought for community are as follows; R\E of Portion 1; R\E of Portion 2; R\E of Portion 3; Portion 13 (a Portion of Portion 1); Portion 14 (a Portion of Portion 3); Portion 15 (a Portion of Portion 3); Portion 16 (a Portion of Portion 3); R\E of Portion 17 (a Portion of Portion 3); Portion 18 (a Portion of Portion 3); Portion 19 (a Portion of Portion 17); Portion 20 (a Portion of Portion 17); Portion 24 (a Portion of Portion 2); Portion 26 (a Portion of Portion 4); Portion 27 (a Portion of Portion 4) and Portion 34 of the farm Belvedere 362 KT.

The monetary value of these properties is R4, 800,000.00, (four million eight hundred thousand rand only).

Bakwena Ba Mohlabetsi Community

The dispossession of rights in land of the Bakwena Ba Mohlabetsi Community for the said community started in the late 1950's, this was after the whites arrived on the farm in the 1920's. This dispossession was effected in pursuit of the provisions of the infamous of the *Native Land Act of 1913*. This community did not escape the claws of the notorious *Native Act of 1913*.

The dispossession of the community was set in motion from the late 1950'. This was after the whites arrived on the farm in the 1920's. The members of the community were, for all intents and purposes, reduced to labour tenants.

After the subdivision of the farm the government constructed Loskop dam on certain portions of the farm which relegated members claimants being relegated to labour tenants

The CRLR has successfully negotiated the purchase of the land to the value of R33 631, 036, 000.00.

Kruger Family Land Claim

The dispossession of rights in land for the said family started in the late 1950's. The land in question was designated occupation by blacks people in terms of the Native Trust and Development Act of 1936, (act No 18 of 1936). White people did not escape the effects of the apartheid if they lived on a piece of land which was designated for them, and the Kruger family was no exception in this regard. Consequently, the Kruger family was forced to sell its property to the state.

The claimants were removed by the State for the purpose of establishment of Motetema Township.

Waterberg District

Selobatsana Community

The dispossession of the community rights in land occurred between 1952 and 1969. The white landowner required members of this community to reduce their livestock over a period of time.

Failure to adhere to his instructions resulted in their livestock being impounded.

The community could not bear this harsh treatment as it affected adversely its means of livelihood. Their rights in land had been severely weakened. The community had to vacate the land in 1969.

The CRLR has spent R 7, 378, 539.00 in purchasing the claimed properties for the Selobatsana Community.

Batlhalerwa Ba Shongoane Community

Members of the Shongoane had long lived on the claimed land prior to dispossession. Their rights were overtime whittled down from customary ownership of the land right to labour tenancy. They were also required to pay taxes.

This community was never spared the devastating effects of the of the infamous *Native Land Act of 1913*. They leased most of the farms as the land was located in an area designated for white occupation. The community was finally forcefully removed from the land in 1972.

The land that has been acquired for the community is to the value of R2, 784, 598.00.

Mopani District

Khumalo Family

The claimants were dispossessed of their rights because of the racially discriminatory laws or practice as endorsed by the government. The Khumalo family was forced off the land as a result of the implementation of the 1936 *Native Trust and Land Act of 1936* in tandem with the provisions of the 1932 *Native Service Contracts Act of 1932*.

The Khumalo Family has been awarded financial compensation to the amount of R3 412,371.28 each household will receive the amount of R 162, 493.87.

Risiva Family

The Risiva family had lived on the land in question for many years prior to dispossession in 1970. The claimants were dispossessed of their rights in terms of the provisions of the *Native Trust Land Act of 1936*. The Apartheid Government imposed a system of controlling livestock which introduced the division of grazing of arable land and enforced residential planning (called Betterment Scheme).

The Risiva Family was awarded financial compensation in the amount of R1, 604, 835.

New Forest Community

The farm New Forest 234 KU was later acquired by the South African Development Trust around 1958. The members of the New Forest Community who had remained under Kres Rabbie on the farm were forcefully removed by the government between 1960 and 1965 due to betterment planning. They were to be removed to a planned settlement at New Forest B. The community fiercely resisted the removal, and police were called. The police and rangers forcefully removed members of the community their dwellings. After the forced removal the community members; they settled in different places such as New Forest B, Thulamahashe Township, Edinburg and other surrounding villages. The total extent of the land under claim by New Forest is 3182.6719 hectares

The claimants of New Forest Community consist of 188 (One hundred and Eighty Eight households) and 482 (Four Hundred and Eighty Two) beneficiaries. The community was awarded financial compensation to the amount of R21,847,534.52, each household will receive the amount of R116,210.29.

The office hosted three celebrations for the following claims: Mhinga-Xikundu (Vhembhe District), New Forest and Kumalo (Mopani District).

Performance against targets is as follows:

Performance indicator	Annual Target	Achievement
Number of land of claims settled	36	35
Number of land claims finalised	18	24
Number of phased projects approved	11	25
Number of claims lodged by 1998 to be researched	180	272

Table 15: Performance against targets in Limpopo in 2014/15

The statistical information with regards to claims that were settled during the period under review is as follows

Claim (Project)	No of Claims Settled	Claim Type		Hectares awarded	Hectares that would have been restored in financial compensation	Total Award Cost	Type of Award
		Rural	Urban				
Batthalerwa (Shongoane) Community Land Claim (Phase 6)	-	-	-	211.7	-	2,784,598.00	Land Restoration
Tale Gamorudu Tribe (Phase 3)	-	-	-	710.2712	-	4,876,315.00	Land Restoration
Batthalerwa (Shongoane) Community Land Claim (Phase 2- Addendum)	-	-	-	-	-	4,300,000.00	Not applicable-addendum
Mhinga-Xikundu Community Land Claim	1	1	-	-	14915.70	13,970,484.00	Financial Compensation
Tayob Family Land Claim	1	-	1	-	0.4461	409,664.00	Financial Compensation
Bakwena Ba Mohlabetsi Community Land Claim (Phase 4)	-	-	-	17.42	-	1,561,258.00	Land Restoration
Mulambwane Community Land Claim (Phase 3)	-	-	-	3560.90	-	18,500,000.00	Land Restoration
New Forest Community Land Claim	1	1	-	-	3182.67	21,847,534.52	Financial Compensation
Modiba Community Land Claim (Phase 1)	-	-	-	1874.629	-	43,321,603.20	Land Restoration
Ramahlo Family Land Claim (Phase 1)	-	-	-	269.5336	-	12,000,000.00	Land Restoration
Balobedu Ba Modjadji Community Land Claim (Phase 1)	-	-	-	902.0554	-	28,939,096.00	Land Restoration
Songozwi Community Claim (Phase 3)	-	-	-	196.8635	-	7,318,159.00	Land Restoration

Claim (Project)	No of Claims Settled	Claim Type		Hectares awarded	Hectares that would have been restored in financial compensation	Total Award Cost	Type of Award
		Rural	Urban				
Vuyani Duvula Community Land Claim (Phase 1)	-	-	-	984.6721	-	27,306,453.00	Land Restoration
Tshwale Community (Phase 3)	-	-	-	1699.7201	-	23,172,145.00	Land Restoration
Machabaphala Community (Phase 1)	-	-	-	438.8116	-	17,749,045.00	Land Restoration
Selobatsana Community Land Claim (Phase 1)	-	-	-	414.4967	-	7,378,539.00	Land Restoration
Kruger Family Land Claim	1	1	-	-	85.6532	556,104.25	Financial Compensation
Tshikota Individual Land Claim	4	-	4	-	0.1371	476,918.63	Financial Compensation
Kgashane Mamatlepa, Mamatlepa Clan and Mamatlepa Family Land Claim (Phase 1)	-	-	-	992.4807	-	78,865,009.00	Land Restoration
Khumalo Family Claim (Mohlabas Location 567 LT)	2	2	-	-	97.2207	3,412,371.28	Financial Compensation
Seabi Community Claim (Phase 2- Final Phase)	1	1	-	1037.7422	-	9,462,500.00	Land Restoration
Risiva Family Land Claim	1	1	-	-	25	1,411,468.53	Financial Compensation
Maswanganye Family Claim	1	1	-	-	5.5065	146,362.00	Financial Compensation
Sekororo Community (Phase 2)	-	-	-	65	-	1,500,000.00	Land Restoration
Mathebula Family Land Claim	2	2	-	-	7.162	313,020.92	Financial Compensation
New Pietersburg Individual Claimants	10	-	10	-	2.5171	1,718,921.78	Financial Compensation
Ramputas Individual Land Claimants	8	8	-	-	28	896,840.00	Financial Compensation
Musingadi and Funyu Funyu Communities (Phase 1)	-	-	-	1631.0262	-	10,800,000.00	Land Restoration
Mrs JC Van Der Merwe Land Claim	1	1	-	-	142.9868	61,510.77	Financial Compensation
Ba Phalaborwa Ba Maseke Community (Phase 3)	-	-	-	2316.867	-	38,250,976.00	Land Restoration
Bakone Ba Maimela Clan Claim (Phase 1)	-	-	-	1201.0065	-	4,800,000.00	Land Restoration

Claim (Project)	No of Claims Settled	Claim Type		Hectares awarded	Hectares that would have been restored in financial compensation	Total Award Cost	Type of Award
		Rural	Urban				
Sebilong Community (Phase 3)	-	-	-	747.6857	-	19,375,270.25	Land Restoration
Muhohodi: Sinthumule & Makwatamba Communities (Phase 1: Addendum)	-	-	-	-	-	7,797.00	Not applicable-addendum
Risiva Family Land Claim (Addendum)	-	-	-	-	-	192,724.00	Financial Compensation
Sekgopo Community (Phase 2)	-	-	-	428.5645	-	5,802,742.40	Land Restoration
Tsoai Family Claim	1	-	1	0	0.1158	123,362.00	Financial Compensation
TOTAL	35	19	16	19701.4451	18493.1174	413,608,792.53	

Table 16: List of settled claims in Limpopo in 2014/15

**Where the number of claims settled is “-”, the claim is a part settlement and will be counted once fully settled.*

The following claims were finalised during the period under review

Claim	Approval Date	No of claims Finalised	No of HHs finalised	No of Ben finalised	Type of Claim	Expenditure on finalised claims
Chibase Individual Claims	2009-03-31	8	8	-	Rural	437,200.00
Mphaphuli Individuals	2009-03-31	6	6	-	Rural	327,900.00
Dutja Family	2013-03-13	1	1	10	Rural	571,460.98
Mhinga-Xikundu Community Land Claim	2014-06-03	1	132	385	Rural	1,375,881.00
Tshikota Individual Land Claim	2014-09-28	4	4	24	Urban	476,918.63
Khumalo Family Land Claim	2014-11-23	2	21	109	Rural	3,412,371.28
New Forest Community Land Claim	2014-06-27	1	188	482	Rural	232,420.58
Kruger Family	2014-09-17	1	1	5	Rural	556,104.25
TOTAL		24	347	1015		R 7,390,256.72

Table 17: List of finalised claims in Limpopo in 2014/15

MPUMALANGA PROVINCE



SUMMARY OF PERFORMANCE: MPUMALANGA PROVINCE

Overview

During the 2014-2015 financial year, the office Regional Land Claims Commissioner in Mpumalanga settled 35 claims totaling a staggering amount of R243, 538, 628.49. These settled claims benefitted 9910 beneficiaries from 1557 households, 11 of which are female headed households. A total amount of R 31 759 016.39 was paid to beneficiaries as financial compensation. The office also finalized 28 claims, dealt with 26 projects and researched 338 claims.

