



Department of Land Affairs

**Strategic Plan**

**2005 – 2010**

“Sustainable Land and Agrarian Reform: A Contribution to Vision 2014”

**March 2005**

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## **Vision**

An equitable and sustainable land dispensation that promotes social and economic development

## **Mission**

To provide access to land and to extend rights in land, with particular emphasis on the previously disadvantaged communities, within a well planned environment

## **Strategic Objectives**

- Provision of access to land
- Provision of rights in land
- Effective land planning and information
- Improvement of stakeholder relations
- Promotion of intra-departmental excellence
- Improvement and alignment of systems and processes

## **Core business values**

- Batho Pele
- Commitment
- Accountability
- Work ethic
- Innovation

## **Core clients**

- Landless and tenure insecure communities
- Emergent black farmers
- All spheres of Government
- Users of spatial information
- Land owners

## **PROGRAMMES OF THE DEPARTMENT OF LAND AFFAIRS**

Programme 1:	Administration
Programme 2:	Surveys and Mapping
Programme 3:	Cadastral Surveys
Programme 4:	Restitution
Programme 5:	Land reform
Programme 6:	Spatial Planning and Information
Programme 7:	Auxiliary and Associated Services (including sub-programme Deeds Registration)

## **CONSTITUTIONAL FRAMEWORK**

Constitution of the Republic of South Africa, 1996 (Act 108 of 1996)

### **Preamble**

We, the people of South Africa  
Recognise the injustices of our past;  
Honour those who suffered for justice and freedom in our land;  
Respect those who have worked to build and develop our country; and

Believe that South Africa belongs to all who live in it, united in our diversity.

We therefore, through our freely elected representatives, adopt this Constitution as the supreme law of the Republic so as to-

Heal the divisions of the past and establish a society based on democratic values, social justice and fundamental human rights

.....

Improve the quality of life of all citizens and free the potential of each person

.....

### **Section 25**

Section 25(1):

No one may be deprived of property except by law of general application and no law may permit arbitrary deprivation of property.

Section 25(2):

Property may be expropriated only in terms of law of general application-  
For public purposes or public interest; and  
Subject to compensation, the amount of which and time and manner of payment of which have either been agreed by those affected or approved by a court"

Section 25 (3):

The amount of the compensation and the time and manner of payment must be just and equitable, reflecting an equitable balance between the public interest and the interest of those affected, having regard to all relevant circumstances, including-

- Current use of the property;
- The history of the acquisition of the property;
- The market value of the property;
- The extent of direct state investment and subsidy in the acquisition and beneficial capital improvement of the property; and
- The purpose of the expropriation.

Section 25(4):

For the purposes of this section-

- (a) Public interest includes the nation's commitment to land reform and reforms to bring about equitable access to South Africa's natural resources ; and
- (b) Property is not limited to land

Section 25(5):

The state must take reasonable legislative and other measures within its available resources, to foster conditions which enable citizens to gain access to land on an equitable basis.

Section 25(6):

A person or community whose tenure of land is legally insecure as a result of past racially discriminatory laws or practices is entitled, to the extent provided by an Act of Parliament, either to tenure which is secure or to comparable redress.

Section 25(7):

A person or community dispossessed of property after 19 June 1913 as a result of 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."

Section 25(8):

No provision of this section may impede the state from taking legislative and other measures to achieve land, water and related reform, in order to redress the results of past racial discrimination, provided that any departure from the provisions of this section is in accordance with the provisions of section 36(1).

Section 25(9):

Parliament must enact legislation referred to in subsection (6).

Land Planning and Information ensures orderly and sustainable development and provides security of land rights. Activities for 'planning' and 'information' are geared towards a good land administration support that will:

- Guarantee ownership and security of tenure;
- Support land and property taxation;
- Provide security of credit;
- Develop and monitor land markets;
- Protect state land;
- Reduce land disputes;
- Facilitate land reform implementation;
- Improve urban planning and infrastructure development; and
- Support environmental management.

## **LEGISLATIVE FRAMEWORK**

### Redistribution

The Provision of Land and Assistance Act, 1993 (Act 126 of 1993), as amended which empowers the Minister of Land Affairs to acquire land and provide development assistance for the redistribution of land and for security of tenure to occupiers of rural land belonging to someone else.

### **Restitution**

- The Restitution of Land Rights Act, 1994 (Act 22 of 1994), as amended, which provides for the restitution of land or equitable redress to persons or communities dispossessed of land as a result of past racially discriminatory laws or practices; and
- The Restitution of Land Rights Amendment Act 48 of 2003, which empowers the Minister of Land Affairs to purchase, acquire in any other manner or expropriate land or rights in land for the purpose of a restitution award or for any land reform purpose.

### **Tenure Reform**

- The Upgrading of Land Tenure Rights Act, 1991 (Act 112 of 1991), which provides for the upgrading of various forms of tenure to ownership;
- The Interim Protection of Informal Land Rights Act, 1996 (Act 31 of 1996), which provides for the temporary protection of certain rights and interests in land which are not otherwise adequately protected by law, until comprehensive new legislation is in place;
- The Land Reform (Labour Tenants) Act, 1996 (Act 3 of 1996), which provides for security of tenure to labour tenants and their associates and for the acquisition of land by labour tenants;
- The Communal Property Association Act, 1996 (Act 28 of 1996), which makes provision for the establishment of legal entities enabling communities to acquire, hold and manage land on an agreed basis in terms of a constitution;
- The Extension of Security of Tenure Act 1997 (Act 62 of 1997), which provides for security of tenure to people living on all land except for townships and regulates the conditions under which the eviction of such people may take place; the law also makes provision for on-site and off-site development;
- The Prevention of Illegal Eviction From and Occupation of Land Act, 1998 (Act 19 of 1998), which provides for the prohibition of unlawful eviction, procedures for the eviction of unlawful occupiers and the repeal of the Prevention of Illegal Squatting Act, 1951 and other obsolete laws;
- The Transformation of Certain Rural Areas Act, 1998 (Act 94 of 1998), which provides for the repeal of the Coloured Rural Areas Act, 1987; and
- The Communal Land Rights Act, 2004 (Act 11 of 2004), which provides for legal tenure security, including KwaZulu-Natal Ingonyama land, to communities, or by awarding comparable redress. The Act also provides for the conduct of land rights enquires to determine the transition from old order rights to new order rights and for the democratic administration of communal land by communities.

### **Deeds Registration**

- The Deeds Registries Act, 1937 (Act 47 of 1937), which provides for the administration of the land registration system and the registration of rights in land; and

- The Sectional Titles Act, 1986 (Act 95 of 1986), which regulates the survey, registration and administration of sectional title schemes.

### **Surveying**

- The Professional and Technical Surveyors Act, 1984 (Act 40 of 1984), which regulates the professional and technical surveyors' profession; and
- The Land Survey Act, 1997 (Act 8 of 1997), which regulates the surveying of land in the Republic, for purposes of registration in the Deeds Offices.

### **Spatial Planning and Information**

- The Development Facilitation Act, 1995 (Act 67 of 1995), which established a transparent and democratic national land use management system and provides for extraordinary measures to facilitate and speed up the implementation of reconstruction and development programmes and projects in relation to land;
- The Planning Profession Act, 2002 (Act 36 of 2002), which provides for the much-needed transformation of the planning profession and the enhancement of professional and ethical standards; and
- The Spatial Data Infrastructure, 2003 (Act 54 of 2003), which provides a technical, institutional and policy framework for the capture, maintain, distribution and use of publicly held spatial information.

### **Other pieces of legislation that provide a mandate for our operations include:**

- Removal of Restrictions Act, 1967 (Act 84 of 1967);
- Physical Planning Act, 1991 (Act 125 of 1991);
- South African Geographical Names Council Act, 1998 (Act 11 of 1998);
- and
- Municipal Systems Act, 2000 (Act 32 of 2000)

## **STATEMENT BY THE MINISTER FOR AGRICULTURE AND LAND AFFAIRS**

In April 2004 the people of South Africa gave us a clear political mandate whose core objectives are to increase employment and reduce poverty. Vision 2014: A People's Contract to Create Work and Fight Poverty, states that:

'Guided by the Reconstruction and Development Programme, our vision is to build a society that is truly united, non-racial, non-sexist and democratic. Central to this is a single and integrated economy that benefits all'.

The People's Contract recommitments the Department of Land Affairs to take the lead in ensuring that the national target of redistributing 30% of white-owned agricultural land by 2014 is met. Land and agrarian reform, coupled with a secure tenure system, is one of the foundations towards building a better life for all.

As the President indicated in his State of the Nation Address on 11 February 2005, 'as a people we have every reason to be proud of our historic achievements during our First Decade of Democracy'.

Among these achievements has been our ability, as a nation, to lay a very solid foundation for the implementation of the land and agrarian reform programme, despite the history of major land dispossessions and denial of land rights to the Black majority during the apartheid years. The development of the policy and legislative framework took us some time to accomplish, because it was important to ensure that land and agrarian reform would be implemented within a well planned environment and in a sustainable manner. It is for that reason that land planning and information has now become an important part of the mandate of the Department of Land Affairs.

As a country, we decided to implement land and agrarian reform in terms of the three 'legs', namely, redistribution, restitution and tenure reform. This form of division between the programmes was necessary due to the huge task that the Department of Land Affairs has to carry out. For restitution, it was decided that a special commission, the Commission on Restitution of Land Rights, and a special court, the Land Claims Court, be set up to ensure that the restitution process has the necessary institutional foundation upon which to be implemented within a very specific time-frame. The two institutions have worked very well together with the Department of Land Affairs as partners in implementing the restitution process. The government has since made a decision to settle all outstanding restitution claims in the next three years in order to bring about certainty and therefore stability for the economy as far as potential land claims are concerned. By 28 February 2005 we had delivered just over 3 million hectares of land through all programmes of land reform.

The President continuously echoed in his State of the Nation Address of 11 February 2005, this now famous passage from the Freedom Charter, "South African belongs to all who live in it, black and white" The Department of Land Affairs, together with the Commission on Restitution of Land Rights, have the primary responsibility of ensuring that there is equitable land distribution among South Africans and that the injustices of land dispossessions dating back to 19 June 1913 are effectively addressed. Such is the magnitude of the challenge of implementing land and agrarian reform that at the end of the First Decade of Democracy we are still faced with highly skewed land ownership patterns. This year marks 50 years since one of the most infamous forced removals in our country, that of the people of Sophiatown in Johannesburg, the destruction of their once a vibrant culturally diverse community 'and its transformation into a



white group area renamed Triomf, the Triumph of white supremacy'. It is appropriate that the Commission finalised this claim as early as the year 2000.

Having established a firm foundation for the implementation of land and agrarian reform in the First Decade of Democracy, we are now moving, as per the words of the President, 'even forward towards the consolidation of national reconciliation, national cohesion and unity, and a shared new patriotism born of the strengthening of the manifest reality of a South Africa that belongs to all who live in it, united in their diversity.' The Second Decade of Democracy is therefore about fast-tracking the implementation of land and agrarian reform in the context of Vision 2014. It is also about 'eradicating poverty and underdevelopment, within the context of a thriving and growing First Economy and the successful transformation of the Second Economy'

While this strategic plan is firmly based on the national strategic objectives and is therefore concerned with addressing our very specific national challenges of creating work and fighting poverty, it is also in line with the international, regional and sub-regional imperatives. The Millennium Development Goals that were formulated at the World Summit on Sustainable Development- a significant international event that our country successfully hosted- commit the world to among other things, halving poverty and increasing food security by 2014. This strategic plan also supports the long terms objectives of the New Partnership for Africa's Development (NEPAD), which are to 'eradicate poverty in Africa and place African countries, both individually and collectively, on a path of sustainable growth and development and thus halt the marginalisation of Africa in the globalisation process.'

In line with our commitment to NEPAD's vision on African Renewal, we will continue to contribute to the Southern African Development Community (SADC) through collaboration on projects promoting regional and international partnerships for growth and development. These include the establishment of a unified African spatial referencing system (AFREF) and the systematic collection and maintain of fundamental geo-spatial information (Mapping Africa for Africa and AfriCover SADC). We will continue to provide the special bursary scheme for those wishing to study surveying in order to ensure that we provide skills required by the economy.

We commit to implementing the Regional Land Reform Technical Facility, an initiative of the SADC whose main objective is to support land and agrarian reform in the region. We will also be building the capacity of our International Relations Desk to ensure that it is staffed by personnel who possess the requisite political acumen and have a deep understanding of South Africa's foreign relations policy to be able to develop a comprehensive international relations policy which will determine how we will collaborate with relevant foreign governments on land matters. The Desk should be able to monitor how the South African land reform programme is projected internationally in order to enable us to develop correct responses to the advantage of our economy.

We have learned valuable lessons while developing the implementation plan to finalise all restitution claims in the next three years. Through this process we have been able to develop plans, up to district level, to settle restitution claims with the participation of Premiers, Members of the Executive Councils (MECs) responsible for land affairs, provincial Departments of Agriculture, the regional offices of the Commission on Restitution of Land Rights as well as provincial and district offices of the Department of Land Affairs. This experience will stand us in very good stead as we develop a comprehensive land and agrarian reform implementation strategy for meeting all targets set for land redistribution and

tenure reform. This will entail, among other things, scenario planning and forecasts of what it will take for us to meet the targets. Developing plans up to district level will not only ensure that land reform projects fit within the provincial development but the projects will also enjoy a high probability of success and sustainability due to the participation of all relevant state actors and non-state actors.

Some of the hard lessons that we learned during the First Decade of Democracy is that unless we seriously invest in skills development, extension services and institutional support for our beneficiaries, some of the projects that we have approved and implement at much cost, both human and material, will fail. In our endeavour to ensure that projects that have an agricultural aspect are sustainable, the Department of Land Affairs and the National Department of Agriculture will jointly administer the Comprehensive Agricultural Support Programme (CASP) to benefit those acquiring agricultural land through state assistance. The quality of our land delivery is being impacted upon positively by the environmental planning guidelines now in place and the mapping and integration of our projects into Integrated Development Plans (IDPs).

The issue of institutional arrangements to support our beneficiaries once land has been transferred is also receiving attention. The Department of Land Affairs will therefore be developing a comprehensive strategy on what type of institutions would be appropriate to provide continuous support as well as what government intervention strategies would be appropriate if it becomes clear that some of the projects are heading for collapse. One of the proposals being considered is the proactive land acquisition strategy.