A total number of 35 new claims were settled. Out of these settled claims, 9050 hectares of land was transferred to 906 households comprising of 5162 beneficiaries. The land cost for settlement of these claims amounted to R22 806 844.80 while financial compensation amounted to R 8 429 016.39.

During the period under review the office spent R228, 218, 150.50 in acquiring land, R1, 461, 442.46 on conveyancing of or transfer fees, R6, 572, 000.00 on development grants and paid R36, 173, 912 in financial compensation. A total amount of R282, 663, 730.22 was spent in service delivery.

Most claims lodged in the Province are situated in rural areas and therefore vast in nature while comprising different landowners. Furthermore, negotiations for purchasing of land for restoration purposes occur at different levels. As a result of this, this settlement of these claims happens in phases. During the period under review, 26 phased projects were approved and the total award is R212 302 757.30 comprising of R188 972 757.30 for land cost and financial compensation amounting to R23 330 000.00. The CRLR has therefore spent R194 700 470.06 and a balance of R17 602 287.24 is outstanding.

Re-opening of Lodgment of Claim

There are two lodgment centers in the Province situated in Mbombela in the Ehlanzeni District Municipality and Emalahleni, in the Nkangala District Municipality. Processes are currently in place for the opening of the third lodgment center which will be based in the Gert Sibande District Municipality. As at the 31 March 2015, Emalahleni office has successfully registered 2177 new claims while Mbombela has registered 1753 new claims. The total number of all registered claims is 3930 since the reopening process which commenced on the 01 July 2014.

Service Delivery

The Annual Performance Plan target for the settlement of claims was 16 and the achievement is 35; in terms of phased claims, the office achieved 26 against an APP of 10; and finalized a total 28 claims against an APP target of 8.

Research

During the fiscal year, the CRLR researched 339 claims against an APP performance target of 350 and as a result, achieved a performance percentage of 97%.

Performance against target is as follows

Performance indicator	Annual Target	Achievement
Number of land of claims settled	16	35
Number of land claims finalised	8	28
Number of phased projects approved	10	26
Number of claims lodged by 1998 to be researched	350	338

Table 18: Performance against Targets in Mpumalanga in 2014/15

The total number of outstanding claims is 2640 which are in different restitution process stages and/or phases and all of these claims have passed phase one (lodgment and registration). 1976 of the outstanding claims are at a screening and categorization, 150 claims are at a determination of qualification in terms section 2 of the *Restitution Act*; and 514 claims are at a negotiation stage.

The statistical information on the claims which were settled during the period under review is as follows:

Claim (Project)	No of Claims Settled	Claim Type		Hectares awarded	Hectares that would have been restored in financial compensation	Total Award Cost	Type of Award
		Rural	Urban				
Greater Tenbosch: Mawewe Community Land Claim	2	2	-	-	-	-	Not applicable-amendment
Ba Matlala Lehwelere Community (Phase 2)-Amendment	-	-	-	-	-	1,563,200.00	Not applicable-additional funds
Cindi and Sibeko Families Claim (S42E)	-	-	-	-	-	8,000.00	Not applicable-addendum
Daantjie Community Land Claim (Phase 3)	-	-	-	374.1989	-	42,000,000.00	Land Restoration
Avontuur Families Land Claim (Phase 1)	-	-	-	1488.7212	-	19,228,050.00	Land Restoration
Mtsweni Family Claim (Phase 1)	-	-	-	349.1381	-	8,000,000.00	Land Restoration
Marhole Community Land Claim (Phase 3)	-	-	-	975.3044	-	7,607,374.30	Land Restoration
Moropane Family Claim	1	-	1	33.1387	-	5,000,000.00	Land Restoration
Lekhuleni Clan (Phase 4)	-	-	-	29.9786	-	4,000,000.00	Land Restoration
Mahlangu, Masango and Mtsweni Family Land Claim	6	6	-	368.0323	-	-	Land Restoration
Skosana Family	1	1	-	590.8566	-	-	Land Restoration
Masilela Family and Others (Phase 2- Final Phase)	-	-	-	836.0936	-	-	Land Restoration

Claim (Project)	No of Claims Settled	Claim Type		Hectares awarded	Hectares that would have been restored in financial compensation	Total Award Cost	Type of Award
		Rural	Urban				
Mabelane Community (Phase 3)	-	-	-	1677.8056	-	20,610,040.00	Land Restoration
Stageng Community Land Claim (Phase 3)	-	-	-	256.9596	-	2,029,980.00	Land Restoration
Maseko Family Claim (Uitkomst)	1	1	-	202.8893	-	1,600,000.00	Land Restoration
Nhlabathi Family Land Claim	1	1	-	385.8962	-	3,232,500.00	Land Restoration
Pakaneng Community (Phase 2- Addendum)	-	-	-	105.4099	-	18,902.00	Land Restoration
Mahlangu family claim (Spitskop 383 JS)	1	1	-	-	319.5618	1,690,800.00	Financial Compensation
Brakfontein 375 JS (Mahlangu Family)	1	1	-	-	128.4798	844,754.64	Financial Compensation
Ekangala 610 JR (Mabona, Mahlangu, Mnguni, Thubane and Nkabinde Families)	7	7	-	-	2894.2574	3,617,821.75	Financial Compensation
Twala Family Land Claim	2	2	-	-	304.4073	2,275,640.00	Financial Compensation
Mokolobe CPA (Modderspruit Community Land Claim)- Phase 3	-	-	-	11.1349	-	1,420,000.00	Land Restoration
Mokolobe CPA (Modderspruit Community Land Claim)- Phase 2	-	-	-	652.6391	-	4,200,000.00	Land Restoration
Kwa-Marenze Community Land Claim	2	2	-	2573.5839	-	-	Land Restoration
Leeuwkop 228 JR	5	5	-	2791.2289	-	-	Land Restoration
Indubazana Community (Phase 1)	-	-	-	1021.703	-	10,749,250.00	Land Restoration
Diepdrift Community Claim (Phase 2)	-	-	-	1555.4203	-	-	Land Restoration
Magedvula Tribal Authority (Phase 3)	-	-	-	134.4755	-	2,500,000.00	Land Restoration
Makoana Family and other families (Phase 1)	-	-	-	1509.0007	-	9,808,502.00	Land Restoration
Nkosi and Ndlangamandla Land Claim (Phase 2)	-	-	-	-	3680.1201	23,330,000.00	Financial Compensation
Stageng Community Land Claim (Phase 4)	-	-	-	1569.8861	-	11,700,000.00	Land Restoration

Claim (Project)	No of Claims Settled	Claim Type		Hectares awarded	Hectares that would have been restored in financial compensation	Total Award Cost	Type of Award
		Rural	Urban				
Greater Tenbosch Land Claim: Siboshwa & Mkhathshwa of Mbambiso (Phase 10)	-	-	-	477.8194	-	20,500,000.00	Land Restoration
Morwalemong CPA (Phase 5- Final Phase)	-	-	-	439.1089	-	3,650,500.00	Land Restoration
Geluk Community Claim (Phase 2)	-	-	-	394.9615	-	2,764,730.00	Land Restoration
Borhole Community (Phase 2)	-	-	-	730.6689	-	11,000,000.00	Land Restoration
Bakwena Ba Fenyane Community (Phase 1)	-	-	-	223.9332	-	2,323,292.00	Land Restoration
Motau and Mahlangu Families (Phase 1)	-	-	-	871.6711	-	-	Land Restoration
Mahlangu and Mthimunye Families	2	2	-	911.119	-	-	Land Restoration
Magedvula Tribal Authority (Phase 4)	-	-	-	57.1021	-	1,329,000.00	Land Restoration
Mashiyane Family	1	1	-	187.3992	-	2,824,344.80	Land Restoration
Sibanyoni Family Claim (Driefontein)	1	1	-	500.5825	-	6,000,000.00	Land Restoration
Pakaneng Community Land Claim (Phase 3)	-	-	-	467.9863	-	1,961,937.00	Land Restoration
Jele and Thomo Family Claim	1	1	-	504.8942	-	4,150,000.00	Land Restoration
TOTAL	35	34	1	25260.7417	7326.8264	243,538,618.49	

Table 19: List of settled claims in Mpumalanga in 2014/15

**Where the number of claims settled is “-”, the claim is a part settlement and will be counted once fully settled.*

The following claims were finalized during the period under review:

Claim	Approval Date	No of claims Finalised	No of HHs finalised	No of Ben finalised	Type of Claim	Expenditure on finalised claims
Mbambiso Group Claim	2007-08-13	20	50	300	Rural	57,966.10
Mahlangu family (Voetpadkloof)	2013-09-19	1	17	17	Rural	2,220,000.00
Mahlangu and Tlou	2013-10-14	3	5	30	Rural	1,459,033.60
Nhlapo Family Land Claim	2013-03-12	1	14	68	Rural	407,000.00
Moropane Family	2014-06-28	1	19	66	Rural	500,000.00
Twala Family	2014-11-03	2	2	19	Rural	2,275,640.00
TOTAL		28	107	500		R 6,919,639.70

Table 20: List of finalised claims in Mpumalanga in 2014/15

NORTH WEST PROVINCE



SUMMARY OF PERFORMANCE: NORTH WEST PROVINCE

Overview

The financial year under review was another demanding yet successful year for the office of the Regional Land Claims Commissioner in the North West Province. The office has successfully managed to research and Gazette 47 claims; finalized 7 claims; dismissed 31 claims which were non-compliant; settled 7 new claims; and processed 18 phased projects. The office acquired more than 27352.1300 hectares of Land benefitting 12483 beneficiaries from 3279 households with 2209 as female headed. The office secured an amount R357, 486,930.88 in terms of section 42D administrative approvals and managed to spend an amount of R283, 811,321.00

Significant progress was recorded in the settlement of financial compensation claims in that more than R73, 863,920.33 was approved as financial compensation settlement awards.

The Baphiring and Welgevonden/Goedgevonden community claims, which are amongst the most complex claims in the Province were settled. The highlight of both claims was the handing over by the Minister of Rural Development and Land Reform of financial compensation restitution awards to the Welgevonden/Goedgevonden beneficiaries and the out-of-court settlement which was reached in the Baphiring land claim.

Baphiring Community Claim

The Legal Resource Centre lodged a claim on behalf of the Baphiring Community. The Community was removed from the farms Rietfontein 453 JP and Syferfontein 451 JP, known to the land claimants as "Mabalane Reserve" in 1971. The removals were conducted by the then government and the community was given compensatory land in 1971, where they are currently staying, known as New Mabalstadt. This is a land mark case as an out of court settlement was reached with the current land owners in that the office settled more than 7703.9442 hectors of land to the value of R79,786, 914.85.

What is even significant to note is that as the part of addressing the security of land tenure of farm workers additional properties with an extent of 1164.1771 to the value of R11, 635,635.00 were acquired. The CRLR and DRDDL are presently developing plans for the resettlement of the community to the land restored to them.

Welgevonden and Goedgevonden Community Claim

Five (5) claims were lodged by five different claimants in respect of the farm Goedgevonden/Welgevonden 167 IP. All the claims were found to be valid. The CRLR finally managed to restore back the dignity of the Goedgevonden community by approving financial compensation award to the tune of R18,475,662.00. More than 150 households benefitted from this settlement with each household receiving an amount of R143, 000. The last Phase will cover the remaining 268 households which will result in the office settling the claim for a total amount of R51, 485,513.67.

Part of the settlement of the claim will include the upgrade of their Land Tenure Rights to full ownership on those properties that they are currently residing on.

The hand over celebration was held on the 7th of April 2015 and was graced by the presence of the MEC for Rural, Environment and Agricultural Development, Ms Manketse Tlhape; the Major of the Ventersdorp Local Municipality, Cllr Cilia Phoyane; and the Honorable Minister of Rural Development and Land Reform, Mr Gugile Nkwinti.

Barokologadi Ba Ga Mootwe Community

Barokologadi Ba Ga Maotwe Community is one the community whose land was restored in 2006/2007. The claim is one of the bigger success stories especially in so far as Governance issues are concerned when compared to a significant number of Communal Property Associations which have problems on issues of Governance.

Due to their good Governance Structure the CPA has won the Vumelana Trust Fund Award for being the best run CPA in the Province and third in the country. There is a commitment from other DRDDLRLs to provide funding for infrastructure development including the construction of the lodge. There are 9 fully active cooperatives which raised R500, 000 on their own to start a sheep and goat farming business. The CPA has established an Operating Company (Basebo Farming Projects Pty Ltd) and the Cooperatives own 25% share in the Operating Company. The CPA has 14 permanent staff members and the only CPA which complies in terms of section 9 of the Communal Property Associations Act i.e. holds AGM, produces annual audited financial statements, and annually updates the membership list, etc. The community has bought 500 cattle, 50 sheep and 90 goats.

There is a harmonious and strengthened relationships between the CPA and the Traditional Council; which is fundamental to the success of the claim. The CPA always consults and has a shared vision with the Traditional Council on key important aspects. The Chief has been made an Ex-Officio member in the CPA and he participates in all decision making processes and there are reporting lines between him and the CPA executive. They are currently at an advanced stage to sign a R100 million deal with private investors for the development of infrastructure and the business (Lodge and Tourism). They negotiated the deal on their own and they have Developmental Rights to build a 40 Bed Lodge within the Madikwe Game Reserve.

With the necessary financial and administrative support from other stakeholders such as the North West Parks and Tourism Board and Department of Environmental Affairs, Barokologadi CPA is setting a precedent to other Legal Entities on Governance matters.

Re-Opening of New Land Claims

One of the major highlights for the office of the Regional Land Claims Commissioner, North West has been its performance in the lodgment of new land claims.

Two lodgment offices in the Ngaka Modiri Molema District as well as Dr Ruth Segomotsi Mompati were opened. As at the 31st of March 2015 the office has received 1258 new claims with 810 being urban and 448 being rural in nature. As part of outreach programme, the office has secured a mobile communication vehicle which is used communicate information on re-opening and lodgement to the communities in far flung areas.

The office has also managed to build good relations with the stakeholders in intensifying outreach and community engagements with the assistance of the Department of Local Government through Community Development workers.

The office managed to conduct a successful Communal Property Associations Workshops across the four District Municipalities in the Province. The Province has a total of 131 Legal Entities registered and the Executive Committees / Trustees of the entities were in attendance. The purpose of these workshops was to assist them to be in compliant with the provisions of section 9 of the Communal Property Associations Act and as it a requirement to submit to Parliament. The office has managed to ensure that systems and processes are put in place to ensure compliance.

The relations between the office and various stakeholders including the House of Traditional Leaders, National Reference Groups, Local Government, Agricultural Farmers Unions and key Government DRDDLRLs has improved as a result of Inter-Governmental Relations interactions which have been held.

The summary of performance against performance indicators is as follows:

Performance indicator	Annual Target	Achievement
Number of land of claims settled	6	7
Number of land claims finalised	12	7
Number of phased projects approved	13	18
Number of claims lodged by 1998 to be researched	5	47

Table 21: Performance against Targets in North West in 2014/15

The statistican information about the claims that were settled during the period under review is as follows:

Claim (Project)	No of Claims Settled	Claim Type		Hectares awarded	Hectares that would have been restored in financial compensation	Total Award Cost	Type of Award
		Rural	Urban				
Barolong Ba Ga Maiketso (Phase 5)	-	-	-	1494.1694	-	10,206,319.00	Land Restoration
Barolong Boo Makgobi Community Land Claim (Phase 3)	-	-	-	513.92	-	3,400,000.00	Land Restoration
Bahurutshe Boo Moiloa (Phase 10)	-	-	-	1341.822	-	20,992,078.00	Land Restoration
Barolong Ba Ga Maiketso (Phase 6)	-	-	-	5281.0699	-	25,400,000.00	Land Restoration
Barolong Ba Ga Maiketso (Phase 7)	-	-	-	1708.5936	-	8,900,000.00	Land Restoration
Barolong Ba Ga Mariba (Phase 7)	-	-	-	1848.6058	-	9,466,574.00	Land Restoration
Basiana Ba Montshe Community (Phase 1)	-	-	-	213.9543	-	-	Land Restoration
Machavie Community Land Claim (Phase 6-Last Phase)	-	-	-	1018.4959	-	9,155,219.25	Land Restoration
Bakwena Ba Modimosana Ba Matlhaku Community (Phase 2)	-	-	-	1076.1639	-	10,116,986.00	Land Restoration
Bahurutshe Boo Moiloa (Phase 11)	-	-	-	1253.1109	-	17,800,000.00	Land Restoration
Bahurutshe boo Mokgatlha (Phase 1)	-	-	-	1882.4914	-	44,675,108.60	Land Restoration
Bahurutshe Boo Moiloa (Phase 12)	-	-	-	1137.7287	-	23,850,610.00	Land Restoration
Dipati Community (Doornkop 166 IP) (Phase 4)	-	-	-	392.07	-	2,780,000.00	Land Restoration
Baphiring Community (Phase 1)	-	-	-	1373.1105	-	13,250,000.00	Land Restoration

Claim (Project)	No of Claims Settled	Claim Type		Hectares awarded	Hectares that would have been restored in financial compensation	Total Award Cost	Type of Award
		Rural	Urban				
Bahurutshe Boo Mokgatlha (Phase 2)	-	-		297.525	-	6,950,000.00	Land Restoration
Goedgevonden and Welgevonden Communities (Phase 1)	-	-	-	-	6788.4601	18,475,662.00	Financial Compensation
Uitgevonden 355 JP (Phase 1)	-	-	-	-	1036.0076	30,013,302.00	Financial Compensation
Witklip 6 IP Community Claim (Phase 2)	-	-	-	-	1588.8438	11,804,924.20	Financial Compensation
De Hoop 60 IO	1	1	-	-	335.7606	2,435,883.00	Financial Compensation
Vrede Community	4	4	-	-	2560.748	7,934,791.12	Financial Compensation
Baphiring Community (Phase 2)	-	-	-	3224.6422	-	32,850,000.00	Land Restoration
Remainign Extent of Portion 3 of Driefontein 48 JQ	2	2	-	-	1579.5619	1,697,923.71	Financial Compensation
Baphiring Community (Phase 3)	-	-	-	1963.8405	-	25,000,000.00	Land Restoration
Baphiring Community (Phase 4)	-	-	-	2117.7468	-	20,322,550.00	Land Restoration
TOTAL	7	7	0	28139.06	13889.382	357,477,930.88	

Table 22: List of settled claims in North West in 2014/15

*Where the number of claims settled is “-”, the claim is a part settlement and will be counted once fully settled.

The following claims were finalized in the period under review:

Claim	Approval Date	No of claims Finalised	No of HHs finalised	No of Ben finalised	Type of Claim	Expenditure on finalised claims
(Schoombee Family) Buffelshoek 53 JQ: Schoonbee CJ, Schoonbee EGJ (Operators Warehouse BK)	2014-03-26	1	2	3	Rural	3,199,358.21
Remainder Extent of Portion 3 of Driefontein 47JP	2015-03-19	2	-	-	Rural	1,697,923.71
Witfontein 10 JO	2012-02-10	1	45	84	Rural	5,924.89
Witkop 475 JQ (Raboti Family)	2013-02-02	1	25	329	Rural	61,116.04
Brakspruit 371 IP and Doornhoek 372 IP (Bezuidenhout Family)	2012-07-12	1	10	58	Rural	16,149.51
Ganyesa 235 IP	2006-12-03	1	8	26	Rural	20,253.68
TOTAL		7	90	500		R 5,000,726.04

Table 23: List of finalised claims in North West in 2014/15

NORTHERN CAPE PROVINCE



SUMMARY OF PERFORMANCE: NORTHERN CAPE PROVINCE

Overview

Introduction

The Office of the Regional Land Claims Commissioner Northern Cape enjoyed a very successful year during the 2014/2015 financial year in terms of settlement of claims. All targets were met by the end of the financial year.

The most notable occurrence during the year under review is the re-opening of the lodgement of new claims for a period of five years from 1 July 2014 to 30 June 2019. Plans were put in place in order for the Office to accept new claims. The political fraternity was properly briefed at local and provincial level and they pledged their support. Community engagements and information sessions were held in every district and people are generally excited about being given another opportunity to lodge their claims. Additional capacity was created for the provincial lodgement centre in Kimberley.

There were a number of events held during the year under review including the re-opening of lodgement of new land claims, the 'Reversing the Legacy' Exhibition, the National Khoi and San Dialogue (Kimberley II), etc. The land handover celebration for the Bathlaping ba ga Phethu Community in Camden was officiated over by the Premier of the Northern Cape Province, Ms S Lucas. These events were held in Kimberley and were planned and executed under very stringent conditions.

Most claims settled were for land restoration to communities and families. It is evident that the citizens of the Northern Cape Province are eager to be awarded land as settlement of their claims and they are ready and able to contribute to sustainable agrarian practices to ensure food security to all. However, the age old battle between mining and agriculture as the most sustainable land use practice in the Province still rages on.

The following claims have been settled in the period under review includes the following:

GaMopedi Community Land Claim

The GaMopedi Community claim was lodged by Mr. Boitumelo Samuel Seameco. The claimed properties are in the John Taolo Gaetsewe District of the Northern Cape Province, declared as one of the 27 poorest districts in the country. The settlement of this claim will contribute to the reduction of poverty in that community members will be farming land that they own.

The claim affected various properties owned by different private owners namely: Portions 0, 1 and 2 of the farm Riries No. 320, portion 0 of farm Mount Vera no 319, Portion 0 of the farm England no 318 and Portion 0 (Remaining Extent) and portion 1 of the farm Eldoret no 274.