Despite being part of the developing world, we pride ourselves on having the cadastral surveys and deeds registration systems that are world-class. Our cadastral survey system is based on a national reference system, thereby ensuring accurate surveys which can be reconstructed at any time should beacons be destroyed or moved. The Surveyors-General ensure the accuracy of all property right surveys and archive all the related documents. All of the 7 million surveyed land parcels are depicted on the digital cadastral map that is available to all users via the internet. By providing title deeds that are respected by the courts, the public and financial institutions, our Deeds Registries are able to empower people who were previously unable to access banking facilities to become economically active thereby enabling them to participate in the first economy. Despite large volumes of transactions resulting from the current property boom, the Deeds Registries have been able to maintain the quality of its registrations and proper financial management. The monetary benefits resulting there from have been passed onto citizens by the non-increase in tariffs charged by the Deeds Registries.

The Department's initiatives for the scanning of Deeds Registry archives and the development of an electronic registration and survey system (e-Cadastre) are aimed at increasing the capacity of the cadastral and registration infrastructures in order to support the Department's challenges to achieve Vision 2014.

As a repository and custodians of crucial information, the Deeds Registries will analyse trends in land ownership patterns in order to assist us to formulate appropriate responses.

With the new South African Council for Planners having taken office in July 2004, the much-required transformation and strengthening of the planning profession is well underway. This will include greater representivity and enhanced professional and ethical standards in the profession. The legislative and institutional

mechanisms to ensure greater access to public-held spatial information are now in place. This will greatly enhance the quality of planning and governance across our country. The Department will also be developing a proposal to government on development planning within the African context. This is in order to ensure that we place our spatial planning within a framework that is alive to the African reality and ensuring that we do not disadvantage those of our people who live in rural areas by not making provision for them to also enjoy access to bulk services.

Even as we begin the Second Decade of Democracy, farm dwellers still have to contend with illegal evictions. In line with Vision 2014, we therefore plan to finalise all labour tenant applications in 2006/2007 as well as implement a new law consolidating the Land Reform (Labour Tenant) Act, 1996 (Act 3 of 1996) and the Extension of Security of Tenure Act, 1997 (Act 62 of 1997) to ensure a more comprehensive approach for dealing with farm dwellers, with a view to making it very difficult to evict those living on farms without due process of the law.

We will pilot the implementation of the Communal Land Rights Act, 2004 (Act 11 of 2004), in this financial year in KwaZulu-Natal and roll it out to the rest of the country from 2006/2007 onwards. We have selected KwaZulu-Natal as a pilot because of the experience we have accumulated, through the Ingonyama Trust Board administering the Ingonyama Trust land. The phased approach is meant to allow for proper training and communication on the legislation's content and setting up of the Land Administration Boards necessary for supporting the Land Administration Committees.

Addressing the challenge of integrated planning has become a priority for government. The Department of Land Affairs and the Commission will therefore be collaborating with a number of sister departments on different projects and programmes. Among them are the Department of Provincial and Local Government (DPLG) and the South African Local Government Association (SALGA) to undertake land audits and determine the land needs of municipalities; the DPLG and SALGA to comprehensively address the Integrated and Sustainable and Rural Development Strategy (ISRDP) and the Urban Renewal Programme (URP); the Department of Housing to collaborate on the human settlement strategy and rural housing; as well as the Department of Public Works to clearly define what the role and function of our Department will be on the Extended Public Works Programme (EPWP).

The Department of Land Affairs commits itself to making a valuable contribution towards meeting the strategic objectives of Vision 2014. I am confident of their ability to achieve that.

*Aluta, continua!*

Ms Thoko Didiza  
Minister for Agriculture and Land Affairs  
March 2005

## **STRATEGIC CONTEXT**

### **Introduction**

The Department of Land Affairs operates within a planning framework underpinned by the strategic direction provided by Government through the outcomes from the Cabinet Makgotla, the Ten Year Review and the President's State of the Nation Addresses particularly on May 2004 and February 2005. In line with these outcomes, the Department has identified primary strategic aspects which relate to the execution of its mandate, namely, socio-economic development, consolidation of the African Agenda and the effective governance and administration. As stated by the Minister, the Department's plans are also in line with international, regional and sub-regional objectives regarding development.

Our work is also guided by:

1. The Millennium Development Goals at an international level,
2. NEPAD at a regional level and
3. SADC objectives at a sub-regional level.

Acknowledging that the Department operates within the broader Government system, the African Agenda was identified as a priority and the Department will participate and contribute to its implementation.

The strategic plan is centred on the Department's primary responsibility, being the implementation of the land reform programme, which is not only key to socio-economic development, but also central to meeting strategic national objectives.

Since the Department's main business takes place largely within a rural context with the primary clients being the landless and farm dwellers whose rights are being violated, the Department has to make a significant contribution towards the realisation of the development of rural areas. Our reform processes in this regard, would focus primarily on providing tenure security and improving the livelihoods of beneficiaries. It is also acknowledged that the Department would need to participate in the urban sector by contributing to the clearance of informal settlements. The Department will therefore act as partners in the human settlement strategy that has just been developed by the Department of Housing by providing support in relation to land access and land delivery.

As stated by the President in the State of the Nation Address in 2005, Cabinet is working to align the National Spatial Development Perspective with the Provincial Growth and Development Strategies and the municipal Integrated Development Plans to ensure properly focused development planning. The Department has been involved in this process since the first pronouncement by the President in his State of the Nation Address of 2004. We are interacting with the Presidency, the DPLG and other key stakeholders, namely Provincial Government and Municipalities. We participated in substantive content issues and responded positively to requests to contribute financially towards the project. Out of this effort, a draft report was presented to Cabinet late last year. Cabinet has already commented on the draft report and we are now busy addressing their inputs.

The Department will also be developing a proposal on development planning within an African context. This in light of the fact that our planning needs to be attuned to the reality that most of our people live in rural areas and should not be induced to move to urban areas just so as to be closer to services. They also need to have access to bulk services.

As a contribution towards the Integrated and Sustainable Rural Development Programme (ISRDP) and the Urban Renewal Programme (URP), the Department will engage with all the relevant departments that are involved in nodal areas particularly the Department of Provincial and Local Government (DPLG) with a view to clarifying our roles and responsibilities in line with the development plans for the nodal areas. We will also be considering devolving functions to local government to ensure that they have the capacity to become active partners in land reform implementation. Our plans must be firmly rooted in the IDPs of municipalities. We will undertake an audit of land needs of municipalities to order to determine how we can be of assistance.

One of the challenges facing Government is to ensure adequate co-ordination and integration of efforts of the different institutions of service delivery. The Department is especially tasked with the responsibility of developing a framework for mutual support to land reform projects, whereby roles of different players are to be defined. Ensuring an integrated approach in the conception and planning of land reform projects for sustainability is one of the Department's strategic priorities. To achieve this, the Department is developing a Post Settlement Support framework geared to achieving synergies through increased local level capacity and commitment. Initiatives to function within a common planning context would be central to this framework.

The Department is currently undertaking a comprehensive policy review process for the purposes of updating our White Paper on South African Land Policy. There is a possibility of hosting a land summit as part of the policy review process.

The Department recognises the need to contribute to the development of a cadre of civil servants of the highest quality. We therefore recognise the need to build staffing capacity and commit to ensuring excellence in service delivery. In addition, the Department will endeavour to ensure effective governance and administration throughout the Department that would include the implementation and maintenance of a high level of security standards.

### **Socio-economic development**

National Government acknowledges that the resolution of the land question is central to socio-economic development. Therefore land reform has not only been identified as one of the interventions to address poverty and create employment opportunities but also contributing towards the integration of the first and second economies. Thus, the Department has a mandate to ensure that land reform programmes contribute to these objectives.

The Department therefore commits to:

- Prioritising settlement of all outstanding restitution claims in a sustainable manner;
- Accelerating the pace and quality of land redistribution to achieve social equity and sustainable development;
- Fully implementing tenure reform by providing broad-based, democratic and secure access to land in the communal areas and securing tenure for farm dwellers;
- Ensuring improved livelihoods through productive and sustainable land use on all transferred land to land reform beneficiaries; and
- Contributing to the Integrated Sustainable Rural Development Programme (ISRDP) and the Urban Renewal Programme (URP).
- Accelerating the disposal and improve the administration and management of state land

In addition, the Department of Land Affairs will participate in promoting opportunities for participation of marginalised communities in economic activities that will contribute to improving the quality of livelihoods of the poor. Based on the Department's assessment of land reform programmes implemented so far, it has become necessary to pay attention to skills development of land reform beneficiaries.

Land and agrarian reform has been identified as one of the vehicles for the implementation of the Micro-Economic Reform Strategy (MERS), particularly as this pertains to the dual economy paradigm. To this end, the Department of Land Affairs will in collaboration with the Departments of Agriculture; Housing; Environmental Affairs and Tourism; Water Affairs and Forestry; as well as the Provincial and Local Government ensure that an integrated approach to land reform is implemented. We will also improve our level of engagement with the private sector as well as Non Governmental Organisations operating within the land sector. This is crucial to address the problem relating to the sustainability of land reform projects.

Taking the above into account, the Department of Land Affairs will refine its strategic approach to land reform implementation by developing an integrated land and agrarian reform strategy, which will among other things contribute to the reduction of poverty and enhance the role of previously disadvantaged groups in land ownership, which will result in economic activities, such as:

- Employing the principles of Communal Land Rights Act to support the Integrated Sustainable Rural Development Projects;
- Ensuring peace and stability in rural areas; and
- The land and agrarian reform strategy will have to be community-driven.

The Department should also ensure alignment of land reform grants with beneficiary needs. There will be a further need to review all the land grants in line with the land market prices.

Implementation of the land and agrarian reform is not just about land and agricultural inputs, but also about creation of sustainable agricultural and rural settlements. This would require development of infrastructure, i.e. roads, sanitation, telecommunication and other basic services. The Department will collaborate with the Departments of Public Works and Transport on the Extended Public Works Programme (EPWP) to ensure that there is sufficient infrastructure to support land reform projects and ensuring that the land reform beneficiaries benefit from this programme.

Local Government has been identified as a key tool for increasing government intervention in South Africa's war on poverty and under-development. Some communities still do not have access to basic services such as clean water, adequate sanitation, food security and appropriate shelter. Focus is therefore on increasing the capacity of Local Government to discharge responsibilities. The Department of Land Affairs will adopt an approach that would locate land issues within the Integrated Development Plans (IDPs) of local government.

## **Rural Development**

Strengthening land rights of the rural poor remains central to the Department's priorities. Implementation of the Communal Land Rights Act, (Act 11 of 2004) will ensure that the rights of people living in communal areas are formally recognised and protected and create an enabling environment for economic development. The Department would also ensure that people living on commercial farms are

empowered by providing secure tenure and creating economic opportunities. The Commission will prioritise settling restitution claims within nodal areas.

The Department will increase the pace of the redistribution programme and ensure that the land redistributed will improve the rural livelihoods of beneficiaries and have a positive impact on rural communities' welfare. To further contribute to rural development, the alignment of LRAD and CASP will contribute to increasing the agricultural performance of beneficiaries on transferred land.

Our Spatial Planning and Information component will formulate Spatial Development Frameworks to ensure that Local Government and Provincial resources address rural development needs, not only from a social development perspective, but also from an economic development point of view, in line with the socio-cultural landscape of our countryside. Amongst the key aspects of this will be:

- The identification and securing of suitably located land to enhance development activities;
- The identification and promotion of existing socio-economic activities;
- The restructuring and re-orientating of land use regulators/institutions to ensure that there is focus to the rural development needs;
- The enhancement of functional links between the urban and rural spheres. This is to ensure that we optimise the benefits that flow from the urban economies for the sustenance of rural economies; and
- The liaison with other sister Departments to encourage them to invest in rural areas e.g. housing benefits such as bonds and housing grants should also be extended to those who want to utilise them in rural areas, and for the provision of bulk infrastructure.

The Surveys and Mapping Chief Directorate will establish real-time base stations in support of the surveys for CLARA. We will update maps and prioritise the updating of aerial photography coverage in the rural areas, particularly within the ISRDP nodes for development purposes.

The surveying and registration of the outer boundaries of communal areas, in terms of the Communal Land Rights Act, will receive priority. This will enable communities who were previously excluded from the benefits of land ownership, to take formal title to their land.

### **Rural Safety Strategy (delete full stop)**

The Department will continue to actively participate in the development of the Rural Safety Strategy. The strategy must also have implementation plans that provide for, among other things, the safety and security of farm dwellers and respect for their human rights. Other aspects that the strategy must address are:

Finalisation of the consolidation of the Extension of Security of Tenure Act, 1997 and the Land Reform (Labour Tenants) Act, 1996 will lead to the strengthening of land rights. This should include exploring the feasibility of delegating certain functions and powers to municipalities to enable them to address issues of insecurity of tenure on farms. Resources will need to be made available to allow for possible delegations of functions to municipalities and provision of legal assistance to farm dwellers;

- Awareness creation programme to sensitize farm workers on their rights;
- Setting up partnerships with the Department of Justice and the South African Police Service with the objective to ensure that farm dweller

- legislation and other criminal legislation are enforced. This will promote stability in the rural areas; and
- Building capacity at justice centres and law enforcement agencies by providing training on land reform legislation.

### **Urban Development**

The Department of Land Affairs will contribute to the development of legislative, technical and institutional tools to contribute towards settlement development that enhances:

- Integrated planning and service delivery;
- Geographical equity; and
- Locational equality.

In addition, rapid release of land will be supported through our planning and spatial components. Our involvement will further ensure land use planning services for purposes of housing development. As a matter of urgency, programme alignment between Departments needs to be effected. The Department of Land Affairs will also participate in the Urban Renewal Strategy.

The Department also recommits itself to implementing the strategy related to commonage to ensure that people living in peri-urban and even those living around big cities have access to commonage in order to be able to tend their livestock and thereby have a livelihood. This is in order to emulate the examples from elsewhere where 'green lungs' exist within big cities were cited.

### **Consolidation of the African Agenda**

In pursuance of the Millennium Development Goals and the objectives of NEPAD AU and SADC the Department of Land Affairs will develop a comprehensive strategy as well as continue with programmes that seek to contribute towards the implementation of the African agenda. For example, we would participate in the Committee for Development Information (CODI), African Spatial referencing system (AFREF), Mapping Africa for Africa, establishment of Land Administration Systems in Rwanda, training of SADC countries in the deeds registration system and SADC Land Reform Technical Facility.

### **Stakeholder Relations**

In support of the call by the President for more integrated planning in government, strong partnerships will be forged with other Government departments and spheres of Government. For example, we will collaborate with the Department of Housing in the implementation of the human settlement strategy and the rural housing strategy.