Phase 1 of the claim was settled when the CRLR acquired the Farm Reries 320 in extent of 8207.595 Ha. Subsequent phases will follow as the owners of the remaining properties are contesting the validity and the matter has been referred to Court.

Koopmansfontein Community Land Claim

The Koopmansfontein community claim was lodged by Mr. Barend van Staden on behalf of the Griqua Community that resided in the Koopmansfontein area. The claim affected 12 properties owned by parastatals, private individuals, the municipality and the Department of Agriculture

The claim has been settled in three phases wherein five (5) land parcels were purchased and transferred into the name of the Koopmansfontein CPA. The total amount spent to acquire the properties is R38 million for approximately 10 000 hectares.

There are 16 elderly claimants who opted for financial compensation. A phase 4 submission is being prepared to cater for this category since not all land could be restored. This will be the full and final settlement of the claim.

Apollis Family Claim

The Apollis family claim was lodged by Mr. Hendrik Selodis Apollis for the restitution of land rights lost in respect of the property described as farm Hom No.25 in extent 12074.9256 hectares in extent, situated in Steinkompf in the Namakwa District of the Northern Cape Province.

Due to the fact the original land cannot be restored the office of the CRLR identified alternative land, the Remaining Extent Farm Styr-Kraal No. 81 measuring 10580.8827 hectares in extent. The property was acquired for an amount of R15, 289, 662.03. The family has indicated that they would want to continue with livestock farming.

Bellsbank Family Claim

The Bellsbank family claim (Mokubung family) was lodged by late Mr. Moeti John Mokubung for the restitution of land rights lost in respect of the property described as Portion 1 and Remaining Extent of Farm Bellsbank No. 88 situated in Dikgatlong Local Municipality within Francis Baard District Municipality in the Northern Cape Province. The claim is now pursued by Ms. Kessekwaeng Mary Thuntsi,

On 28 September 2011, the Remaining Extent of Farm No. 88 measuring 3631.4234 Hectares was bought from De Beers Consolidated Mines Limited by the DRDDL, with the Northern Cape: Provincial Land Reform Office as the custodian of the property.

The claim was settled on 17 December 2014, and the property is in the process of transferred to the claimants. The Mokubung family indicated that they wish to continue with livestock farming.

Krantzkop Family Claims

The Krantzkop family claims were lodged by Mr. Max Dieter Mouton and Mr. Franciscus Sedocus Mouton for the restitution of land rights lost in respect of the property described as Farm Krantzkop No. 483, situated in the Kai Garib Local Municipality, ZF Mgcawu District, Northern Cape.

Phase 1 of the Krantzkop claim was settled on 15 August 2014. Portion 3 of the Farm Smalvisch No 429 measuring 5864.4305 in extent was purchased for an amount of R8, 656, 424.00. The property has been registered in the name of the CPA established by the Mouton Family. The Mouton family wish to continue with livestock farming.

Kurrees Family Claim

Four (4) family land claims were lodged by Mr. Jacobus Orange, late Mr. Berend Mienies and John Hurbert Groenewald on behalf of the direct descendants of H.J., Visagie, Piet Visagie and Sina Carolina Visagie, for the restitution of land rights lost in respect of the property described as Remaining Extent portion 8 of farm Kurrees No. 369, ZF Mgcawu District, Northern Cape Province.

On 10 June 2014, verification was conducted in Upington and a total of 150 claimant households were verified. The claim was settled on 09 March 2015. The Remaining Extent Portion 8 of the Farm Kurrees 369 measuring 4000Ha was acquired to the value of R10, 700, 000.00 and the land will be transferred and registration into the name of a CPA established by the Family.

Postmasburg (Phase 3) Community Claim

One (1) land claim which was lodged on 30 November 1998 on behalf of the Griqua, Korana and the San communities in the Postmasburg area. This claim was lodged by Mr. B. van Staden for the restitution of land rights lost in respect of the property described as 'Postmasburg and surrounding farms'.

Phase 1 settlement of this claim was approved by the Minister of Rural Development and Land Reform Nkwinti Gugile (MP) on 14 October 2013. This approval catered for 92 claimant households that opted for financial compensation as their preferred settlement option. The monetary value of the claim was R7, 728, 000.00.

Phase 2 settlement of this claim was approved by the Chief Land Claims Commissioner Ms. N Gobodo on 31 January 2014. This approval catered for 136 claimant households that opted for financial compensation as their preferred settlement option. The monetary value of the claim was R11, 424, 000.00.

Phase 3 of this claim was approved by the Chief Land Claims Commissioner on 05 March 2015 and catered for 106 claimant households that were opting for financial compensation as their preferred settlement option. The monetary value of this claim was R10, 214, 372.00 in lieu of 47Ha lost in an urban area.

Vioolsdrift (Phase 3) Community Claim

The Steinkopf Land Committee lodged a claim on behalf of the dispossessed community of Vioolsdrift-Suid gronde on behalf of claimant who resided in Steinkopf, Vioolsdrift and Rooiwal situated in the Nama-Khoi Local Municipality in the Namakwa District, Northern Cape Province.

Phase 1 settlement of this restitution claim was approved by the Minister of Rural Development and Land Reform, Minister Nkwinti Gugile (MP) on the 09 March 2012. This approval catered for 70 claimant households that opted for financial compensation as their preferred settlement option. The monetary value of the claim was R3, 825, 500.00.

Phase 2 settlement was approved by the Minister of Rural development and Land Reform, Minister Nkwinti Gugile (MP) on the 15 December 2012. The submission made provision for 103 of 104 rights in land lost, and the claimants opted for financial compensation as their preferred settlement option. The monetary value of the claim was R5, 683, 600, 00.

Phase 3 of Vioolsdrift Suid Gronde claim was approved by the Chief Land Claims Commissioner on the 30 August 2014. The monetary value of Phase 3 amounted to R10, 995,092.00 for the purchase of three alternative farms measuring 6157,3235Ha in extent. Since the community was forcefully removed from more than 50,000Ha, subsequent phases will follow.

Twefontein Family Claim

The Twefontein family claim was lodged by Mr. Barend van Staden, now Van Wyk, claiming land rights lost on behalf of the Griqua Nation for restitution of land rights lost in respect of property described as the Remainder Extent of the Farm Twefontein No 52, situated in Siyancuma Local Municipality within Pixley Ka seme District in the Northern Cape Province.

The claim was settled on 18 December 2014. The Monetary value of the claim is R7, 752, 00.00 for the acquisition of the Farm Twefontein 52 which measures 2515.4144 Ha in extent. The land has been registered and transferred into the name of CKII Kok Communal Property Association. To date, 35 claimant households have been verified with an estimated number of 60 beneficiaries. The Kok family has indicated that they would want to continue with livestock farming.

Bo Plaas Phase 3 (Joseph Family Claim)

The former Bo Plaas residents in Danielskuil lodged seven (7) individual land claims and one (1) community land claim with the then Regional Land Claims CRLR for the Western and Northern Cape. The claimants called themselves the "Bo Plaas" claimants and residing on a peri-urban farm, which formed part of the Danielskuil urban area.

This claim was settled in 3 phases. Phase 1 catered for land restoration and the remaining 2 phases were separately lodged family claims.

The claim was approved by the CLCC on 3/11/2014. The monetary value of the claim amounted to R 1,546,502.00 for the acquisition of Erf 421 and Erf 422 measuring 2,10Ha in extent. CPA documents have been submitted, the office is awaiting registration. To date 21 households have been verified estimating 105 beneficiaries.

Witsand Community Claim

Mrs. Mieta Mantz on behalf of the Witsand Community.

This claim is to be settled in 2 phases. Phase 1 relates to the Witsand Nature Reserve that consists of portion 2 and 3 of the Farm Witsand. The Community still has ties with the claimed land which they regard as their ancestral land. Members of the Community are presently residing in Bloemfontein, Danielskuil, Posmasburg, Upington and Olifantshoek.

Phase 2 affects privately owned farms and after negotiations with the current landowners, a S42D memorandum will be submitted for approval.

There will be no financial implications for this Phase because the DRDDL of Environment and Nature Conservation is releasing the land at no costs to the Witsand claimant community with the due understanding that a Co-Management Agreement will be signed and that the area remain a conservation area. 181 households with an estimated 357 beneficiaries.

Du Plessis Family Claim

The du Plessis Family claim was lodged by Mr. Dirk Hermanus du Plessis on behalf of the direct descendants of Frederick Du Plessis who was the original owner of Farm Lemoenkolk 346. The claim is on Portion 0 (Remaining Extent) of farm Lemoenkolk 346 in the registration division of Gordonia, situated in the Mier Local Municipality in the ZF McGawu District, Northern Cape Province.

The claim was approved by the CLCC on the 22 December 2014 to pay a financial award of R337 215.41 to the family since they have opted for financial compensation. This amount is equivalent to the historical land price at the time of dispossession.

Madibeng Community Claim

The land claim for restitution of rights in land of the Madibeng Community was lodged by Mr. Roundboy Gaboikaiwe Otletseng on behalf of the Madibeng Community.

The claim affected various properties namely: Portions 0, 1, 2, 3, 4, 5 and 6 of Farm Severn No. 36, Abbey No. 364, Portions 0 and 1 of Lehating No. 741, Portion 116 of Farm 703 (Farm Caledonia No.1032), Portions 0, 1 and 2 of Dikgatlong No. 268 and Portions 1 – 67 of Farm McCarthyus No. 35 situated in Moshaweng Local Municipality, John Taolo Gaetsewe District, Northern Cape Province.

The settlement of Phase 1 of the claim was in respect of Portion 0 of the Farm Severn No. 36 and Portion 1 of the Farm Burnham No. 60.

The claim was approved by the CLCC on 14 March 2014 for the restoration of the Farm Severn 36 and Portion 1 of the Farm Burnham No 60 both in extent of 4265.6934Ha in extent. The monetary value of the Phase 1 of the claim is R 10 099 400.00 and the land has been registered and transferred into the name of the Madibeng Communal Property Association. 54 households were verified with an estimated number of 260 beneficiaries. The land is currently used for grazing by the Madibeng community.

Seeding Community Claim

The land claim is for the restitution of land rights in land of the Seeding community which lodged by Mr. Agisanyang Setlhodi on behalf of the direct descendants of members of the community that resided in what became Seeding Native Reserve for generations.

The Seeding community was dispossessed of the rights in land on the Seeding (Kuruman) Native Reserve situated in the Gasegonyane Municipality in the John Taolo Gaetsewe District, Northern Cape Province.

The area under claim is the remaining extent of Erf 1 Kuruman, measuring 5271.16ha. This property has since been subdivided into many properties with multiple owners.

The claim was settled on the 20 December 2014. The monetary value of Phase 1 of the Seeding community land claim is R5 396 272.00 for the 56 claimant households who have opted for financial compensation.

The summary of performance against Annual Performance Plan targets is as follows:

Performance indicator	Annual Target	Achievement
Number of land of claims settled	9	9
Number of land claims finalised	9	34
Number of phased projects approved	4	7
Number of claims lodged by 1998 to be researched	20	25

Table 24: Performance against Targets in Northern Cape in 2014/15

The statistical information with regards to claims that were settled during the period under review is as follows:

Claim (Project)	No of Claims Settled	Claim Type		Hectares awarded	Hectares that would have been restored in financial compensation	Total Award Cost	Type of Award
		Rural	Urban				
Postmasburg Land Claim (Phase 3- Final Phase)	1	1	-	-	-	10,214,372.00	Financial Compensation
Krantskop Land Claim (Phase 1)	-	-	-	5864.4305	-	8,656,424.00	Land Restoration
Lutzburg Community Claim	1	1	-	-	2855.2918	12,623,422.00	Financial Compensation
Vooldrift-Suid Land Claim (Phase 3)	-	-	-	6815.1002	-	10,995,092.00	Land Restoration
Kimberley Central Group Claim (Addendum: Lyndhurst Road Mosque)	1	-	1	-	0.0147	96,362.00	Financial Compensation
Bo-Plaas, Danielskuil Group and Community Claim (Phase 3:Final Phase) (Joseph Family Claim)	-	-	-	2.1073	-	1,546,502.00	Land Restoration
Jansen Family Claim (Uitkomst No. 420)	1	1	-	-	346.4669	2,367,763.00	Financial Compensation

Claim (Project)	No of Claims Settled	Claim Type		Hectares awarded	Hectares that would have been restored in financial compensation	Total Award Cost	Type of Award
		Rural	Urban				
Bellsbank Land Claim (Mokubung Family)	1	1	-	3828.0634	-	-	Land Restoration
Du Plessis Family Claim (Lemoenkolk)	1	1	-	-	2364.8856	337,215.41	Financial Compensation
Seoding Community Claim (Phase 1)	-	-	-	-	5271.16	5,396,272.00	Financial Compensation
Twefontein Land Claim	1	1	-	2515.4144	-	7,752,187.00	Land Restoration
Witsand Community Claim (Phase 1)	-	-	-	1553.9687	-	-	Land Restoration
Koopmansfontein Community Claim (Phase 3)	-	-	-	2758.1076	-	13,472,102.00	Land Restoration
Kurrees Land Claim (Phase 1)	-	-	-	4087.4505	-	10,700,000.00	Land Restoration
Moses Family Claim	1	1	-	-	2.2327	96,362.00	Financial Compensation
Apollis Land Claim	1	1	-	10580.8827	-	15,289,662.03	Land Restoration
TOTAL	9	8	1	38005.5253	10840.0517	99,543,737.44	

Table 25: List of settled claims in Northern Cape in 2014/15

**Where the number of claims settled is “-”, the claim is a part settlement and will be counted once fully settled.*

Claim	Approval Date	No of claims Finalised	No of HHs finalised	No of Ben finalised	Type of Claim	Expenditure on finalised claims
Hartswater /Thagadiipelejang	2001/11/08 2006/05/13	13	13	65	Rural	359,969.00
Hartswater /Thagadiipelejang	2001/11/08 2006/05/14	13	13	65	Rural	359,969.00
Van Den Heever Family Claim	2013-11-28	1	5	20	Urban	84,000.00
Kimberley Central: Lyndhurst Road Mosque	2014-09-30	1	-	1	Urban	96,362.00
Thagadiipelejang	2000-11-08	6			Urban	179,984.50
TOTAL		34	31	151		1,080,284.50

Table 26: List of finalised claims in Northern Cape in 2014/15

WESTERN CAPE PROVINCE



SUMMARY OF PERFORMANCE: WESTERN CAPE PROVINCE

OVERVIEW

Introduction

Once again, the Office of the Regional Land Claims Commissioner: Western Cape excelled by settling the largest number of claims. As was previously the case, the majority of these claims are for financial compensation. This was achieved, despite a serious prevailing strain on the personnel, because of wider fiscal constraints.

In addition, in July 2014, the speed with which the reopening of the claim lodgement process occurred meant that an already stretched staff component needed to be further rationalised, in order to ensure that the lodgement process happened smoothly and successfully. This was achieved.

Post-settlement matters continue to be a regular feature of the work of the office whilst a fully integrated programme for the handing over of development claims which have already been settled, to the DRDLR, is underway.

Taking these factors into account, it can be said that the Western Cape Office of the Regional Land Claims Commissioner experienced an exceedingly productive year. The following are some of the highlights of the year:

District 6

There are two fully functioning bodies which are managing the District 6 Development:

- The first is the Reference Group, consisting of claimant-selected members whose function is to chart the way forward and be fully engaged in the development process. This Reference Group has, as strategic partners, the DRDLR and the District 6 Beneficiary Trust. The latter has not had any active participation in the work during the past year.
- The second is a Task Team, consisting of the political principals, claimant representatives and other stakeholders is the decision-making body for the development as a whole.

An inter-DRDLR Technical Steering Committee, consisting of all the major governmental stakeholders supports the Reference Group. It meets monthly to ensure technical implementation across all three spheres of government.

The centrality of the claimants is a principle which is maintained at all levels. It is their needs and choices which are taken as primary directives in the development.

To date, 139 houses have been completed in two pilot phases, which were developed under the auspices of the District 6 Beneficiary Trust. These houses have all been allocated to claimants. Court cases in respect of illegal occupants have been successfully undertaken in order to evict the illegal occupants and enable the legally allocated owners to occupy their homes.

Phase 3 of the redevelopment is now underway, with the DRDLR as the developer. All the civils have been completed and a tender has been advertised for the building programme. It is anticipated that the first houses, in this phase, will be ready for occupation towards the end of 2015, with all of them being completed before the end of 2016.

The re-opening of lodgement of land claims will result in more claims in District Six. This has required the re-framing of the entire development site. The Reference Group has factored the potential of more housing units for claimants than the 1200 odd which were originally envisaged.

The development of the business case for District 6 thus becomes critical, in order to ensure not only the provision of adequate housing, but also sustainability into the future. The business case must be checked for feasibility and then developed, utilizing the dual economic drivers of tourism and business development as a means for wealth creation in the area.

Richmond Park

The Richmond Park claim, consisting of 4314 beneficiaries from 401 households which were forcefully removed from the area between 1972 and 1984, was brought to conclusion with a sod-turning ceremony, hosted by Minister Gugile Nkwinti in December 2014. The claim was successfully settled in 2011. As part of the development initiatives on the restored land, the Richmond Park Communal Property Association entered into a partnership for the land to be developed for mixed use, with an integrated light industrial area; a general retail area; big box discount retail; amenities and; an office park modelled around the DRDLR's Rural Economy Transformation Model.

In 2003 the City of Cape Town Council agreed to release the land to the Richmond Park claimants and in 2008, the CRLR led the process calling for bids for the submission of business models for the development of the property. Atterbury Holdings won the tender for the development initiative.

In the agreement, the land will remain the property of the Richmond Park CPA in perpetuity. In line with the shareholding distribution agreement, the Richmond Park claimants will own 25% of the shares in the development company and will also receive R40m in return for the leasing of the land to the development company. This is an excellent demonstration of partnership between communities and the private sector.

Claremont

Claremont was declared a "White Group Area" in 1961, resulting in the systematic removal of all people of colour from the area. Both owners and tenants were affected. The dispossessed lost prime commercial and residential land.

Individual land claims were lodged with the CRLR. They were not able to return to their original properties and some 65 families chose alternative land as compensation.

It is exceedingly difficult to find land which is suitable for restitution purposes in Cape Town. In this instance, the City of Cape Town made available land (previously known as the Bowwood Rd Bowling Club, being portions of erven 54976 and 54977. This amounted to approximately 1,1636ha). The Western Cape Office of the Regional Land Claims Commissioner negotiated to buy the land from the City for a reduced price of R27m.

Title to the land was handed over to the Claremont Development Group Committee in May 2014 by the Minister of Rural Development and Land Reform. The Business Plan has been finalized and claimants were taken through a detailed interactive process to get to this point. The Business Plan is now awaiting implementation.

Constantia

Land claims in this area were lodged by Hadjie Abdulla Solomon for Portion 10, Constantia, and by Saba Owen Solomon for Portion 11, Constantia. The claim was referred to the Land Claims Court through direct access in terms of Section 38B of the Restitution Act, in November 1998.

The Land Claims Court made an order for restoration of the original dispossessed land to the claimants in 2010. The land was transferred during the period under review by the State Attorney to the Solomon Family Trusts consisting of the

following land Portion 62 in extent 4017 square metres; Portion 56 in extent 2002 square metres; Portion 58 in extent 851 square metres; and Erf 13707 in extent 7375 square metres.

The Title Deeds were duly handed to the families in a ceremony hosted by the Office of the Regional Land Claims Commissioner: Western Cape.

General

Overall, the office of the Regional Land Claims Commissioner in the Western Cape has produced the following in the year under review:

- Settlement of a total of 194 claims, to the value of R105,850,902.16;
- Of these 154 claims were for financial compensation, to the value of R102,186,752.16;
- 41 of these claims were for Development, to a value of R3,664 150.00;
- Budget expenditure for the year was R 142 501 538.78;
- The implementation of a comprehensive Stakeholder Engagement Plan has continued to mean that the low levels of enquiries have continued and been kept to a minimum; and
- Assisted claimants with the preparation and lodgement of their claims.

Lodgement Offices

Lodgement offices were set up within a very short space of time in Mowbray and George, to ensure that when the claims process was reopened, claimants would be able to access the services required. Both offices are fully functional.

Claims have been lodged mostly with reference to dispossessions of rights in land in the following areas: District Six, Cross Roads, Kensington, Retreat, Simonstown, Fishhoek, Noordhoek, Worcester, Paarl, Macassar, Brooklyn, Constantia, Claremont, Vrygrond, and Franshoek.

The office is aware of other areas which are awaiting the arrival of the Mobile Lodgement Office (The Gemsbok), in order to lodge their claims. A detailed programme for the Gemsbok, together with a communications and education programme to prepare prospective claimants for the successful lodgement of their claims, has been prepared.