In addition the Department will review our approach to our participation in the FOSAD clusters to ensure that land related matters receive the necessary profile.

We will work with the DPLG and SALGA to identify land needs of municipalities as well as work with them on the land needs within nodal areas in order to support the ISRDP and the URP. We will liaise with the Department of Public Works to clarify our roles and responsibilities with regard the Extended Public Works Programme.



## **Governance and Administration**

In order to accelerate the pace of growth of the economy and the rate of investment in productive capacity, the Department would invest in developing the skills of its workforce in line with the National Skills Development Strategy, particularly skills that are peculiar to land administration.

In order to ensure effective service delivery and administration, the Department will invest in skills development programmes both for our personnel as well as land reform beneficiaries as a contribution towards providing skills for the economy. This will include developing mentorship programmes for land reform beneficiaries and aligning the Department's human resources strategy to the implementation of an integrated land and agrarian reform strategy.

In order to effectively participate in international, continental and regional programmes we need to develop capacity within the Department, which would enable the Department to ensure that the International Relations Desk is sufficiently staffed and empowered.

We will improve efficiency and improving turn-around times within the Department as well as improve public access to information of the department must also be addressed. This will entail, among other things, improved utilisation of the Multi Purpose Community Centres that have been established for this purpose

The Department will implement the e-Government project. We will also participate in the project by the Presidency to monitor and evaluate the impact of Government programmes.

The Department acknowledges the sensitivity of certain Government information and is committed to ensure that such information is kept secure. The following important issues would also be addressed:

- The need to have an awareness and integrated training programme on sensitive information;
- The need to have guidelines for engagement regarding government information; and
- The need to sign a code of conduct and ethics on an annual basis.

## **OVERVIEW BY THE ACTING DIRECTOR GENERAL OF LAND AFFAIRS**

### **Role and Function of the Department of Land Affairs**

The mandate of the Department of Land Affairs includes both land and tenure reform as well as land planning and information. The Commission on Restitution of Land Rights implements the restitution programme.

The Department of Land Affairs is responsible for implementing land reform, as well as land planning and information. The Department has four branches, namely, the Branch: Land and Tenure Reform, the Commission on Restitution of Land Rights, the Branch: Land Planning and Information as well as the Branch: Corporate Services. The Office of the Director General has a Chief Directorate that assists him or her in carrying out his duties. The programmes of the Department are classified as follows: Programme 1: Administration; Programme 2: Surveys and Mapping; Programme 3: Cadastral Surveys; Programme 4: Restitution; Programme 5: Land Reform; Programme 6: Spatial Planning; and Programme 7: Auxiliary and Associated Services, which includes the Deeds Registration function.

### **Branch: Land Redistribution and Tenure Reform**

The Branch: Land Redistribution and Tenure Reform is responsible for implementing redistribution, tenure reform as well as state land administration and disposal. It is made up of two Chief Directorates, namely the Chief Directorate: Land Reform Systems and Support Services (LRSSS) as well as the Chief Directorate: Land Reform Implementation and Management (LRIMC). The Chief Directorate: LRSSS has three Directorates, namely, Directorate: Public Land Support Services, Directorate: Tenure Reform and Directorate: Redistribution Implementation Systems. This Chief Directorate aims to develop and refine legislation, systems and procedures to enable Provincial Land Reform Offices (PLROs) to deliver land at scale. It also provides a support function to PLROs in the areas of capacity building, information management and communication.

The Chief Directorate: LRIMC is responsible for co-ordinating the actual implementation of the land and tenure reform programme as well as the State land management function at provincial level through the PLROs and at district level through the district land reform offices.

### **Commission on Restitution of Land Rights**

The Commission on Restitution of Land Rights is a statutory body set up in terms of the Restitution of Land Rights Act 22 of 1994, as amended. The role of the Commission is to provide redress to victims of dispossession of rights in land as a result of racially discriminatory laws and practices that took place on or before 19 June 1913.

Although the Commission reports on its work to Parliament annually, the Director General of the Department of Land Affairs serves as its Accounting Officer. This makes it necessary for the Commission to report to the Director General on matters pertaining to resource utilisation and through him to the Minister of Agriculture and Land Affairs on operational matters. This Strategic Plan therefore, incorporates the Commission as one of the programmes within the Department. The Commission is led by the Chief Land Claims Commissioner and has nine (9) Regional Offices headed by seven (7) Regional Land Claims Commissioners.

## **Branch: Land Planning and Information**

The Branch: Land Planning and Information (LPI) is responsible for the survey, mapping and registration of land, as well as for the spatial planning and information. The Survey and Mapping component is responsible for the national mapping series of the country, as well as for providing the survey control network, which enables all surveys in the RSA to be spatially co-ordinated. The private land surveyors base their surveys of land and real rights on this control network, the Surveyors-General examine and approve these surveys, which are then registered by the Registrars of Deeds. All the information emanating from these functions is available as hard copy maps as well as in digital format. The National Spatial Information Framework, which is responsible for data standards and exchange of information, is also situated in the Branch.

The Chief Directorate Spatial Planning and Information (SPI), stores, transmits and uses information relating to land. These pieces of information are necessary for land use purposes and many other land-based or land-related functions. These other functions include the population census, elections, property taxation, telecommunications, water resources, electricity, housing, defence, safety and security, identification of suitable land as part of the government's land reform policy; and international co-operation and commitments.

Since 2000/01 the Branch: LPI has continued to integrate with the rest of the Department of Land Affairs. It has also sought and found new ways of providing technical services to other programmes of the Department, namely the Branch: Land and Tenure Reform as well as the Commission on Restitution of Land Rights. Examples of these technical services include: historical maps archived in the Branch: LPI, surveys performed for the Redistribution Programme and the supply of spatial information. The Branch: LPI is in the process of mapping all restitution claims spatially.

## **Branch: Corporate Services**

The Branch provides corporate services to the Department through four Chief Directorates, namely: Financial Management, Human Capital and Organisational Development, Business Information Management as well as Communication Services. This Branch has played a key role in the implementation of financial and human resource management reforms as well as in improving corporate governance in the Department. Through a robust transformation programme the Branch has assisted the Department in making major strides in improving racial representation in its personnel structures, raising HIV/Aids awareness, facilitating decentralisation of services as well as ensuring that the Department embraces and addresses the needs of the disabled.

## **Office of the Director General**

The Office of the Director General was restructured as from the 2001/2002 financial year to address the need to have components that perform functions of strategic importance to report directly to the Director General and to assist him or her in carrying out his or her duties. The Office is led by the Chief Operations Officer and is made up of the following components: Directorate: Executive Services, Directorate: Monitoring and Evaluation, Directorate: Internal Audit, Sub-Directorate: Gender as well as the Sub-Directorate: Secretariat Support Services. The Chief Operations Officer plays a very important role coordinating issues within the Department by among other things, providing secretariat and other support to the Strategic Management Committee (Stratcom) and EXCO, being meeting between the Minister and members of Stratcom. She is also

responsible for all reporting on operational issues to among other bodies, the United Nations, the African Union, Parliament, Chapter 9 institutions, etc. The COO also takes primary responsibility for the content and process management for strategic planning and annual report.

## PERFORMANCE REVIEW

### Total Land Delivered since 1994

Total size of land delivered from 1994 to 31 December 2004 is about 3,5 million hectares. This includes land delivered through the restitution, redistribution and state land. The total number of household/individuals that have benefited from land reform is over 1 million.

Redistribution delivered about 1,7 million hectares, tenure reform contributed 171, 554.72 while 772, 626.00 hectares of Stateland was delivered. The Commission on Restitution of Land Rights had settled 57,257 claims by 31 December 2004, benefiting 164,103 households who now have access to a total of 812,315 hectares.

- There is not much state land available for land reform purposes, especially for redistribution
- State land comprises about 24,5 million ha or 20,3 % of the total area of the RSA.
- Approx 82,5 % of state land is national while 17,5% ha is provincial
- DLA controls 66,7% while Department of Public Works controls 33,3% of national state land.
- Only about 5% - 7% or 1,7 million ha is available for allocation to land reform beneficiaries, the rest is used for state domestic purposes,
- Vesting of state land is necessary to confirm which 'arm' of government owns it, before it can be used for land reform purposes. It is done by means of issuing a certificate by the Minister of Land Affairs.
- Since 1998, the following categories of state land were disposed of for the various land reform programmes through the facilitation of DLA:

<b>STATELAND</b>	<b>Extent (in ha)</b>
DLA-land (former SADT-land):	601,276
Financial Assistance Agric. Land (Fala-land):	50,000
Other Public Works Dept. land	91,350
Land for housing projects	30,000
<b>Total</b>	<b>772,626</b>

## **Restitution of Land Rights**

In an endeavour to meet the Presidential directive to complete the restitution process in the next three years, the Commission on Restitution of Land Rights has developed an implementation plan in conjunction with all Members of Executive Councils (MECs) responsible for land affairs, provincial departments of Agriculture, as well as provincial and district offices of the Department of Land Affairs. In a number of provinces the Premiers either participated actively or dedicated staff from their offices to contribute meaningfully towards the development of the provincial plans to enhance the prospects of success of the implementation plan.

By the end of December 2004, there were 22,437 claims yet to be settled. Of these, 13 237 are urban while 9,200 are rural. As indicated by the Minister, the Commission plans to complete all restitution claims within the Medium Term Expenditure Framework (MTEF) period, with more emphasis on rural claims, which are much more complex and time consuming.

## **Land Planning and Information**

In order to ensure sustainable development and livelihoods within the land and agrarian reform process, environmental guidelines for effective land reform have been put in place. This year, a substantial amount of the required resources are in place and full roll-out is anticipated.

During the ten-year period 1994 – 2004, the nine Deeds Registries registered a total of 4,960 million deeds of transfer and 3,582 million mortgage bonds. Property registrations and the financial implications of transactions play a major role in the country's economy. During 2004, for example, the total value of properties transferred in South Africa amounted to R596,359 billion. During the same period, mortgage bonds to the value of R921,419 billion were passed. In registering the relevant transactions, the Deeds Registries play a vital role in supporting the national economy.

The Deeds Registries also assist government with the collection of revenue. During the first 11 months of 2004, for example, transfer duties brought in more than R6 billion, with a peak of R742 million in November. November's record performance was 69.4 % higher than the R438 million recorded in the same month in 2003.

The Chief Directorates of Cadastral Surveys and Deeds Registration, being the custodians of the South African cadastral system, have once again managed to maintain the existing world class system. The confidence in the system is one of the main reasons for the booming property market. Over 9000 new land parcels were created and approved by the Surveyors-General during 2004.

## **WHAT THE DEPARTMENT AND THE COMMISSION WILL BE DELIVERING**

### **Land Redistribution and Tenure Reform**

In the next five years, land and agrarian reform implementation will focus on the following five areas: completing the restitution process, settlement of 25 000 labour tenant applications; implementing the Land Redistribution (LRAD) sub-programme; accelerating State Land disposal, management and administration; and finally, implementing the Communal land Rights Act, 2004 (Act 11 of 2004). We will accelerate the pace of delivery on land redistribution to ensure that we

get closer to achieving the target of delivering 30% of commercial white-owned agricultural land by 2014.

### **Stateland disposal and management**

Approval has recently been obtained for allocation of additional funding ( R20 million, R30 million, R40 million over the next three financial years) for the implementation of the policy option aimed at the implementation of a proper administration and management system regarding state land under the control of the Department of Land Affairs, or other state land where the Minister for Land Affairs has certain responsibilities, for example, the confirmation of vested ownership of all state land and assets which was in the possession of the State on 27 April 1994 in terms of Item 28 (1) of Schedule 6 to the Constitution, 1996 and Section 239 of the Previous Constitution, 1993.

The proper management of state land and assets and the disposal of available state land and assets as an important resource to land reform beneficiaries *inter alia*, need to receive focused attention, by the increased allocation of financial, human and other resources. The Minister of Land Affairs has also emphasised this in previous policy guidelines. The acceleration of the confirmation of ownership of state land in either national or a provincial government, where only 16% has been completed so far, is long overdue. The allocation of funds eventually opened the way for focused implementation, emphasizing the strategic importance thereof.

The challenge now is to compile an inter-governmental implementation plan, binding in all responsible departments. This was already initiated via a recent State Land Task Team Meeting between DLA officials, which is to be followed up with discussions with Heads of Departments, followed by a national implementation workshop with line functionaries and then finalising an implementation plan, hopefully during the first quarter of the coming financial year.

The plan will include the identification and survey of unsurveyed state land, land use investigations, vesting applications, implementation of a lease debtor system, the creation of and training for new posts and related issues, as well as the management framework to ensure proper implementation.

With the service provider, the DLA has also undertaken a project to improve the general management and administration of state land, including the land given under Power of Attorney to provincial MECs of Agriculture. An analysis of the current leases is included as well as the improvement of policy and procedures. A report is due during March 2005, which will indicate areas in need of focused attention. A roll out plan to PLROs and the Provincial Agriculture Departments have, also been developed.

### **The Land and Agrarian Reform Implementation Strategy**

As pointed out by the Minister, we will be developing a comprehensive plan of how we will meet all the targets for land redistribution and tenure reform. Taking our cue from the Commission when developing the implementation plan for settling all outstanding restitution claims, the land reform implementation strategy will be developed with the participation of Premiers, Members of the Executive Councils (MECs) responsible for land affairs, provincial Departments of Agriculture, the regional offices of the Commission on Restitution of Land Rights as well as provincial and district offices of the Department of Land Affairs. The

basis of the implementation strategy will primarily focus on modelling various scenarios to indicate how the Department plans will meet the target of redistributing 30% of white owned agricultural land by 2014; complete labour tenant applications by 2006/2007; implement the planned Bill consolidating the Labour tenants Act, 1996 and the Extension of Security of Tenure Act, 1997 for all farm dwellers; and roll-out the implementation of the Communal Land Rights Act. The outcomes of the Fiscal and Economic Analysis project, will guide the Department to be able to map out what fiscal resources would be needed and what economical impact land reform will have on the economy of the country. In addition, the strategy will also be based on the following rationale:

- The need to be able to deal with the current challenges in the implementation of land and agrarian reform;
- The need to define the products and services of land reform to be delivered and to determine how these products and services will be delivered;
- The need to ensure that all relevant stakeholders work together towards a common goal; and
- The need to map out the future of land and agrarian reform implementation.

### **Land for Housing**

In line with the human settlement strategy to upgrade informal settlements by 2014, the Department will actively engage with the Department of Housing and the DPLG to determine and clarify the role of the Department of Land Affairs in this regard. We will ensure that our settlement grants are aligned to and complement those of the Department of Housing. We will explore the possibility of de-linking the land grant from the grant for building the top structure in order to ensure that housing beneficiaries are able to enjoy better quality houses because their grants are only used for the top structure. This will also help the department to properly account for land redistributed, including that used for the housing programme.

### **CASP and LRAD**

The Land Redistribution for Agricultural Development (LRAD) sub-programme was developed as a joint programme between the Department of Land Affairs and National Department of Agriculture. We will jointly manage the programme with decision-making devolved to Provincial Grants Committees. In these committees the two departments jointly approve (or reject) the project proposal, committing to redistribute agricultural land and deliver the necessary support services with grant resources from LRAD land grant and the Comprehensive Agricultural Support Programme (CASP).

We will also jointly develop a framework for aligning CASP, LRAD and land and agrarian reform. The framework will indicate how CASP funding will be allocated and aligned to ensure necessary support to LRAD projects and land reform projects. The framework will form the basis for an envisaged Memorandum of Agreement between the Department of Land Affairs and National Department of Agriculture.

### **TRANCRAA**

The Northern Cape Provincial Land Reform Office is currently implementing the Transformation of Certain Rural Areas' Act, 1998 (Act No 94 of 1998), better

known as TRANCRAA. This piece of legislation seeks to transfer ownership of land in communal areas in the former coloured reserves -as described by the Certain Coloured Areas Act, 1987 (Act 9 of 1987)- to legal entities of the communities' choice with the approval of the Minister for Land Affairs. The land is nominally held in Trust by the Minister for Land Affairs on behalf of the community. There are eight former coloured reserves in the Northern Cape, six in the Namaqua District and two in the Siyanda District Municipality in the Upington area.

The transformation process will culminate in land being transferred to local legal entities like the Municipality or Communal Property Association, should the Minister endorse the recommendations from different communities.

### **Decentralisation of the Land Planning and Information Function**

As part of our decentralisation project, Project *Mutingati*, we will open a new Surveyor General's office in Limpopo, thereby bringing cadastral survey services closer to the people. A new office has already been established in Mpumalanga. The Spatial Planning and Information component will increase its presence at provincial level by opening new offices in all other provinces. So far only Eastern Cape, Limpopo and KwaZulu-Natal have access to its services at a provincial level. The mapping of land reform and restitution projects and their integration into IDPS will be a priority area. In this regard, much has been accomplished in KwaZulu Natal, Eastern Cape and Limpopo. This service will now be extended to the other six provinces. The implementation of key interventions aimed at the transformation of the planning profession is, too, a central area of focus within this year.

### **Deeds Registration**

As part of improvement of the Deeds Registration System, the Department would reflect nationality, race and gender of land owners with the aim to monitor the patterns of land ownership as Government implements its land reform programme.

### **e-Cadastre**

The Deeds Registration System is constantly under review to enable it to cope with the ever-increasing demands for registered title to land such as, for example, RDP housing beneficiaries and the implementation of the Communal Land Rights Act. Plans are under way to replace the current paper-based processing of deeds and documents with a fully electronic system, the e-Cadastre, to handle increasing volumes as the Department's land delivery initiatives gain momentum. The e-Cadastre should become operational in five-years' time. This will dramatically improve the efficiency of our cadastral surveys and deeds registration systems by reducing the turn-around times to 13 days by 2009.

The impact of this on the economy, especially the property market, will be substantial. Developers mostly borrow money to finance new township extensions and sectional title schemes, which run into millions of rands. Each day saved in the approval and registration process means thousands of rands saved on interest paid. The private sector is highly satisfied with the savings over the last couple of years, with the turnaround times in the Offices of the Surveyors-General being reduced from three months to three weeks presently.

The Department is working together with Statistics South Africa (Stats South Africa) in the development of a National Address Database. This database will



enable everybody to have access to emergency services and have a postal address as required by the financial institutions. The cadastral and topographic databases of the Department are invaluable base datasets for this address system.

### **Surveys and Mapping**

We are building the skills base for the Surveying profession by promoting surveying as a career and offering a special bursary scheme, supported by a mentoring programme. The number of bursars has increased from 4 in 2001 to 75 in 2004. The Department also offers a study programme for the National Certificate in Geomatics and the experiential training for 25 students, required for the National Diplomas in Surveying and in Cartography

Improvements will be made to the accuracy and reliability of the geo-spatial information and to make it more accessible and user-friendly to further enhance policy making and development planning. Over the medium term the systematic collection of land cover and land use information will be incorporated into the national mapping programme as further fundamental geo-spatial information. Efforts are under way to improve coordination of the acquisition of aerial photography and satellite imagery, thereby reducing duplication among government departments and other public entities and saving on resources.

In the medium term the network of satellite positioning base stations, called TrigNet, will be extended to provide a real-time positioning service for users, including in the communal land areas, to modernise the national control survey system. In support of regional development the Department will contribute to regional projects, such as the unified African spatial referencing system (AFREF) and the systematic collection and maintain of fundamental geo-spatial information (Mapping Africa for Africa and AfriCover SADC) will be continued.

### **Strategic Leadership, Governance and Accountability for Departmental Resources**

We have aligned our planning process and documentation to the requirements set by the Presidency and National Treasury. In developing targets, products and services for the first half of the Second Decade of Democracy, we have ensured that they will contribute towards the national strategic objectives outlined in Vision 2014. We had already developed Key Performance Areas for the Department in the 2004/2005 financial year to ensure that the plans developed by the different programmes all make a contribution to a shared vision. These Key Performance Areas have largely been retained and turned into specific outputs for the different programmes. New outputs have also been developed to ensure that the Department implements the national strategic objectives as set.

We are developing an early warning system for the implementation of the strategic plan to ensure that we are able to meet our targets and mitigate factors that pose threats to meeting those targets. We have integrated our risk management process into the strategic and operational planning process with a view to ensuring that our targets are more realistic and that we develop action plans to manage the risks. We will continue to improve our systems for regular monitoring and evaluation of impact of departmental products and services in order to enhance land and agrarian reform implementation.

The Inter-Governmental Relations Bill, introduced by the Department of Provincial and Local Government (DPLG) will, once it becomes law, assist the Department in its efforts to facilitate integrated development planning and budgeting for land

reform and restitution projects. This should in turn increase the sustainability of our projects.

As instructed by the Minister, the capacity of the International Relations Unit will be seriously strengthened to assist the Department to develop a comprehensive international relations strategy and develop a monitoring mechanism for how South African land reform programme is being projected internationally. The strategy will not only be able to proactively forecast what trips and countries that the Department will host, it will also have clear criteria of who can travel, when and to which country. The Department will undertake training on diplomatic relations and protocols in order to ensure that its personnel observe them properly.

### **Corporate Services**

In line with the Department's shift in focus from developing policies to implementation of programmes, Corporate Services' attention will be on activities that enhance performance and productivity. The Department will undertake a skills audit to establish the relevance or otherwise of current skills towards the implementation of its mandate. On the basis of this skills audit a Human Resource Plan and a Human Resource Development Strategy will be reviewed.

In the meantime, current management training and development programmes will be sustained to ensure the availability of a competent pool of managers and leaders. To this end, we will participate in the Presidential Strategic Leadership Development Programme (PSLDP) and strengthen our partnerships with academic and training institutions. These employee development programmes will be supported by both internship and learnership programmes which, will serve as a reservoir from which new recruits may emerge.

In addition, Project *Tsoseletso*, (a Setswana term for "Revival") has been commissioned to transform the organisational culture and structure such that it creates a working environment conducive to higher performance.

With respect to the Service Delivery Improvement Plan, an effective monitoring and reporting system will be developed.

In the implementation of the Batho Pele programme, the Department will focus on the following key recommendations from the survey conducted by the DPSA in July 2003:

- (1) Taking public services to the people;
- (2) Know Your Service Rights campaign;
- (3) Putting people first; and
- (4) Mainstreaming and institutionalizing Batho Pele.

## **POLICY DEVELOPMENT AND LEGISLATIVE CHANGES**

As stated earlier, in the first few years of the First Decade of Democracy the Department of Land Affairs and the Commission on Restitution of Land Rights were concerned with laying the foundation for the implementation of land and agrarian reform as well as land planning and information. This meant that the policy and legislative framework had to be set in place for all the 'legs' of land reform, together with systems and procedures being developed to enhance implementation.

Some of the most significant pieces of legislation that we passed during that time were, to mention only a few:

- The Restitution of Land Rights Act, 1994;
- The Development Facilitation Act, 1995;
- The Land Reform (Labour Tenants) Act, 1996;
- The Extension of Security of Tenure Act, 1997;
- The Planning Profession Act, 2002;
- The Spatial Data Infrastructure Act, 2003; and
- The Communal Land Rights Act, 2004.

Since the Second Decade of Democracy is concerned with fast-tracking implementation, we have begun the process of undertaking a comprehensive review of all our policies to see if they are still relevant or whether the time for innovation has arrived. As part of the policy review process, consultation with relevant stakeholders has already begun. This may lead to a Land Summit and amendment of the White Paper of South African Land Policy document of 1995.

As far as the legislative framework is concerned among other things, we will review our deeds registration and cadastral surveys legislation to provide a mechanism to remove farm names which are racially or otherwise offensive. The much anticipated Land Use Management Bill aims to provide a national framework for an integrated spatial planning and land use management system. We also plan to finalise the consolidated bill to provide a more comprehensive piece of legislation for all farm dwellers.

## LEGISLATIVE PROGRAMME FOR 2005/2006

ITEM	BILL	TARGET DATE	POLICY OBJECTIVES	PRINCIPLES/ISSUES ADDRESSED
1.	Land Use Management Bill	November 2004	<p>To provide a national framework for an integrated spatial planning and land use management system which:</p> <p>Addresses the roles of national, provincial and municipal government (the regulators):</p> <p>Is more equitable, effective and efficient: and</p> <p>Facilitates and expedites effective land use and development</p>	<p>To rationalize existing laws and systems which are confusing and inefficient</p> <p>To provide directive principles (equality, efficiency, integration, sustainability, fair and good governance)</p> <p>To provide for Spatial Development Frameworks to enhance co-ordination, commitment of resources, implementation and monitoring</p> <p>To provide for regulated Land Use Schemes</p>
2.	Sectional Titles Amendment Bill 2004	Bill was submitted in September 2004	To improve the technical quality of the Sectional Titles Act (Act 95 of 1986)	<p>To amend certain definitions</p> <p>To further regulate certain matters regarding development schemes, sectional plans and sectional title registers</p> <p>To further regulate certain matters regarding the obligation of the developer towards the body corporate</p> <p>To further regulate certain matters regarding the functions of the body corporate</p> <p>To further regulate certain matters regarding the liability of owners in respect of an unsatisfied judgment against a body corporate</p>
3.	Survey Profession Bill	May 2005	<p>To expedite the transformation and representivity of the surveyors profession.</p> <p>To render the profession more accessible to the previously disadvantaged.</p>	<p>Criteria for appointment of Council members and office bearers.</p> <p>To provide for alternative avenues of entry into the profession, including the recognition of prior learning.</p> <p>To provide for focused skills development, education and training programmes.</p> <p>To provide for work reservation to protect the public.</p> <p>To replace the Professional and Technical Surveyors Act, 1984, (Act 40 of 1984)</p>

ITEM	BILL	TARGET DATE	POLICY OBJECTIVES	PRINCIPLES/ISSUES ADDRESSED
4.	Tenure Security Laws and Consolidation Amendment Bill	June 2005	<p>To rationalise ESTA and Labour Tenants legislation.</p> <p>To improve and align their provisions technically.</p> <p>To tighten up the protection of rights and from eviction.</p> <p>To facilitate easier access to the upgrading of tenure rights.</p>	<p>The rationalisation, consolidation and alignment, both technically and substantively, of:</p> <p>Tenure rights and their protection and strengthening: and Eviction and upgrading mechanisms and procedures.</p>
5.	Land Titles Adjustment and Consolidation Amendment Bill	June 2005	<p>To provide for a quicker, more effective, less costly and administrative land title adjustment procedure</p>	<p>The rationalisation and consolidation of existing legislation (Act 111 and Act 119 of 1993).</p> <p>The qualifications for appointment as a commissioner.</p> <p>Quicker, more effective and less costly procedures.</p>

### LEGISLATIVE PROGRAMME FOR 2006/2007

ITEM	BILL	TARGET DATE	POLICY OBJECTIVES	PRINCIPLES/ISSUES ADDRESSED
1.	Deeds Registries Act Amendment Bill	2006	<p>To review the Deeds Registration Act, 1937 and Regulations</p> <p>To render the system more accessible and less costly</p> <p>To provide statistical data reflecting progress with land reform</p> <p>To amend certain pre-1994 Regulations so as to eliminate the dual registration systems and to regulate and correct the implications thereof (previously listed as the General Amendment Bill on Registration Related Matters)</p>	<p>To modernize the Deeds Registration Act, 1937 and to transform the deeds registration system, procedures and business</p> <p>To provide for an electronic Deeds Registration System (eDRS)</p> <p>To provide mechanisms for the collection and reporting of data</p> <p>To provide mechanisms to rectify erroneous registrations of deeds of grant and leasehold certificates</p> <p>To render the prescribed tariffs of fees applicable uniformly throughout the Republic</p>

ITEM	BILL	TARGET DATE	POLICY OBJECTIVES	PRINCIPLES/ISSUES ADDRESSED
			To provide a mechanism to remove farm names which are racially or otherwise offensive	Transformation of the use of farm names which are racially or otherwise offensive
2.	Sectional Titles Act Amendment Bill	2006	<p>To review the principal Act and Regulations</p> <p>To render the system more accessible and less costly</p> <p>To provide for increased consumer protection and dispute resolution mechanisms (previously listed as a separate Amendment Bill)</p> <p>To further regulate the commercial use of exclusive use areas</p>	<p>To modernize and transform the system, procedures and business</p> <p>Consumer accessibility</p> <p>To provide for a Sectional Title Ombudsman</p> <p>To provide mechanisms to regulate commercial transactions affecting exclusive use areas</p>
3.	Land Survey Act Amendment Bill	2006	<p>To review the principal Act and Regulations</p> <p>To render the system more accessible and less costly</p> <p>To provide a mechanism to remove farm names which are racially or otherwise offensive (See also 1, below)</p>	<p>To modernize and transform the system, procedures and business</p> <p>Consumer accessibility to an effective land identification system</p> <p>Transformation of the use of farm names which are racially or otherwise offensive</p>

#### NOTES

The three Bills referred to in this list are –

- The outstanding pieces of legislation listed in previous legislation programmes of the Department, which are not included in the 2005 programme;
- Interlinked and together comprise the statutory basis of land identification and registration;
- Pre-1994 statutes which are the subject of a holistic review process which includes a detailed study of the very voluminous and complex elements of the existing systems, the current requirements of a transformed South Africa and the development of solutions to the transformational needs.