The summary of performance during the period under review, in the Western Cape is as follows:

Performance indicator	Annual Target	Achievement
Number of land of claims settled	187	194
Number of land claims finalised	109	124
Number of phased projects approved	0	11
Number of claims lodged by 1998 to be researched	310	295

Table 27: Performance against Targets in Western Cape in 2014/15

The statistical information on settled claims is as follows:

Claim (Project)	No of Claims Settled	Claim Type		Hectares awarded	Hectares that would have been restored in financial compensation	Total Award Cost	Type of Award
		Rural	Urban				
Mvinjelwa Family Claim (Urban)	1	-	1	-	0.3137	96,362.00	Financial Compensation
Yusuf Gordon Family Claim (Urban)	1	-	1	-	0.0446	96,362.00	Financial Compensation
Aziz Family Claim	1	-	1	0.0392	-	-	Land Restoration
Roro Family Claim (Urban)	1	-	1	-	0.2942	96,362.00	Financial Compensation
Pekeur Family Claim (Urban)	2	-	2	-	0.7436	192,724.00	Financial Compensation
Williams Family Claim (Urban)	1	-	1	-	0.9848	96,362.00	Financial Compensation
Nyongwana Family Claim (Urban)	1	-	1	-	8.3586	96,362.00	Financial Compensation
Solomon Family Claim (Urban)	1	-	1	-	0.2126	215,416.66	Financial Compensation
Irvin Roger Smith Historical Valuation (Urban) Claim	1	-	1	-	0.0451	272,861.11	Financial Compensation
Felton and Sassman Families Claim (Urban)	1	-	1	-	0.1487	270,540.93	Financial Compensation
Daniels Family Claim (Urban)	1	-	1	-	0.0991	96,362.00	Financial Compensation
Du Plessis Family Claim (Urban)	1	-	1	-	0.079	112,651.58	Financial Compensation
Tyke Family Claim	1	-	1	-	0.0546	96,362.00	Financial Compensation
Davids Family Claim (Urban)	1	-	1	-	0.1699	316,282.35	Financial Compensation
Kalkrug Community Claim (Phase 2)	-	-	-	-	136.6119	289,086.00	Financial Compensation
Cape Hindu Cultural Society (Urban) Claim	1	-	1	-	0.5234	4,110,264.88	Financial Compensation
Aletta Susanna Lemmer & 4 Others [LCC 36/2011]	1	1	-	-	8.6138	268,072.11	Financial Compensation
Fortuin Family Historical Valuation (Urban) Claim	1	-	1	-	0.2054	535,292.68	Financial Compensation
Abdulla Historical Valuation (Urban)	1	-	1	-	0.7234	775,500.00	Financial Compensation
Van Willing Family Historical Valuation Claim, Vasco	1	-	1	-	0.0495	206,800.00	Financial Compensation

Claim (Project)	No of Claims Settled	Claim Type		Hectares awarded	Hectares that would have been restored in financial compensation	Total Award Cost	Type of Award
		Rural	Urban				
Tannerykloof Community Claim (Phase 2)	-	-	-	-	41.5416	5,685,358.00	Financial Compensation
Carelse/Ronne claim [R282]	1	-	1	-	0.0703	614,655.56	Financial Compensation
CN Fortuin Claim [F334]	1	-	1	-	0.0904	96,362.00	Financial Compensation
Diepdraai Community Claim (Phase 2)	-	-	-	-	203.3979	578,172.00	Financial Compensation
Lambert's Bay Community Claim (Phase 2)	-	-	-	-	2.4991	7,323,512.00	Financial Compensation
Scott Family Claim (Urban Claim)	1	-	1	-	0.0317	117,005.26	Financial Compensation
Hartzenberg Family Claim (Urban Claim) [settled as Hartzenberg and September Families]	1	-	1	-	0.0587	96,362.00	Financial Compensation
September Family Claim [settled as Hartzenberg and September Families]	1	-	1	-	0.1098	96,362.00	Financial Compensation
Northern Suburbs (6) Valuated Urban Claims	6	-	6	-	1.2255	1,106,380.98	Financial Compensation
Meyer Family Claim (Urban Claim)	1	-	1	-	2.3286	1,152,798.64	Financial Compensation
Mossel Bay Tarka Group Claim (Phase 2)	-	-	-	-	4.0597	1,445,430.00	Financial Compensation
Sandrif Community Claim (Phase 2)	-	-	-	-	203.3979	1,156,344.00	Financial Compensation
Die Dam Community Claim (Phase 2)	-	-	-	-	192.8855	1,349,068.00	Financial Compensation
Paarl African and Coloured Community Claim (Phase 8)	-	-	-	-	7637	22,741,432.00	Financial Compensation
Gasant Family Claim	1	-	1	-	0.0378	96,362.00	Financial Compensation
Moerat Family (Urban) Claim	1	-	1	-	0.3383	1,206,434.70	Financial Compensation
Haroun Family Claim (Urban)	1	-	1	-	0.0406	96,362.00	Financial Compensation
Fakier Family Claim (Urban Claim)	1	-	1	-	0.0288	96,362.00	Financial Compensation
Du Plooy Family Claim (Urban Claim)	1	-	1	-	0.128	134,694.31	Financial Compensation

Claim (Project)	No of Claims Settled	Claim Type		Hectares awarded	Hectares that would have been restored in financial compensation	Total Award Cost	Type of Award
		Rural	Urban				
Tygerberg Batch 3 (Urban)	3	-	3	-	29.1202	289,086.00	Financial Compensation
Uniting Reformed Church, Prins Albert	-	-	-	-	-	609,537.48	Financial Compensation
Michaels Family Claim (Urban)	1	-	1	-	0.0496	96,362.00	Financial Compensation
Rooikamp Ceres Community Claim (Phase 2)	-	-	-	-	-	3,950,842.00	Financial Compensation
Abrahams and Tasriet Family Claims (Urban)	2	-	2	-	0.0741	277,312.00	Financial Compensation
Bellville and Goodwood (3) Urban Claims	3	-	3	-	-	532,342.70	Financial Compensation
Mashila Family Claim (Urban)	1	-	1	-	0.8527	96,362.00	Financial Compensation
Gatap Family Claim (Urban)	1	-	1	-	0.0227	96,362.00	Financial Compensation
Carlier Family Claim (Urban)	1	-	1	-	0.1174	144,760.00	Financial Compensation
Gazembe Family Claim	1	-	1	-	0.3904	96,362.00	Financial Compensation
Newman Family, Ruiters Family and Calvinist Protestant Church (Urban)	3	-	3	-	0.2668	701,396.67	Financial Compensation
Mentile Family Claim (Urban)	1	-	1	-	0.3751	96,362.00	Financial Compensation
Blanco Uniting Reformed Church and her Tenants Claim (Urban)	1	-	1	-	20.9397	12,212,724.59	Financial Compensation
Hout Bay Community Claim (Urban) [Phase 5]	-	-	-	-	-	2,023,602.00	Financial Compensation
Parow (4) Valuated Urban Claims	4	-	4	-	0.5968	746,731.18	Financial Compensation
Ntsele (Finye) Family Claim (Urban)	1	-	1	-	0.0496	96,362.00	Financial Compensation
Nooitgedacht Development Group Claim (Batch 1)	11	-	11	-	-	-	Land Restoration
Le Roux Family Claim (Urban)	1	-	1	-	41.6076	2,068,000.00	Financial Compensation
Stellenbosch Methodist Church of Southern Africa	1	-	1	-	0.9983	1,880,000.00	Financial Compensation

Claim (Project)	No of Claims Settled	Claim Type		Hectares awarded	Hectares that would have been restored in financial compensation	Total Award Cost	Type of Award
		Rural	Urban				
Johnson Family Claim (J39)	1	-	1	0.3849	-	40,000.00	Land Restoration
Mvenya Family Claim (Urban)	1	-	1	-	0.6634	96,362.00	Financial Compensation
Gladys Angeline Morris Historical Valuation (Urban) Claim	1	-	1	-	18.3962	315,944.44	Financial Compensation
Whittaker Family Claim (Urban)	1	-	1	-	0.0211	96,362.00	Financial Compensation
Kraaibosch Group Claim (Phase 2)	6	-	6	-	-	578,172.00	Financial Compensation
Goodwood (3) Valuated Urban Claims	3	-	3	-	0.1986	394,766.42	Financial Compensation
Sadien Family Claim	1	-	1	-	0.0996	263,200.00	Financial Compensation
Mentile Family Claim (Urban)	1	-	1	-	0.375	96,362.00	Financial Compensation
Van Huffel Family Claim	1	1	-	-	1058.056	1,864,301.99	Financial Compensation
Mzamane Family Claim (Urban)	1	-	1	-	0.0607	96,362.00	Financial Compensation
Mabunzi and May Family Claims (Urban)	2	-	2	-	136.834	192,724.00	Financial Compensation
Bestenbier Family Claim (Urban)	1	-	1	-	0.2123	96,362.00	Financial Compensation
Esterhuizen Family Claim	1	-	1	-	0.694	96,362.00	Financial Compensation
Mvenya Family Claim (Urban)	1	-	1	-	0.3137	96,362.00	Financial Compensation
Adonis (Rhodes) Urban Claim	1	-	1	-	0.1293	96,362.00	Financial Compensation
Makawula Family Claim (Urban)	1	-	1	-	0.1341	96,362.00	Financial Compensation
Emtoch Family Claim (Urban)	1	-	1	-	117.6396	96,362.00	Financial Compensation
Joshua Family Claim (Urban)	2	-	2	-	29.3912	7,436,576.00	Financial Compensation
Cape Metro 2 (Batch 1)	2	-	2	-	0.8963	680,036.41	Financial Compensation
Howell, Paruk and Omar Family Claims (Urban)	3	-	3	0.1861	-	24,150.00	Land Restoration

Claim (Project)	No of Claims Settled	Claim Type		Hectares awarded	Hectares that would have been restored in financial compensation	Total Award Cost	Type of Award
		Rural	Urban				
District Six (15) Owners (Urban)	15	-	15	-	-	-	Land Restoration
Southgate, Hare and Gabriels Family Claims in Retreat	3	-	3	1.1384	-	-	Land Restoration
Mamre Rural Community Claim Settlement (Phase 1)	-	-	-	2443.6859	-	3,600,000.00	Land Restoration
Sedeman Family Claim (Urban)	1	-	1	-	0.0356	195,915.78	Financial Compensation
Kraaibosch Group Claim (Phase 3)	30	-	30	-	8313.987	2,890,860.00	Financial Compensation
Evangelical Lutheran Church	1	-	1	-	0.1161	1,818,389.06	Financial Compensation
Kleinhans Family Historical Valuation Claim (Rural)	1	1	-	-	51.3929	267,639.18	Financial Compensation
Stellenbosch Volkskerk van Afrika	1	-	1	-	0.4686	512,300.00	Financial Compensation
Akbar Alladin Family Claim (Plumstead)	1	-	1	-	-	-	Land Restoration
Welling Individual Family Claim (Daniels Family)	1	-	1	-	0.0877	96,362.00	Financial Compensation
Harker Family Historical Valuation Claim (Rural)	1	1	-	-	4.251	326,356.25	Financial Compensation
Ehlers Family Historical Valuation Claim (Rural)	1	1	-	-	5.7498	467,214.81	Financial Compensation
Davids, Matthee and Watson Family Claims	3	-	3	-	1.4037	763,596.12	Financial Compensation
Abrahams Family (Grassy Park)	1	-	1	-	0.3183	146,483.33	Financial Compensation
District Six (15) Batch 12 (Urban)	15	-	15	-	2.7561	1,445,430.00	Financial Compensation
Abrahams Valuated Claim	-	-	-	-	0.1575	282,900.00	Financial Compensation
District Six (6) Owners (Urban)	6	-	6	-	-	-	Land Restoration
Jordaan and Booysen Family Valuated Urban Claims	2	-	2	-	0.5237	261,802.00	Financial Compensation
Six Individual Tenancy Claims (Urban)	6	-	6	-	3.6095	578,172.00	Financial Compensation
TOTAL	194	5	189	2445.4345	18291.9797	105,850,902.16	