The integrated review will, amongst other things, support the nation's commitment to land reform as contemplated by section 25 of the Constitution – including increased tenure security and delivery in terms of Restitution and Redistribution in a unitary land identification and deeds registration system.

It is anticipated that the Bills will be ready for inclusion in the Department's Legislation Programme for 2006/2007

## MEASURABLE OBJECTIVES, OUTPUTS, INDICATORS AND TARGETS

### PROGRAMME 2: Surveys and Mapping

<b>Purpose:</b>	Provide national mapping, aerial photography and other imagery and integrated spatial reference framework in support of the national infrastructure and sustainable development. Provide professional and technical services in support of land reform and other public services.						
<b>Measurable objective:</b>	Enhance planning and monitoring of land reform, national infrastructure and sustainable development by providing accurate, up to date and accessible maps and other geo-spatial information, imagery and an integrated spatial reference framework, nationally and regionally.						
<b>Intended impact (per programme)</b>	Effective policy making and development planning; Reduction in duplication; Improved efficiencies; Government capacity to deliver (e.g. land reform, security, environmental conservation; food security, disaster management, basic services).						
<b>Sub programme</b>	<b>Output (KPA)</b>	<b>Measure (Indicator)</b>	<b>Target 2005/2006</b>	<b>Target 2006/2007</b>	<b>Target 2007/2008</b>	<b>Target 2008/2009</b>	<b>Target 2009/2010</b>
<b>Surveys and Mapping</b>	Integrated Spatial reference framework.	% Availability of reference points in development nodal areas and the rest of the country	95	95	95	95	95
		% Availability of post-process TrigNet service in development nodal areas and the rest of the country	98	98	98	98	98
		% Availability of real-time TrigNet service of established stations	98	98	98	98	98
		Network accuracies comply with approved standards (%)	100	100	100	100	100
	Aerial photography /satellite imagery covering the whole country (1.22 million km <sup>2</sup> )	Acquisition of periodic repeat coverage (in km <sup>2</sup> ), informed by user needs, in development nodal areas and the rest of the country	400 000 : aerial photogr.	400 000 : aerial photogr.	400 000 : aerial photogr.	400 000 : aerial photogr.	400 000 : aerial photogr.
			1.22 million : satellite imagery	1.22 million : satellite imagery	1.22 million : satellite imagery	1.22 million : satellite imagery	1.22 million : satellite imagery
		Imagery accepted in compliance with specifications and standards	100	100	100	100	100
Maps and other geo-spatial information.	No. of km <sup>2</sup> updated for integrated database for fundamental geo-spatial information in development nodal areas and the rest of the country	112 500 (25 000 in ISRDP)	93 750 (25 000 in ISRDP)	93 750 (25 000 in ISRDP)	100 000 (25 000 in ISRDP)	100 000 (25 000 in ISRDP)	

Sub programme	Output (KPA)	Measure (Indicator)	Target 2005/2006	Target 2006/2007	Target 2007/2008	Target 2008/2009	Target 2009/2010
<b>Surveys and Mapping (continued)</b>	Maps and other geo-spatial information (continued)	Number of up-to-date maps / ortho images produced / revised that meets user needs, in development nodal areas and the rest of the country	1452 (750 in ISRDP)	1562 (750 in ISRDP)	1562 (750 in ISRDP)	1572 (750 in ISRDP)	1572 (750 in ISRDP)
		% Compliance with approved standards and specification	100	100	100	100	100
		Methodology for land use and land cover mapping completed (%)	100	-	-	-	-
	Accessible fundamental geo-spatial information	Number of districts and metropolitan areas with an outlet (out of all 54 districts)	30 (6 in ISRDP)	40 (10 in ISRDP)	50 (13 in ISRDP)	54 (15 in ISRDP)	54 (15 in ISRDP)
		% compliance with service delivery standards for turnaround times for supply of geo-spatial information	100	100	100	100	100
		No. of map awareness / literacy workshops conducted	18	18	18	18	18
	Professional and technical support to land reform programmes	No. of days to respond to request	3	3	3	3	3
	Professional and technical support and client services	No. of days to respond to request	5	5	5	5	5
		% compliance with service level agreement	100	100	100	100	100
	Increased representativeness of surveying and mapping profession	No. of bursars in special bursary scheme	80	80	80	80	66
		No. career expos and promotions to promote awareness of career in surveying and mapping	14	14	14	14	14
		No. of experiential students being trained	24	24	24	24	24
		Training conducted in accordance with CETA and PLATO requirements (%)	100	100	100	100	100
	Development projects for NEPAD, particularly in SADC	Successful completion of project phases as planned (%)	90	90	90	90	90



### PROGRAMME 3: Cadastral Surveys

<b>Purpose:</b>	Provide the control of all cadastral survey and cadastral spatial information services.						
<b>Measurable objective:</b>	Develop and maintain a high quality cadastral survey system in order to support and facilitate all land developments including land reform.						
<b>Intended impact</b>	Each land right provides a source of wealth, a negotiable asset and a platform for investment for the rights holder						
<b>Sub programme</b>	<b>Output (KPA)</b>	<b>Measure (Indicator)</b>	<b>Target 2005/2006</b>	<b>Target 2006/2007</b>	<b>Target 2007/2008</b>	<b>Target 2008/2009</b>	<b>Target 2009/2010</b>
<b>Cadastral Surveys</b>	A secure system of cadastral surveys and efficient cadastral information system	Maximum Turn around time (days)	15 days	15 days	14 days	14 days	13 days
		Percentage of survey documents ready for registration	100%	100%	100%	100%	100%
	Technical system for the survey of real rights in communal areas designed.	Availability date	July 2005	Review	Review	Review	Review
		Outside figure diagrams approved	200 diagrams	210 diagrams	220 diagrams	230 diagrams	250 diagrams
	Cadastral Spatial Information	Completeness of data	85%	90%	95%	99%	99%
		Turn around time within which approved land parcels are added to database (currency)	16 days	15 days	14 days	13 days	12 days
	An electronic cadastral survey system aligned with e-Government programme	Development progress (%)	5%	15%	25%	50%	100%
	Support to Land and Tenure Reform programme and Restitution Programme	Average response time	1 day	1 day	1 day	1 day	1 day
		Accuracy of information and advice	100%	100%	100%	100%	100%
	Support to Integrated and Sustainable Rural Development Programme (ISRDP)	Number of rural nodes supported	5	5	3	-	-
	Support to Urban Renewal Programme (URP)	Number of urban nodes supported	3	3	3	-	-
	Surveying Profession Act	Date of submission to Minister	August 2005	Review	Review	Review	Review
	A decentralised delivery system	Number of new Surveyor-General offices	1 (Polokwane)	1 (Eastern Cape)	1 (North West)	1 (Northern Cape)	-
	Support Land Administration institutions of the African Union.	International project participation and initiatives within SADC and NEPAD	1	1	1	1	1
	Efficient management of allocated funds	Allocated funds used (%)	97%	97%	97%	97%	97%
		Compliance with PFMA	100%	100%	100%	100%	100%
	Transformed Chief Directorate	Compliance with EE Plan	75%	83%	90%	94%	97%
Compliance with Common Organisational Culture (Tsoseletso)		100%	100%	100%	100%	100%	
Competent Cadastral Survey Officers trained in line with NQF requirements	Completeness of modules within time frames (%)	100%	100%	100%	100%	100%	

## PROGRAMME 4: RESTITUTION

<b>Purpose:</b>	To take responsibility for the settlement of land restitution claims in accordance with the provisions of the Restitution of Land Rights Act (22 of 1994), and provide settlement support to beneficiaries.											
<b>Measurable objective:</b>	Resolve restitution claims within the target period through negotiated settlements that restore land rights or award alternative forms of equitable redress to claimants.											
<b>Intended impact (per programme)</b>	Ensure land ownership by previously victims of racial land dispossessions. Poverty alleviation through sustainable development on restored land as well as improved livelihoods Foster women's rights in terms of ownership and participation in economic agricultural activities											
<b>Sub programme</b>	<b>Output (KPA)</b>	<b>Measure (Indicator)</b>	<b>Target 2005/2006</b>	<b>Target 2006/2007</b>	<b>Target 2007/2008</b>	<b>Target 2008/2009</b>	<b>Target 2009/2010</b>					
<b>Commission on Restitution of Land Rights</b>	All lodged claims settled as per the Restitution of Land Rights Act 22 of 1994, as amended.	All valid claims gazetted	4 397	Percentage of claims to be settled according to the Presidential directive of 11 February 2005 to settle all outstanding claims (rural) by 31 March 2008								
		All valid claims verified	5 394									
		Number of urban claims settled (Includes 2005 of the RLCC: Western Cape, which would be settled by 31 March 2006)	10 063	<table border="1"> <tr> <td>2006/2007</td> <td>2007/2008</td> <td>2008/2009</td> </tr> <tr> <td>3538</td> <td>1453</td> <td></td> </tr> </table>			2006/2007	2007/2008	2008/2009	3538	1453	
		2006/2007	2007/2008				2008/2009					
		3538	1453									
		Number of rural claims settled	2 228									
		Claims on ISRDP Nodes	584									
	No. ha allocated	100%										
No. of house-holds benefited	Approx 300 000											
Facilitation of sustainable development (Post settlement process.)	<ol style="list-style-type: none"> <li>1. Implementation plans finalised per identified land use;</li> <li>2. Improved models and packaging options for settlements;</li> <li>3. Alignment of Restitution projects with Municipal IDP's;</li> <li>4. Collaboration with DoA and PDALA for implementation of CASP and MAFISA (ACS);</li> <li>5. Skills development and Training for beneficiaries – re: sustainable development of restored land</li> </ol>											



**PROGRAMME 5:**

**LAND REFORM**

<b>Purpose:</b>	Take responsibility for the provision of sustainable land redistribution programmes, tenure security for all occupiers of land in South Africa, public land information, and the management of state land.						
<b>Measurable objective:</b>	Ensure that sustainable benefits of economic growth accrue to previously disadvantaged communities, groups and individuals through the provision of land rights to achieve increased income levels, productive land use and well-planned human settlements.						
<b>Intended impact</b>	More equitable access to land by all citizens						
<b>Sub programme</b>	<b>Output (KPA)</b>	<b>Measure (Indicator)</b>	<b>Target 2005/2006</b>	<b>Target 2006/2007</b>	<b>Target 2007/2008</b>	<b>Target 2008/2009</b>	<b>Target 2009/2010</b>
<b>Land reform grants</b>	Reach redistribution targets	Ha transferred: LRAD	113 675	132 561	135 011	174 093	174 291
		Ha transferred: land for settlement	4 032	5 481	3 112	3 349	3 602
		Ha transferred: commonages	35 127	41 308	34 688	35 692	52 687
		Ha transferred: URP and ISRDP	41 717	45 427	46 918	48 116	49 817
		Ha transferred: ESTA and LTA	41 717	45 427	46 918	48 116	49 817
		Land reform projects owned by women	30%	30%	40%	40%	40%
	Accelerate the disposal and improve administration of state land	CPA review report	National report	Maintain	Maintain	Maintain	Maintain
		Ha transferred: State land	66 679	41 143	45 037	48 903	53 326
		No. of properties confirmed vested	1 120	1 100	1 100	1 080	1 080
		No of leases signed	24	29	35	41	50
		Ha approved: PSLDC	55	60	66	73	80
		Ha approved: Minister	5 517	6 068	6 675	7 342	9 077
		Provision of services and information as agreed with CLCC / RLCC	4 300	4 700	5 000	5 300	5 500
		No of properties confirmed and vested (Pending the implementation of FOSAD proposals	All properties submitted to LA	All properties submitted to DLA	All properties submitted to DLA	All properties submitted to DLA	All properties submitted to DLA
		Information on state land administration disseminated	Per request within two days	Per request within two days	Per request within two days	Per request within two days	Per request within two days
		Availability of improved and reviewed guidelines for the administration of state land	April 2005	Review	Review	Review	Review
		Availability of debtor leasing system	April 2005	Monitor and maintain	Monitor and maintain	Monitor and maintain	Monitor and maintain
		Availability of assets register	April 2005	Monitor and maintain	Monitor and maintain	Monitor and maintain	Monitor and maintain
		Public land information systems maintained	Maintain and monitor	Maintain and monitor	Maintain and monitor	Maintain and monitor	Maintain and monitor
		Availability of public land information systems	98%	98%	98%	98%	98%

Sub programme	Output (KPA)	Measure (Indicator)	Target 2005/2006	Target 2006/2007	Target 2007/2008	Target 2008/2009	Target 2009/2010
<b>Land reform grants (continued)</b>	Improved systems and procedures to enhance land delivery	Reviewed systems and procedures for land reform products	4	4	4	4	4
		Information management systems	12	12	12	12	12
		Budget and information co-ordination	12	12	12	12	12
<b>Provide security of tenure</b>	Confirmation of Security of Tenure	No. Evictions/ threats prevented	96	86	78	70	63
		No. of rights holders resolutions facilitated	55	60	66	72	79
		No. of title deeds issued	5 220	8 769	10 120	10 640	11 200
		No. of agreements/ disputes resolved- TRANCRAA	5	7	9	12	15
		No. of court referrals	24	27	24	20	16
		No. of agreements- LTA	3 496	125	Maintain	Maintain	Maintain
		No. of agreements- ESTA	245	140	Maintain	Maintain	Maintain
	Implementation plan of CLRA	Availability date	June 2005	Review	Review	Review	
	Pilot sites for implementation of CLRA in KZN	No. of sites identified	8	8	8	Review	Review
	Report on the outcome of piloting in KZN	Availability date	March 2006	March 2007	March 2008	March 2009	March 2010
	Transfer of land to church land occupiers in KZN	No. of hectares	2 140	2 247	2 359	2 477	2 601
		No. of title deeds issued	3	3	3	Review	Review
	Finalise land reform legislation to provide for tenure security for communities residing on communal areas as well as commercial and peri-urban land	Availability of consolidated ESTA and LTA legislation	November 2005	Implementat ion	Implementat ion and review	Maintain and review	Maintain
		Availability of ESTA/LTA consolidated regulations	Aug 2005	Act Promulgated	Implemente d	Review	Maintain
		Availability of CLRA regulations	Aug 2005	Review	Maintain	Maintain	Maintain
Amended Title Adjustment Acts (Acts 111 of 1993 and 119 of 1993); and implementable title adjustment laws		Nov 2005	Implementat ion	Review	Maintain	Maintain	
User satisfaction for systems, training and media products		80%	80%	80%	80%	80%	

**PROGRAMME 6: Spatial Planning and Information**

<b>Purpose:</b>	<b>Provide for national Land Use Management, Spatial Planning and Spatial Information Systems</b>							
<b>Measurable objective:</b>	<b>Legislative, institutional and technical tools to regulate and guide settlement development, land use management and spatial information management</b>							
<b>Intended impact</b>								
<b>Sub programme</b>	<b>Output (KPA)</b>	<b>Measure (Indicator)</b>	<b>Target 2005/2006</b>	<b>Target 2006/2007</b>	<b>Target 2007/2008</b>	<b>Target 2008/2009</b>	<b>Target 2009/2010</b>	
<b>Spatial Planning &amp; Information</b>	Environmental services focal point	Turn-round on service request (days)	5 days	5 days	5 days	5 days	5 days	
	Departmental Environmental Implementation & Management Plan (EIMP)	Availability of annual report	July 2005	July 2006	July 2007	July 2008	July 2009	
	Environmental Policy and guidelines for Land reform implemented	Client satisfaction (%)	85%	90%	100%	Maintain	Maintain	
	Land claims and land reform projects and integrated into IDPs in all nine provinces	Availability of digital & hard copy maps	100%	Maintain	Maintain	Maintain	Maintain	
	User-needs customised maps	Return period (days)	1 day	1 day	1 day	1 day	1 day	
	Transformation of the Planning Profession	Accreditation of Univ. of Venda		October 2005	Maintain	Maintain	Maintain	Maintain
		New criteria for professional registration		July 2004	Maintain	Maintain	Maintain	Maintain
		Audit of ALL qualified planners in the country		May 2004	Maintain	Maintain	Maintain	Maintain
		Report on planning curriculum review		Dec 2005	Maintain	Maintain	Maintain	Maintain
	Post - 1994 settlement growth trends study completed	% Implementation of recommended interventions		40%	70%	100%	Maintain	Maintain
	Developed settlement advisory system	Availability of Settlement system		March 2006	Maintain	Maintain	Maintain	Maintain
	Spatial Data Infrastructure (SDI) established	Committee for Spatial Information (CSI) established		July 2005	Maintain	Maintain	Maintain	Maintain
		Provide Nodal Points and needy municipalities with spatial information		100%	100%	100%	100%	100%
Policy, Technical and regulatory framework completed			Dec 2005	Maintain	Maintain	Maintain	Maintain	

<b>Sub programme</b>	<b>Output (KPA)</b>	<b>Measure (Indicator)</b>	<b>Target 2005/2006</b>	<b>Target 2006/2007</b>	<b>Target 2007/2008</b>	<b>Target 2008/2009</b>	<b>Target 2009/2010</b>
<b>Spatial Planning &amp; Information (continued)</b>	National Land use monitoring system developed	System completed	September 2005	Monitor	Monitor	Monitor	Monitor
	Spatial Development Frameworks (SDF) enabled	Technical guidelines and systems available	Dec 2005	Review	Review	Review	Review
		SDF Grant available to municipalities	March 2006	March 2007	March 2008	March 2009	March 2010
	Land Use Management Bill (LUMB) tabled	Support process leading to tabling and adoption by Parliament	100%	Monitor	Monitor	Monitor	Monitor
<b>Management and Support Services</b>	SPI services / offices opened in all provinces	100%%	45%%	Maintain	Maintain	Maintain	Maintain
	MPCC utilised	Services & products in all centres	40%	60%	80%	100%	100%
	International liaison on spatial planning and information matters e.g. seminar / conference	Bi-annual working contact	100%	100%	100%	100%	100%
	Developed regional cooperation and partnerships in capacity building.	Number of Planning and GIS practitioners	15	15	15	15	15

**PROGRAMME 7: Auxiliary and Associated Services (Deeds Registration Trading Account)**

<b>Purpose:</b>	To provide a deeds registration system						
<b>Measurable objective:</b>	To provide a high quality deeds registration system whereby secure titles are registered and speedy and accurate information is provided.						
<b>Intended impact</b>	Security of title						
<b>Sub programme</b>	<b>Output (KPA)</b>	<b>Measure (Indicator)</b>	<b>Target 2005/2006</b>	<b>Target 2006/2007</b>	<b>Target 2007/2008</b>	<b>Target 2008/2009</b>	<b>Target 2009/2010</b>
<b>Deeds Registration</b>	Registered title deeds to facilitate security of tenure	<ul style="list-style-type: none"> <li>% Titles free of registration errors</li> <li>Registration turn-around time</li> <li>% Fast-tracked registrations in support of restitution claims in nodal areas</li> </ul>	<ul style="list-style-type: none"> <li>99,6%</li> <li>10 days</li> <li>100%</li> </ul>	<ul style="list-style-type: none"> <li>99,7%</li> <li>9 days</li> <li>100%</li> </ul>	<ul style="list-style-type: none"> <li>99,8%</li> <li>8 days</li> <li>100%</li> </ul>	<ul style="list-style-type: none"> <li>99,9%</li> <li>7 days</li> <li>100%</li> </ul>	<ul style="list-style-type: none"> <li>100%</li> <li>7 days</li> <li>100%</li> </ul>
	Support for MISP to enhance DLA's land reform initiatives	<ul style="list-style-type: none"> <li>% support</li> </ul>	<ul style="list-style-type: none"> <li>100</li> </ul>	<ul style="list-style-type: none"> <li>100</li> </ul>	<ul style="list-style-type: none"> <li>100</li> </ul>	<ul style="list-style-type: none"> <li>100</li> </ul>	<ul style="list-style-type: none"> <li>100</li> </ul>
	Free, prioritised registration information, (capable of manipulation for M&E purposes), in support of DLA's land reform and human rights initiatives	<ul style="list-style-type: none"> <li>% Information accuracy</li> <li>Turn-around time</li> <li>Proclamation of amendment of reg 18 to record gender, race and nationality in deeds' records</li> </ul>	<ul style="list-style-type: none"> <li>99,6%</li> <li>1 day</li> <li>1 March 2005</li> </ul>	<ul style="list-style-type: none"> <li>99,7%</li> <li>1 day</li> <li>-</li> </ul>	<ul style="list-style-type: none"> <li>99,8%</li> <li>1 day</li> <li>-</li> </ul>	<ul style="list-style-type: none"> <li>99,9%</li> <li>1 day</li> <li>-</li> </ul>	<ul style="list-style-type: none"> <li>99,9%</li> <li>1 day</li> <li>-</li> </ul>
	Statistical analysis of deeds registration data	<ul style="list-style-type: none"> <li>% benefit to government's land-related initiatives</li> </ul>	<ul style="list-style-type: none"> <li>10</li> </ul>	<ul style="list-style-type: none"> <li>30</li> </ul>	<ul style="list-style-type: none"> <li>50</li> </ul>	<ul style="list-style-type: none"> <li>70</li> </ul>	<ul style="list-style-type: none"> <li>100</li> </ul>
	Accurate deeds information that is current and aligned with municipal boundaries	<ul style="list-style-type: none"> <li>Verification of captured data – No. of working days after registration</li> <li>Alignment with CD : Cadastral Surveys</li> </ul>	<ul style="list-style-type: none"> <li>14</li> <li>20%</li> </ul>	<ul style="list-style-type: none"> <li>10</li> <li>40%</li> </ul>	<ul style="list-style-type: none"> <li>5</li> <li>60%</li> </ul>	<ul style="list-style-type: none"> <li>3</li> <li>80%</li> </ul>	<ul style="list-style-type: none"> <li>3</li> <li>100%</li> </ul>
	Support to Municipalities regarding development strategies, planning and audits of land needs in nodal areas	<ul style="list-style-type: none"> <li>No. of meetings attended per Deeds Registry</li> <li>Client satisfaction</li> <li>No. of interactions with SALGA</li> <li>No. of interactions with DPLG</li> </ul>	<ul style="list-style-type: none"> <li>4</li> <li>100%</li> <li>4</li> <li>4</li> </ul>	<ul style="list-style-type: none"> <li>4</li> <li>100%</li> <li>4</li> <li>4</li> </ul>	<ul style="list-style-type: none"> <li>4</li> <li>100%</li> <li>4</li> <li>4</li> </ul>	<ul style="list-style-type: none"> <li>4</li> <li>100%</li> <li>4</li> <li>4</li> </ul>	<ul style="list-style-type: none"> <li>4</li> <li>100%</li> <li>4</li> <li>4</li> </ul>
	Pro-active technical services in support of land reform	<ul style="list-style-type: none"> <li>Client satisfaction</li> <li>No. of DeedsWeb courses per year</li> </ul>	<ul style="list-style-type: none"> <li>100%</li> <li>4</li> </ul>	<ul style="list-style-type: none"> <li>100%</li> <li>4</li> </ul>	<ul style="list-style-type: none"> <li>100%</li> <li>4</li> </ul>	<ul style="list-style-type: none"> <li>100%</li> <li>4</li> </ul>	<ul style="list-style-type: none"> <li>100%</li> <li>4</li> </ul>



Sub programme	Output (KPA)	Measure (Indicator)	Target 2005/2006	Target 2006/2007	Target 2007/2008	Target 2008/2009	Target 2009/2010
<b>Deeds Registration (continued)</b>	Deeds Registration-related advisory services to LTR and Restitution	<ul style="list-style-type: none"> <li>Response time for advice (days)</li> </ul>	1 Day	1 Day	1 Day	1 Day	1 Day
	Deeds Information & Services in support of URP & ISRDP	Turn-around time (days)	1 Day	1 Day	1 Day	1 Day	1 Day
	Deeds Registration System legislation review to align with, and support, land reform initiatives	<ul style="list-style-type: none"> <li>Project completed</li> <li>Quality of reports</li> </ul>	<ul style="list-style-type: none"> <li>75% Compliance with ToR</li> </ul>	<ul style="list-style-type: none"> <li>100% Compliance with ToR</li> </ul>	Project completed	Project completed	Project completed
	Amendment of regulation 18 for the identification of terms of race, gender and nationality	<ul style="list-style-type: none"> <li>Availability date</li> </ul>	<ul style="list-style-type: none"> <li>March 2006</li> </ul>	<ul style="list-style-type: none"> <li>-</li> </ul>	<ul style="list-style-type: none"> <li>-</li> </ul>	<ul style="list-style-type: none"> <li>-</li> </ul>	<ul style="list-style-type: none"> <li>-</li> </ul>
	e-Cadastre, in support of DLA's land reform initiatives and e-Government	<ul style="list-style-type: none"> <li>System availability</li> <li>Turn-around time reduced (%)</li> </ul>	<ul style="list-style-type: none"> <li>10%</li> <li>-</li> </ul>	<ul style="list-style-type: none"> <li>100%</li> <li>50%</li> </ul>	<ul style="list-style-type: none"> <li>100%</li> <li>50%</li> </ul>	<ul style="list-style-type: none"> <li>100%</li> <li>50%</li> </ul>	<ul style="list-style-type: none"> <li>100%</li> <li>50%</li> </ul>
	Technical services and free registration information to Spatial Planning and Information	Client satisfaction	100%	100%	100%	100%	100%
	Support to Minister's Task Team relating to investigation of foreign land ownership	Support	100%	100%	100%	100%	100%
	Partnership with higher-educational institutions	Number of interactions	6	6	6	6	6
	Effective working relations with other departments in all spheres of government	<ul style="list-style-type: none"> <li>Number of working groups</li> <li>Number of meetings held</li> <li>% Support to Department of Housing's Human Settlement Strategy</li> </ul>	<ul style="list-style-type: none"> <li>4</li> <li>5</li> <li>100%</li> </ul>	<ul style="list-style-type: none"> <li>4</li> <li>5</li> <li>100%</li> </ul>	<ul style="list-style-type: none"> <li>4</li> <li>5</li> <li>100%</li> </ul>	<ul style="list-style-type: none"> <li>4</li> <li>5</li> <li>100%</li> </ul>	<ul style="list-style-type: none"> <li>4</li> <li>5</li> <li>100%</li> </ul>
	Active participation in relevant international forums, structures and projects that are beneficial to the Department	<ul style="list-style-type: none"> <li>Number of Southern African countries supported</li> <li>Number of African countries supported to pursue African Agenda in terms of NEPAD</li> <li>Feedback from countries</li> </ul>	<ul style="list-style-type: none"> <li>4</li> <li>1</li> <li>Positive</li> </ul>	<ul style="list-style-type: none"> <li>4</li> <li>1</li> <li>Positive</li> </ul>	<ul style="list-style-type: none"> <li>4</li> <li>1</li> <li>Positive</li> </ul>	<ul style="list-style-type: none"> <li>4</li> <li>1</li> <li>Positive</li> </ul>	<ul style="list-style-type: none"> <li>4</li> <li>1</li> <li>Positive</li> </ul>
Efficient financial administration.	Compliance with PFMA – unqualified audit reports	100%	100%	100%	100%	100%	

Sub programme	Output (KPA)	Measure (Indicator)	Target 2005/2006	Target 2006/2007	Target 2007/2008	Target 2008/2009	Target 2009/2010
<b>Deeds Registration (continued)</b>	Skills development in consultation with HRD	<ul style="list-style-type: none"> <li>• Meetings with HRD</li> <li>• Number of students per annum</li> <li>• Number of Interns skilled</li> </ul>	<ul style="list-style-type: none"> <li>• Quarterly</li> <li>• 100</li> <li>• 20</li> </ul>	<ul style="list-style-type: none"> <li>• Quarterly</li> <li>• 100</li> <li>• 20</li> </ul>	<ul style="list-style-type: none"> <li>• Quarterly</li> <li>• 100</li> <li>• 20</li> </ul>	<ul style="list-style-type: none"> <li>• Quarterly</li> <li>• 100</li> <li>• 20</li> </ul>	<ul style="list-style-type: none"> <li>• Quarterly</li> <li>• 100</li> <li>• 20</li> </ul>
	Transformed CD	Implementation of EE policy, Project Tsosetso	95%	95%	95%	95%	95%
	Decentralized delivery system	Turnaround time (days) to establish information points at District Level Delivery Centres (DLDCs) and Multi Purpose Community Centres (MPCCs)	10	10 days	10 days	10 days	10 days
	Deeds Registry per province	Nelspruit office established (date)	Unknown – can only be determined if Scanning Solution Tender is finalised				

## SERVICE DELIVERY IMPROVEMENT PROGRAMME OF THE DEPARTMENT OF LAND AFFAIRS

<p><b>Our Mission</b></p> <p>To provide access to land and to extend rights in land, with particular emphasis on the previously disadvantaged communities, within a well planned environment.</p> <p><b>Our primary clients are:</b>          Landless and tenure insecure individuals and communities          Persons or communities dispossessed of land rights          Aspirant / emerging black farmers          All spheres of Government          Users of spatial information          Users of the Deeds Registries (land owners).</p>	
<p><b>SPECIFIC SERVICES OF THE DEPARTMENT OF LAND AFFAIRS:</b></p>	
CURRENT SERVICES	STANDARDS
Provision of access to land	Disseminate information quarterly on the different land reform products, policies, systems and procedures to potential beneficiaries and implementers. Land transferred between 5 to 10 months from date of application. Monthly forum meetings with stakeholders and planned quarterly communication with existing beneficiaries utilising the media.
CURRENT SERVICES	STANDARDS
Provision of rights in land	<b>Negotiated settlement: rights confirmed between 6 months to 10 months.</b> Court settlement: between 18 months to 24 months. Conversion to ownership completed between 12 months to 36 months. The rights of first-time landowners will be protected over a period of 10 years.
Settlement of land claims.	All claims settled by end December 2007. <b>Monthly forum meetings with stakeholders and planned quarterly communication utilising the media.</b>
Provision of settlement support to restitution claimants.	Settlement plans developed before signing the settlement agreement.
Produce and supply maps (topographic, ortho-photo's and aeronautic charts) aerial photographs and digital topographic information.	Maps and charts dispatched within 1 day of receipt of payment for product. Aerial photographs and related products dispatched within 7 days of receipt of payment. Digital spatial information dispatched within 5 days of receipt of payment.
Maintain the National Control Survey Network (trigonometric stations and town survey marks).	Position and height of stations supplied within 1 day of receipt of payment.