Table 28: List of settled claims in Western Cape in 2014/15

**Where the number of claims settled is "-", the claim is a part settlement and will be counted once fully settled.*

The following claims were finalised during the period under review:

Claim	Approval Date	No of claims Finalised	No of HHs finalised	No of Ben finalised	Type of Claim	Expenditure on finalised claims
Bikwana Family List 1	2014-03-24	1	1	7	Urban	84,000.00
Bongo Family (604)	2013-07-13	1	1	8	Urban	84,000.00
Martin and Kadalies Families	2014-03-24	2	2	11	Urban	168,000.00
Wynand Family List 1	2014-03-24	1	1	10	Urban	84,000.00
Claremont and Newlands	2014-03-24	56	195	195	Urban	27,000,000.00
Cape Metro 4 WC	2014-03-05	4	23	23	Urban	336,000.00
District Six Batch 9	2012-12-02	1	1	1	Urban	3,512.12
South Peninsula 80 WC	2008-12-01	1	1	1	Urban	3,090.00
Northern Suburbs 7 List 3	2014-03-24	1	1	1	Urban	79,100.00
Kader Family Historical Valuation	2014-03-24	1	1	1	Urban	342,268.04
Dunn Family Claim	2014-03-24	1	3	3	Urban	104,320.00
455 African Tenancy	2002-09-10	1	1	1	Urban	17,500.00
AME Malmesbury	2010-11-26	1	-	1	Urban	880,155.45
District Six 24 Batch 11	2013-11-13	1	1	1	Urban	84,000.00
Roro Family Claim List 1	2014-06-03	1	1	6	Urban	96,362.00
Williams Family List 1	2014-06-03	1	1	1	Urban	96,362.00
Solomon Family Claim List 1	2014-06-26	1	1	31	Urban	215,416.66
Mvinjelwa BA	2014-05-26	1	1	5	Urban	19,272.40
Nyongwaba Family	2014-06-27	1	1	2	Urban	96,362.00
Irvan Rogers Smith	2014-06-27	1	1	1	Urban	272,861.11
Felton and Sassman Families	2014-07-28	1	2	9	Urban	270,540.93
Aletta Susanna Lemmer	2014-04-03	1	1	1	Urban	241,072.11
Scott Family Claim List 1	2014-09-11	1	1	1	Urban	117,005.26
Yusuf Gordon	2014-05-26	1	1	1	Urban	96,362.00
Pekeur Family Claim List 1	2014-06-03	2	1	16	Urban	192,723.30
Davids Family Claim List 1	2014-08-15	1	1	7	Urban	316,282.35
Hartzenberg Family Claim (Urban Claim) [settled as Hartzenberg and September Families]	2014-09-11	1	1	6	Urban	96,362.00

Claim	Approval Date	No of claims Finalised	No of HHs finalised	No of Ben finalised	Type of Claim	Expenditure on finalised claims
September Family Claim [settled as Hartzenberg and September Families]	2014-09-11	1	1	9	Urban	96,362.00
Fortuin Family	2014-09-03	1	1	26	Urban	535,292.68
Tyke Family Claim	2014-08-15	1	1	4	Urban	96,362.00
Abdula Julakha Bibi (Abdulla Historical Valuation)	2014-09-03	1	2	2	Urban	775,500.00
Carelse/Ronne Family Claim	2014-09-07	1	1	3	Urban	614,655.56
Du Plooy Family Claim	2014-11-03	1	1	3	Urban	134,694.13
Fakier Family Claim	2014-11-03	1	1	3	Urban	96,362.00
Meyer Family Claim	2014-09-17	1	1	8	Urban	1,152,798.64
Moerat Family Claim	2014-11-03	1	1	5	Urban	1,206,434.70
Daniels Family List 3	2014-08-14	1	1	1	Urban	96,362.00
Mentile Family Claim List 2	2015-03-05	1	1	1	Urban	96,362.00
Mzamane Familily List 1	2015-03-05	1	1	1	Urban	96,362.00
Gazembe Family	2014-12-19	1	1	3	Urban	96,362.00
Haroun Family Lis 1	2014-11-03	1	1	7	Urban	96,362.00
Mashila Family List 1	2014-12-20	1	1	1	Urban	96,362.00
Mentile Family Claim List 1	2014-12-20	1	1	1	Urban	96,362.00
Belville & Goodwood 3 List 1	2014-12-20	3	3	25	Urban	532,342.70
Cape Hindu Cultural Society	2014-08-25	1	-	1	Urban	4,110,264.88
Ntsele Family Trust	2014-09-17	1	1	1	Urban	96,362.00
Tygerberg Batch 3 List 14,15,16	2014-11-21	3	3	9	Urban	289,086.00
Whittaker Family List 1	2015-02-21	1	1	8	Urban	96,362.00
Northern Suburbs 6 List 1	2014-09-17	4	4	40	Urban	740,679.88
Emtoch Family List 1	2015-03-05	1	1	1	Urban	96,362.00
Parow 4	2014-12-18	3	3	23	Urban	625,425.33
Mabunzi & May Family	2015-03-05	1	1	1	Urban	96,362.00
Vereenigde Gereformeerde Kerk, Prins Albert (Uniting Reformed Church)	2014-12-20	1	-	1	Urban	609,537.48
Gasant Family List 1	2014-11-03	1	1	6	Urban	96,362.00
Gatap Family Trust	2014-12-20	1	1	6	Urban	96,362.00
TOTAL		124	282	551		R 44,265,433.71

Table 29: List of settled claims in Western Cape in 2014/15

PART 3: SUMMARY OF SETTLED RESTITUTION CLAIMS



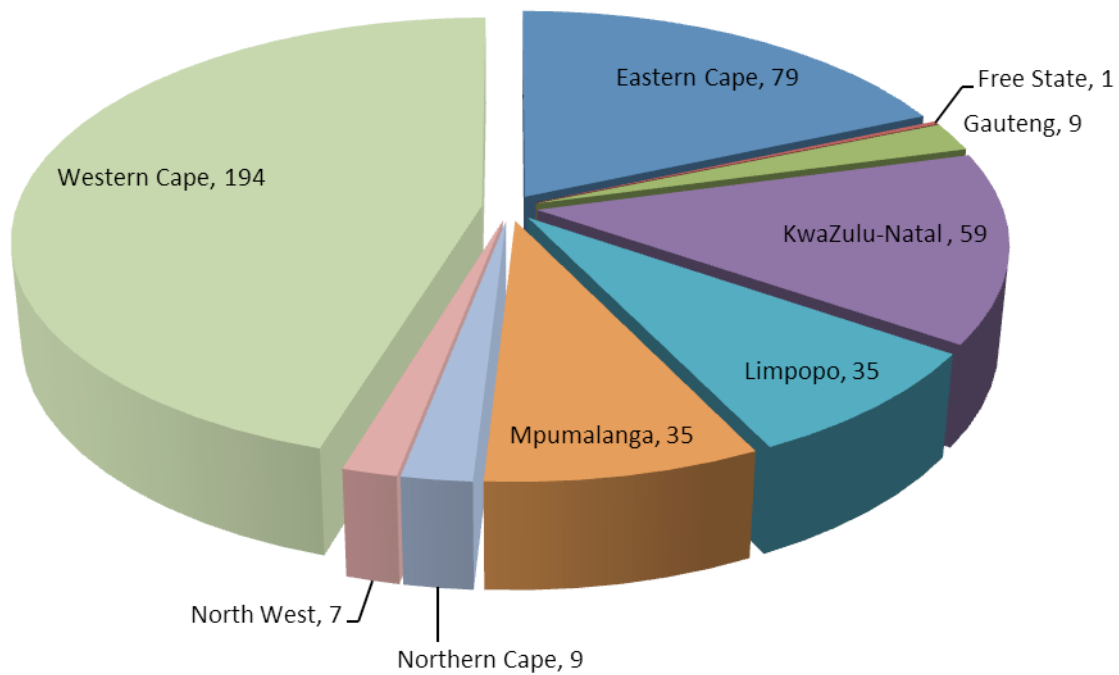
SETTLED RESTITUTION CLAIMS FOR THE PERIOD: 01 APRIL 2014- 31 MARCH 2015

The table below depicts the statistical information on claims that were approved during the period under review

Province	Rural	Urban	Dismissed	IHs	Beneficiaries	FHHs	Hectares	Land Cost	Financial Compensation	Total Award
Eastern Cape	71	8	1	3383	20603	864	1342	549,000.00	418,267,875.94	418,816,875.94
Free State	1	0	0	218	1094	112	0	0.00	48,267,149.92	48,267,149.92
Gauteng	8	1	2	677	2755	294	0	0.00	38,348,212.74	38,348,212.74
KwaZulu-Natal	34	25	0	2340	16012	1086	29512	839,922,865.03	212,831,262.22	1,052,754,127.25
Limpopo	19	16	2	1952	7242	912	19701	368,071,505.85	45,537,286.68	413,608,792.53
Mpumalanga	34	1	2	1557	9910	481	25261	211,779,602.10	31,759,016.39	243,538,618.49
Northern Cape	8	1	11	1155	5482	330	38006	68,411,969.03	31,131,768.41	99,543,737.44
North West	7	0	27	2725	10611	1515	28139	285,115,444.85	72,362,486.03	357,477,930.88
Western Cape	5	189	8	1450	4891	649	2445	3,664,150.00	102,186,752.16	105,850,902.16
TOTAL	187	241	53	15457	78600	6244	144406	R 1,777,514,536.86	R 1,000,691,810.49	R 2,778,206,347.35

Table 30: Statistical information of claims settled in 2014/15

SETTLED RESTITUTION CLAIMS FOR THE PERIOD: 01 APRIL 2014 TO 31 MARCH 2015



Graph 1: Settled claims

PART 4: FINANCIAL PERFORMANCE



Financial Performance Overview

As indicated in table in the preceding section, the total financial value of the claims that were approved during the period under review is R 2,778,206,347.35. The total expenditure was R2 487 583 095.48. The expenditure included expenditure on backlog claims, which were approved in previous financial years where payments had not yet taken place.

Table 31 depicts the breakdown in expenditure between backlog claims and new claims. Table 32 depicts the breakdown of expenditure, per expenditure item.