Registration of Deeds.	A Deed will be registered within 10 working days of lodgment. Uniform compliance with law, practice and procedures.
The supply of deeds registration information.	Registration information provided within 48 hours of receipt of request.
Approve diagrams, general plans and sectional title plans for registration in a deeds registry.	Approval within 15 working days.
<b>CURRENT SERVICES</b>	<b>STANDARDS</b>
Provide spatial planning services (e.g. spatial development frameworks).	Technical support to annual Integrated Development Plans (IDP's) at local and provincial level. Produce an annual report on the environmental implementation plan in accordance with relevant legislation.
Provide support for land use management.	Reports on national land use produced once every two years.
Provide spatial information services.	For municipalities, information will be updated annually. For nodal points, information (core spatial datasets and geo-spatial), endorsed by the SABS, will be made available annually.
Support the process of managing the Departments budget	Ensure that submissions are in the correct format as per the PFMA and meet annual deadlines of National Treasury
Rendering financial administration support and advice on the implementation of financial policies	If the matter has to be researched, feedback will be given within 4 days
To equip staff, through training and development, with the necessary skills and competencies	All employees will receive Departmental Training Programme by December of each year.
Developing and maintaining corporate information systems	Management information strategy aligned to departmental strategic objectives annually.
Render Management Advisory Services	Compilation and submission of establishment investigations within 45 days
Recruit, select and appoint staff	The interviews to take place within 14 days after shortlisting
Develop communication strategies and campaigns in support of corporate policies	Consult customers and provide draft proposals within 10 days of brief
Coordinate corporate/ transformation projects	Organise meetings, determine project plans, provide secretariat support, follow up on issues and report progress at monthly project meetings.
Manage legislative programme and assist in formulating, drafting and editing legislation	Draft programme for following year submitted to Minister for approval by 30 November of each year.

## INFORMATION AND COMMUNICATION TECHNOLOGY STRATEGY

### Information and Communications Technology Strategic Intent

This section addresses the proposed information technology acquisition needs as dictated by the Department's strategic imperatives and the associated information technology plan.

The next five years will see the development of systems that offer improved support to Land Tenure and Reform and Restitution programmes, coupled with improvement of key support systems within the branches of Land Planning and Information and Corporate Services. This process will run in parallel with enablement of systems that would contribute to the eGovernment project that is currently underway.

The dynamic nature of the business of this Department that emanates from new policies and legislative changes (such as the Communal Land Rights Act) dictates that systems should be rendered interoperable across the value chain. The process of creating interfaces between the systems will therefore be embarked on.

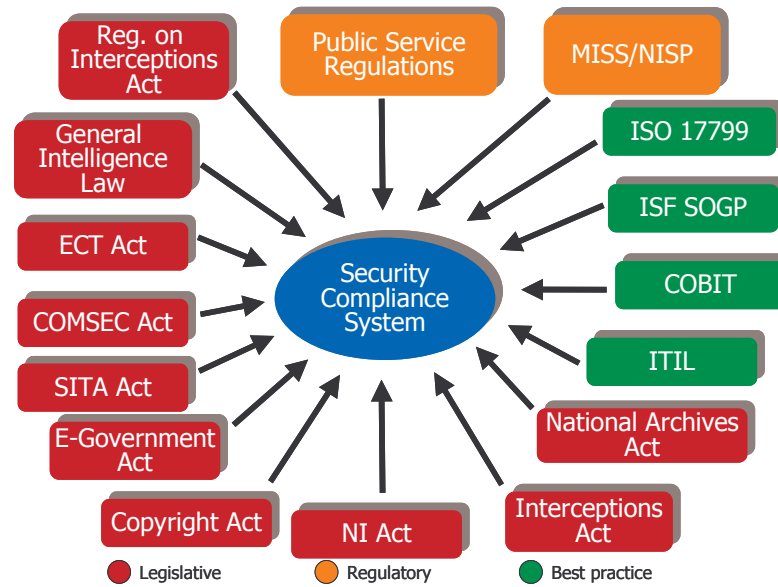
The table below shows estimated timelines for the delivery of a number of solutions. Given the enormity and complexity of the task of building, enhancing and integrating these systems, the duration of maintain is not indicated on the estimated timelines.

<b>OUTPUTS</b>	<b>ESTIMATED START</b>	<b>ESTIMATED END</b>
Improved IT Governance: Defined ICT policies, standards, tools, methods and techniques Clearly defined and segregated roles and responsibilities of ICT practitioners ICT responsibilities migrated from business to the ICT unit Aligned ICT and business governance Established ICT programme office	Apr 2005	Jun 2006
<u>Enterprise Architecture</u> - a set of tools that are used to capture and model processes and controls in a manner that would make it possible to properly define systems for carrying out business objectives. It is made of the following components: Business architecture Systems architecture: Data architecture Application architecture	Apr 2005	Mar 2010

<b>OUTPUTS</b>	<b>ESTIMATED START</b>	<b>ESTIMATED END</b>
Technology architecture		

<b>OUTPUTS</b>	<b>ESTIMATED START</b>	<b>ESTIMATED END</b>
Enhanced information security: Security strategy defined Security architecture defined Security operation centre established	Apr 2005	Nov 2006
Improved Corporate Services applications: Human Resource management modules Financial management tools Communications tools	Apr 2005	Mar 2010
Improved ICT service management	Apr 2005	Mar 2007
Consolidated applications portfolio across the value chain for ease of management and integration.	Jun 2005	Jun 2008
New LandBase	Apr 2005	Mar 2007
Monitoring and evaluation systems	Apr 2005	Mar 2007
Scanned and accessible Deeds records	Apr 2005	Nov 2007
Developed eCadastre system	Apr 2005	Jun 2008
Implemented internetworking strategy (including contribution to eGovernment)	Jun 2005	Nov 2005
Enhanced electronic workflow capability	Jun 2005	Jun 2008
Established data dictionary	Apr 2006	Apr 2009
Integrate applications systems	Apr 2005	Mar 2010
Integrated document management system	Jun 2005	Mar 2010
Systems for implementing Communal Land Rights Act (CLRA)	Apr 2005	Jun 2006
Established data warehouse	Apr 2006	Jun 2010
Virtual Private Network to improve communication lines within the Department	Jun 2005	Jun 2006
ICT infrastructure for the new department building	Jun 2006	Mar 2010

The Department has a newly approved Information Security Policy that will serve as the basis for detailed procedures, manuals and compliance tools. This enhancement is being carried out within the legal and regulatory frameworks that are depicted below.



**STRUCTURE OF THE DEPARTMENT**



## HUMAN RESOURCE PLAN FOR THE DEPARTMENT OF LAND AFFAIRS

### Introduction and Purpose

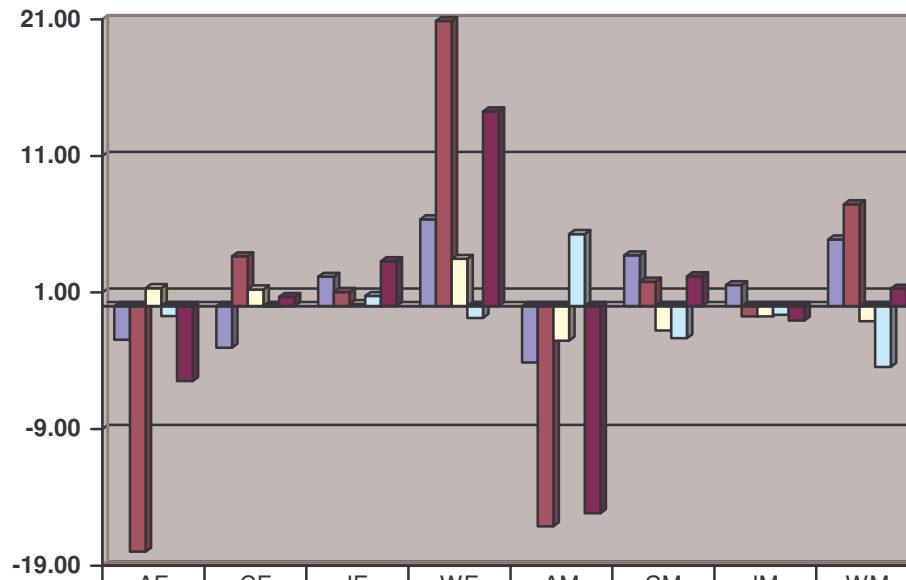
As a move towards ensuring best practice management and utilizing public services resources adequately, Public Service Regulations require all departments to audit their existing human resources on an on-going basis. Based on the results of the audit, a plan must be developed to address the gaps and deficiencies identified and to ensure that the Department operates within its allocated budget. To this end, the Department of Land Affairs has embarked on developing a Human Resources Plan (HRP) to support the achievement of the Departmental strategic objectives set for the period 2005 to 2008. The Departmental Culture Change Project, Project Tsoseletso, was initiated during the year 2003. This project is aimed at, amongst other things, the review and realignment of the organizational structure and establishment with the Strategic Plan of the Department. It is through this project that the Department is reviewing and redefining business processes, analyzing mandates with a view to determining the requisite human resource capacity that will be able to execute the departmental strategy.

The Performance Management and Development System (PMDS) that is currently being rolled out provides a framework for implementing the departmental strategy at component, team and individual levels. It is through this system that employment decisions relating to, inter alia, rewards, promotions, training and development, discipline, etc, will be based. The PMDS is also utilised as a tool not only to communicate the strategy but to also ensure that the strategic objectives of the Department are cascaded downward and implemented at all levels of the Department.

The Employee Wellness Programme that was initiated in the past year assists the Department in planning for succession and replacement, employee retention and also informs training and development efforts. It is this programme that enables the Department to identify and assist employees affected by HIV and AIDS and those with work-induced/related illnesses. Although efforts for improvement are underway, the departmental efforts on employment equity and general "reasonable accommodation" efforts were launched by the Portfolio Committee on Agriculture and Land Affairs, the Public Service Commission and the Departmental Disability Forum. This Human Resource Plan (HR Plan) seeks to highlight the current human resource capacity of the Department, the required human resource capacity and the budget.

### 1.2 Challenges and initiatives to address them

The following chart indicates the current staffing gaps per component against the set Employment Equity targets as indicated in **Annexure 1** determined in the Department.



	AF	CF	IF	WF	AM	CM	IM	WM
Office of the Director-General	-2.47	-3.04	2.15	6.36	-4.12	3.72	1.54	4.88
Land Planning and Information	-17.98	3.65	1.04	20.87	-16.11	1.79	-0.74	7.45
Land and Tenure Reform	1.31	1.22	0.16	3.46	-2.53	-1.78	-0.76	-1.11
Restitution	-0.72	-0.03	0.74	-0.87	5.27	-2.35	-0.63	-4.45
Corporate Services	-5.49	0.67	3.28	14.25	-15.16	2.19	-1.06	1.28

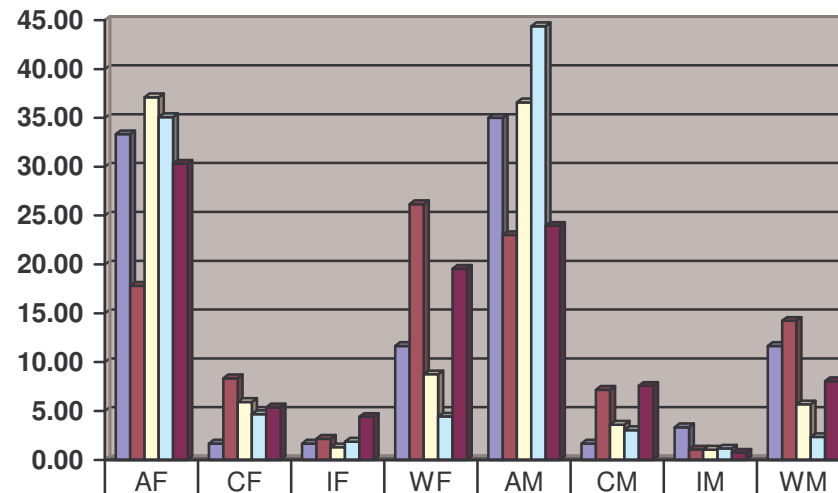
The Employment Equity (EE) targets set by the Department are based on the national population ratios of all South Africans. To this end, the composition of each Branch and its respective units need to reflect the targets as reflected in the Departmental EE Plan. While the Department has generally achieved its employment equity objectives, it has however, been difficult to recruit African employees in occupational categories of surveying, mapping, statistical analysis and land planning, which are traditionally white-dominated. A number of initiatives have been put in place to address this challenge.