Table 31: Expenditure 2014/15

Expenditure 2014/15			
Province	Expenditure - Claims approved prior 2014	Expenditure - Claims approved in 2014/15	Total Expenditure
Eastern Cape	93 446 974.24	159 309 557.86	252 756 532.10
Free State	33 340 226.73	48 230 063.92	81 570 290.65
Gauteng	6 175 336.77	38 158 570.78	44 333 907.55
KwaZulu Natal	130 013 319.69	732 805 837.54	862 819 157.23
Limpopo	56 653 623.99	363 283 623.37	419 937 247.36
Mpumalanga	71 817 596.58	210 816 133.64	282 633 730.22
North West	28 595 682.12	89 223 688.63	117 819 370.75
Northern Cape	10 972 067.91	272 239 252.93	283 211 320.84
Western Cape	69 975 037.80	72 526 500.98	142 501 538.78
TOTAL	500 989 865.83	1 986 593 229.65	2 487 583 095.48

Graph2: Expenditure 2014-2015

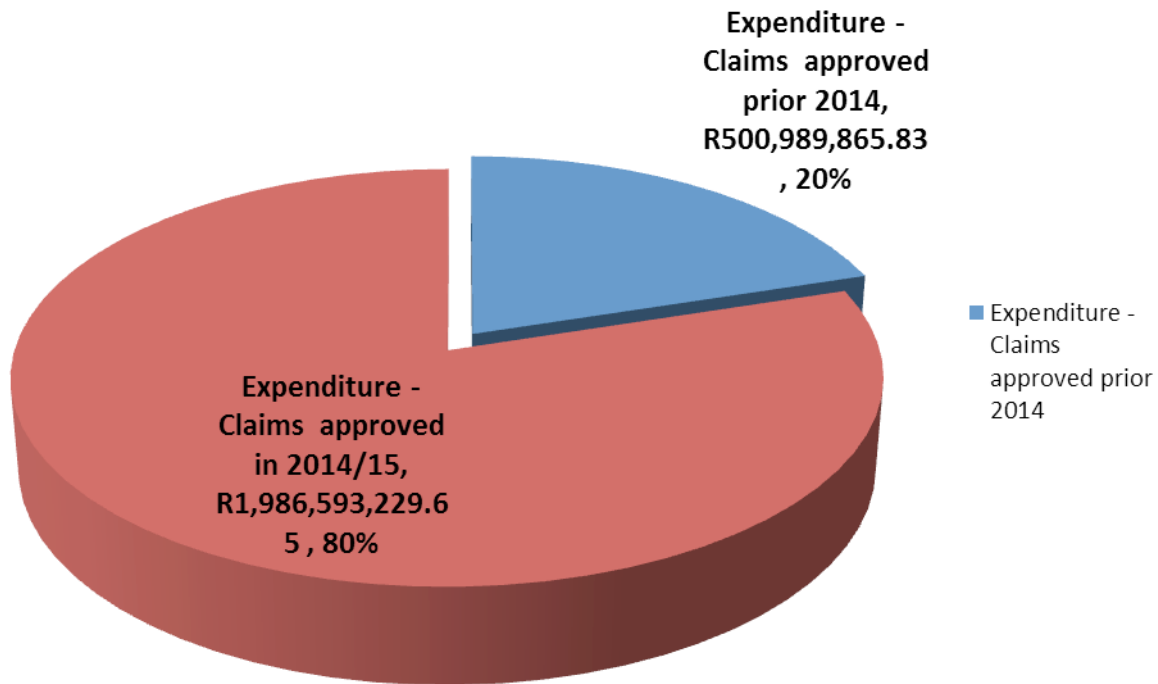
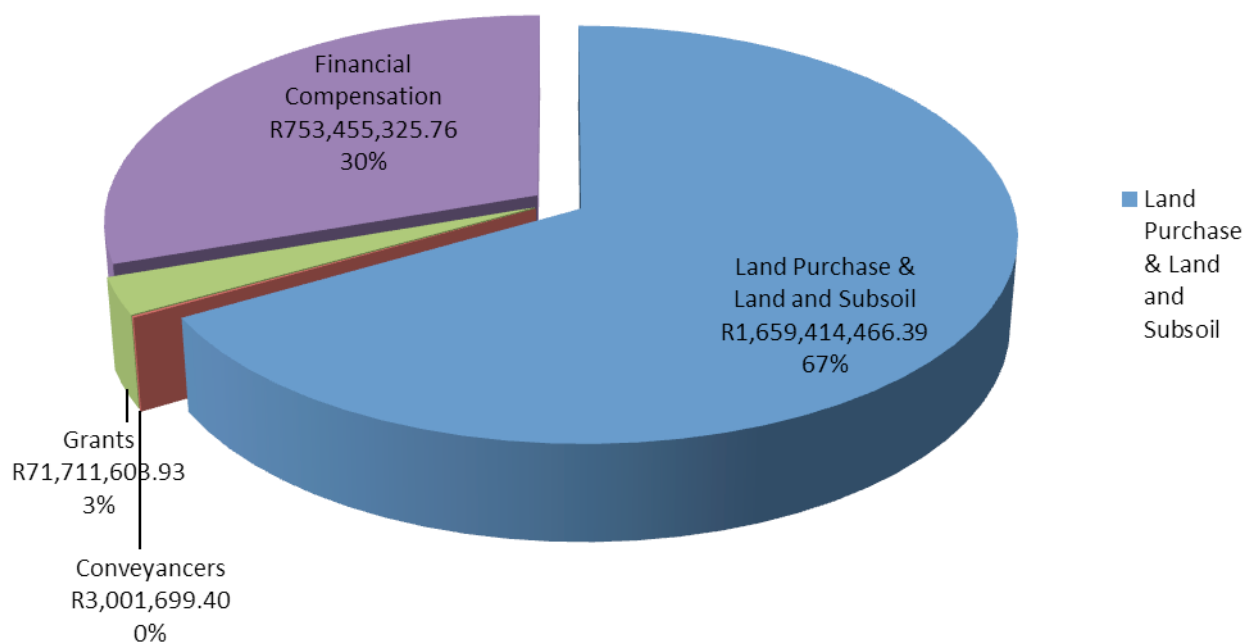


Table 33: Expenditure per item

Household Expenditure Summary per Province: Fin year 2014/2015					
OFFICE	Land Purchase & Land and Subsoil	Conveyancers	Re-Cap/Grants	Financial Compensation	TOTAL
Eastern Cape	0	0	0	252 756 532.10	252 756 532.10
Free State	0	0	0	81 570 290.65	81 570 290.65
Gauteng	400 000.00	115 953.80	0	43 817 953.75	44 333 907.55
Kwazulu Natal	728 717 036.68	1 012 343.68	45 662 693.00	87 427 083.87	862 819 157.23
Limpopo	363 360 386.73	0	10 402 947.92	46 173 912.71	419 937 247.36
Mpumalanga	228 218 150.50	1 461 442.46	6 572 000.00	46 382 137.26	282 633 730.22
Northern Cape	70 793 518.13	0	919 874.15	45 505 978.47	117 219 370.75
North West	235 611 214.25	410 609.46	1 010 169.00	46 779 328.13	283 811 320.84
Western Cape	32 134 175.60	1 350.00	7 323 904.36	103 042 108.82	142 501 538.78
Total	1 659 234 481.89	3 001 699.40	71 891 588.43	753 455 325.76	2 487 583 095.48



Graph3: Expenditure Type 2014-2015

Annual financial statements

The information on the financial statement forms part of the annual report for the DRDLR.

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Citizens' Manual on how to lodge a land claim

About the reopening of lodgement of land claims

The right to restitution is one of the rights enshrined in the Bill of Rights of the Constitution of the Republic of South Africa. The Restitution process is regulated by the Restitution of Land Rights Act, 1994.

The Restitution of Land Rights Amendment Act of 2014 came into effect on 1 July 2014. This legislation provides an opportunity for individuals and communities who were dispossessed of their rights to land after 1913 as a result of racially biased laws or practices; and who missed the initial cut-off date of 31 December 1998 to lodge claims, to do so until 30 June 2019.

What is a land claim?

A land claim is a written request made by a person, a direct descendant of a person, an estate or a community, for the restitution of a right in land or other equitable redress that has been lodged with the Commission on Restitution of Land Rights, in the prescribed manner.

What is a land right?

A land right is a registered or unregistered right in land, and includes the interests of labour tenants and sharecroppers, customary law interests or beneficial occupation for a period of more than 10 years. Individuals or communities must have occupied land OR must have proof in the form of a document, e.g. a title deed, permission to occupy, etc. for them to have a right in land.

Who can lodge a claim?

A person or a community who was dispossessed of a right in land after 19 June 1913 as a result of past racially discriminatory laws or practices, and who did not receive just and equitable compensation at the time of dispossession, can claim for restitution of that right in land or equitable redress.

Categories of claimants:

- An individual dispossessed of a right in land.
- A direct descendant or spouse of a person who lost a right in land.
- A juristic person, e.g. a company or a trust.
- An executor or an administrator of an estate of a deceased person.
- A representative of a community

Who may not lodge a claim?

- Those who have claimed before and received redress (land or financial compensation) may not claim again for the same right lost.
- If you have lodged a claim before, but have not yet received compensation, please verify whether the Office of the Regional Land Claims Commission in your province has your original claim before you resubmit a claim. Do not lodge a new claim for the same right if your claim is still being processed.

What documents must you bring to lodge a claim?

- A certified copy of your South African green bar-coded identity document or Smart ID card.
- A signed letter authorising you to act on behalf of your family or community, signed by two witnesses (power of attorney), if you are acting on behalf of your family of community.
- A list of the people you represent.
- A letter from the Master of the High Court if you are the executor of an estate.
- A written decision from a community meeting, signed by the person who facilitated the meeting (community resolution), if you are lodging a claim on behalf of a community.

What information is required?

- The description of the property, e.g. farm name and number (or erf or stand number in an urban area)
- Information about the person, department or state organ that acquired the land, e.g. the Department of Native Affairs.
- The year or years of dispossession.
- The compensation paid at the time of dispossession.
- Particulars of the claimant and the capacity in which you are acting, e.g. community representative, son, daughter, an executor of an estate, etc.
- History of the acquisition of the rights and land dispossession.

How to submit a claim?

- Lodging a land claim is a free government service.
- You have until 30 June 2019 to lodge your claim.
- Claims must be lodged at a designated lodgement office or official mobile lodgement office.
- Information about your claim will be captured electronically during lodgement.
- No forms will be distributed to claimants.
- You have to visit a lodgement office to lodge a claim, with all the required documents.
- You will receive a letter with a unique reference number after your information has been captured electronically, confirming that you have successfully lodged your claim. Please quote the unique reference number in all your correspondence with the Commission on Restitution of Land Rights.
- An SMS will also be sent to you confirming that the Commission on Restitution of Land Rights has received your claim.
- The Commission will investigate the merits of your claim and you will be informed about progress on your claim at regular intervals, or upon your request.

Where to go to lodge your claim?

- There are 14 lodgement offices across the country where you can go to lodge your land claim. See contact details on reverse side.
- During the five year period ending on 30 June 2019, mobile lodgement offices will also visit far flung areas in each province, to enable all qualifying citizens to lodge their claims.
- Information regarding the mobile lodgement offices' visits will be announced through local communication channels.

Warning about criminal activities related to the lodgement of land claims

- It is illegal to submit a fraudulent claim, including not disclosing other potential interested parties.
- It is also illegal for a person to prevent or obstruct another person from lodging a claim.
- You have until 30 June 2019 to lodge your claim.
- Lodging a land claim is a free government service. You are not required to pay any money to lodge a land claim.
- Call the anti-fraud hotline number on 0800 701 701 to report any fraudulent activity.

[illegible]

[illegible]

[illegible]



**COMMISSION ON RESTITUTION OF
LAND RIGHTS**



NATIONAL OFFICE

Chief Land Claims Commissioner

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RP167/2015
ISBN: 978-0-621-43686-0