As part of the Human Resources Planning process, the Department will develop plans to address the representivity gaps identified in each Branch in a holistic manner. Skills shortages in critical line function components also prevent the recruitment of experienced employees. The labour market does not have an abundance of skills available in areas like land reform, spatial planning, surveys, mapping and statistical analysis. This results in the employment of relatively inexperienced employees requiring mentoring and capacity building. The Commission on Restitution of Land Rights, the Branch: Land and Tenure Reform and the Chief Directorate: Spatial Planning and Information are currently building their human resource capacity. Forecasts show that with the introduction of new legislative mandates, projects and programmes, more capacity will be needed to carry out these initiatives.

Over the past three years, the Department has been operating and continues to operate under severe budget constraints in the delivery of its mandate as evidenced by the persistent annual turnover rate of 12.98 %.

### Capacity Overview of the Department

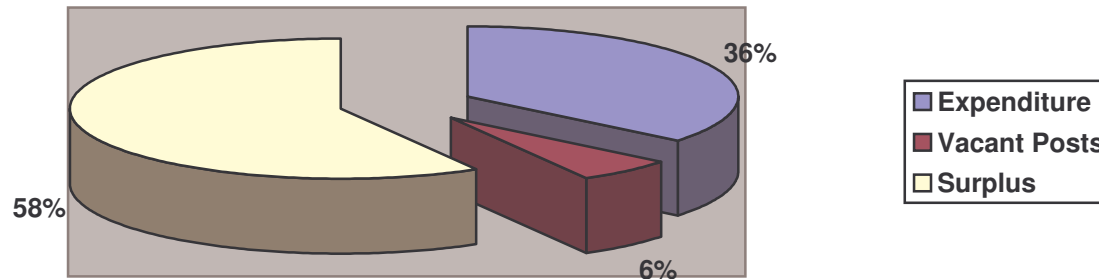
The chart below based on the information from **Table 1** in **Annexure 2** gives an overview of the current capacity levels per Department:



	AF	CF	IF	WF	AM	CM	IM	WM
Office of the Director-General	33.33	1.66	1.66	11.66	35.00	1.66	3.33	11.66
Land Planning and Information	17.82	8.35	2.16	26.17	23.01	7.17	1.05	14.23
Land and Tenure Reform	37.11	5.92	1.28	8.76	36.59	3.60	1.03	5.67
Restitution	35.08	4.67	1.86	4.43	44.39	3.03	1.16	2.33
Corporate Services	30.31	5.37	4.40	19.55	23.96	7.57	0.73	8.06

### Office of the Director-General

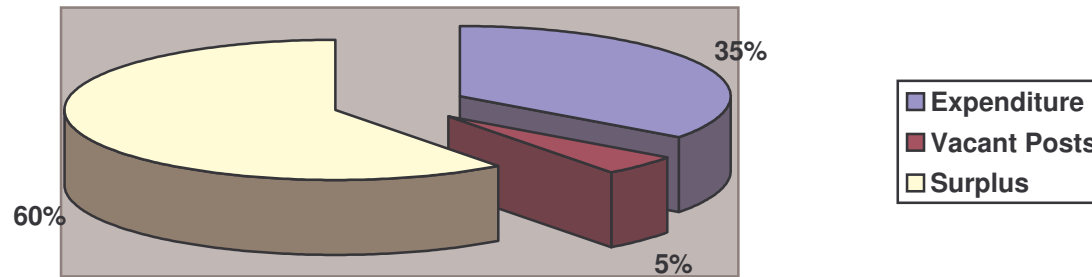
The office of the Director-General with components of the Executive Management Services has been allocated a personnel budget of R 25,098 million. R 9,024 million (35.95 %) of the allocated budget has been spent as at 30 September 2004. Figures in **Table 1** in **Annexure 3** were used in this regard.



### Land Planning and Information

The Branch: Land Planning and Information has been allocated R 348,042 million personnel budget and as at 30 September 2004 has already spent R 121 669 million of this budget. The biggest challenge facing the Chief Directorate: Cadastral Surveys and the Chief Directorate: Surveys and Mapping of the branch is the lack of representivity in terms of race and gender.

This situation is largely attributable to the previous educational system, where few African students matriculated with mathematics and physical science and the barriers to enter the universities offering surveying as a programme. A special bursary scheme has been introduced to increase the number of African students in surveying/geomatics. This is being reinforced with a mentorship and internship programme. It must be appreciated that these are not short-term solutions. Figures in **Table 2** in **Annexure 3** were used in this regard.



**Note:** The Component: Deeds Registration operates separately from the Department and the personnel budget is allocated under the Deeds Trading Account. Any profit made and surplus funds from this component will be transferred at the end of the financial year to the Department of National Treasury.

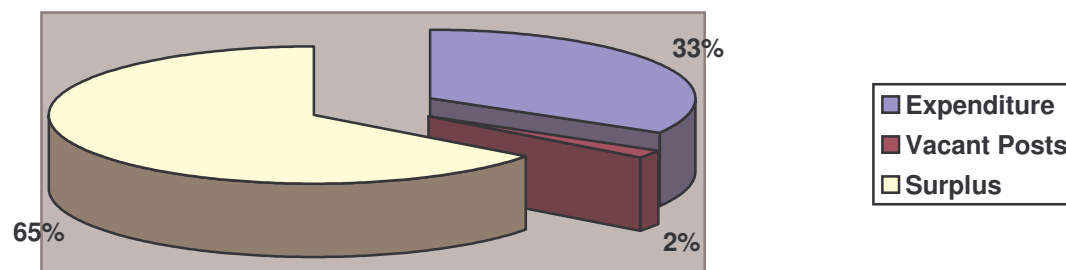
### 1.3.3 Branch: Land and Tenure Reform

The Branch: Land and Tenure Reform were allocated a personnel budget of R 509,578 million for the financial year 2003/04 and R 158,844 million (31.17 %) of this budget had already been spent as at 30 September 2004. For this Branch to achieve the set strategic objectives of the Department, it will require an additional 29.38 % (114) staff that translates into R 9 million in financial terms. The above figure excludes the human resource financial implications that will be brought about by the introduction of the following new legislation and projects:

- The consolidated Extension of Security of Tenure Act and Land Reform Act
- Communal Land Rights Act
- Post settlement support
- Land Redistribution and Agricultural Development

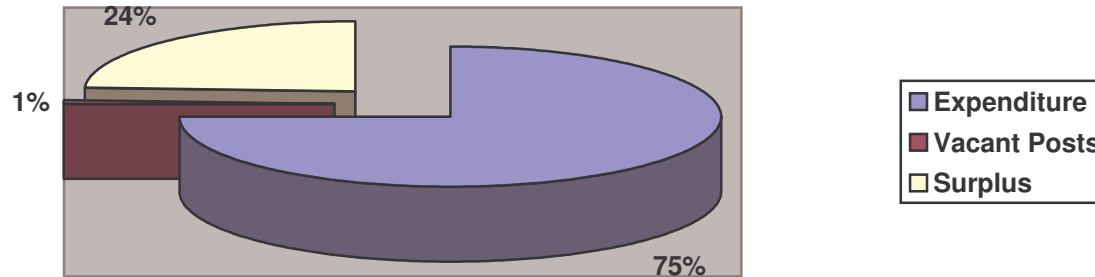
The Department is currently determining the human resource implications of the above projects and legislative programmes. This plan will take into account the 400 posts that are to be migrated from the Commission on the Restitution of Land Rights to the Branch Land

and Tenure Reform after the completion of the restitution programme. This means that this Branch will continue to experience a shortage of staff until the migration of Commission staff occurs at the beginning of 2006 or shortly thereafter. Figures in **Table 3** in **Annexure 3** were used in this regard.



#### 1.3.4 Restitution

The Commission is currently operating with a personnel budget of R 929,824 million and as at 30 September 2004 has spent R 697,329 million (75 %). Below is an indication of the current and required capacity levels to enable the Commission to meet its target. The Commission's target date to achieve its objectives at present is 31 March 2006. After the completion of the objectives 400 posts will migrate to the Branch: Land and Tenure Reform and the rest of the posts will be abolished. Figures in **Table 4** in **Annexure 3** were used in this regard.

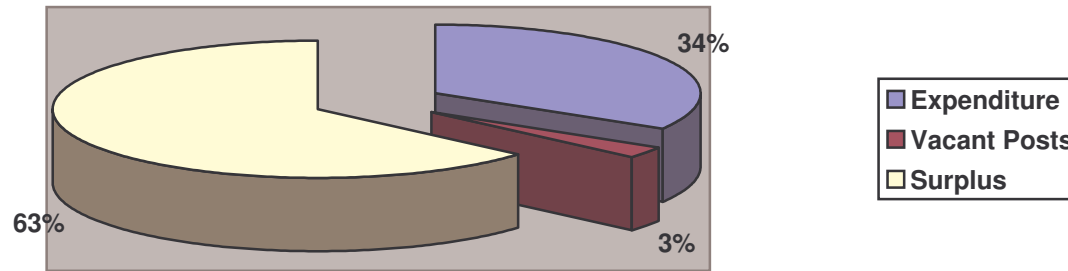


### 1.3.5 Corporate Services

For the past two years the Branch: Corporate Services has experienced shrinkage of critical skills whilst the rest of the branches have expanded. The personnel budget allocated to the Branch for the financial year 2004/05 is R 189,074 million and to date this Branch has spent R 63,722 million on existing personnel expenditure.

In order for this Branch to effectively support the line functionaries, a total of 85 staff is required amounting to R 5,281 million for the financial year 2004/2005. Please see graph on the next page. Figures in **Table 5** in **Annexure 3** were used in this regard.





#### 1.4 H.R Audit

The Department currently has a staff compliment of 2901 out of 3497 posts that were approved, which means that the Department is operating with only 82.95 % of the required staff complement. As a demonstration to its commitment in addressing issues relating to race, gender and disability, the majority of the staff within the Department are females representing 54.11 %. On salary level 13 – 16, the Senior Management posts in the Department, females hold 36.11 % of the positions. In addition, the outcomes of the audit of staff and their profiles in line with Resolution 7 of 2002 had little impact on the Department and did not result in any deployment of staff to other Departments.

#### 1.5 Employment Equity

The Department has made significant progress in issues relating to employment equity and in some areas the Department has reached the set employment equity targets in respect of representivity in terms of race, gender and disability. These include the Branches: Land & Tenure Reform and Restitution. However, the Department continues to face challenges in addressing issues of representivity in areas that require specialised occupational categories such as surveying, mapping, statistical analysis and land planning. These categories continue to be dominated by White employees as the Department is experiencing difficulties in attracting and retaining previously disadvantaged employees.

The biggest challenge facing the Department in attracting these individuals is offering competitive salaries. A number of initiatives have been put in place to address this challenge. These include:

Training and development programmes;  
Retention Strategy;  
Learnership Programmes and  
Bursary schemes.

To this end, it is proposed that a succession plan is introduced. Succession planning is a process aimed at addressing the shortage of critical skills within the Department by making provision for the development and replacement of key people for these critical scarce skills.

### 1.6 Other Departmental Initiatives

The Department is in the process of setting up a Wellness Programme that is aimed at providing support to employees in dealing with their work related problems. The Wellness Programme encompasses the Employee Assistance Programme and the HIV/Aids Care and Support Strategy.

The primary function of the EWP is to provide support to employees in the prevention and treatment of psychological and social problems which may have a negative impact on their jobs whilst the HIV/Aids Care and Support Strategy seeks to ensure that the Department is reasonably equipped to deal with employees living with HIV or Aids. To this end, the Department has developed Wellness Policies to support these initiatives.

### Annexure 1 – Employment Equity Targets

Table 1 – The Department in Percentages

Component	DG's Office	Land Planning and Information	Land and Tenure Reform	Restitution	Corporate Services
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Female	African	33.33	17.82	37.11	35.08	30.31
	Target	35.80	35.80	35.80	35.80	35.80
	<b>Gap</b>	<b>- 2.47</b>	<b>- 17.98</b>	<b>1.31</b>	<b>- 0.72</b>	<b>- 5.49</b>
	Coloured	1.66	8.35	5.92	4.67	5.37
	Target	4.70	4.70	4.70	4.70	4.70
	<b>Gap</b>	<b>- 3.04</b>	<b>3.65</b>	<b>1.22</b>	<b>- 0.03</b>	<b>0.67</b>
	Indian	1.66	2.16	1.28	1.86	4.40
	Target	0.49	1.12	1.12	1.12	1.12
	<b>Gap</b>	<b>2.15</b>	<b>1.04</b>	<b>0.16</b>	<b>0.74</b>	<b>3.28</b>
	White	11.66	26.17	8.76	4.43	19.55
	Target	5.30	5.30	5.30	5.30	5.30
	<b>Gap</b>	<b>6.36</b>	<b>20.87</b>	<b>3.46</b>	<b>- 0.87</b>	<b>14.25</b>
Male	African	35.00	23.01	36.59	44.39	23.96
	Target	39.12	39.12	39.12	39.12	39.12
	<b>Gap</b>	<b>- 4.12</b>	<b>- 16.11</b>	<b>- 2.53</b>	<b>5.27</b>	<b>- 15.16</b>
	Coloured	1.66	7.17	3.60	3.03	7.57
	Target	5.38	5.38	5.38	5.38	5.38
	<b>Gap</b>	<b>3.72</b>	<b>1.79</b>	<b>- 1.78</b>	<b>- 2.35</b>	<b>2.19</b>
	Indian	3.33	1.05	1.03	1.16	0.73
	Target	1.79	1.79	1.79	1.79	1.79
	<b>Gap</b>	<b>1.54</b>	<b>- 0.74</b>	<b>- 0.76</b>	<b>- 0.63</b>	<b>- 1.06</b>
	White	11.66	14.23	5.67	2.33	8.06
	Target	6.78	6.78	6.78	6.78	6.78
	<b>Gap</b>	<b>4.88</b>	<b>7.45</b>	<b>- 1.11</b>	<b>- 4.45</b>	<b>1.28</b>

Annexure 2 – Capacity Levels and Age Profile

Table 1 – The Department per race and gender

Component		Office of the DG	Land Planning and Information	Land and Tenure Reform	Restitution	Corporate Services	Total
Female	African	20	288	144	163	124	<b>739</b>
	Coloured	1	135	23	20	22	<b>201</b>
	Indian	1	35	5	8	18	<b>67</b>
	White	7	423	34	19	80	<b>563</b>
Male	African	21	372	142	190	98	<b>823</b>
	Coloured	1	116	14	13	31	<b>175</b>
	Indian	2	17	4	5	3	<b>31</b>
	White	7	230	22	10	33	<b>302</b>
<b>Total</b>		<b>60</b>	<b>1616</b>	<b>388</b>	<b>428</b>	<b>409</b>	<b>2901</b>

Table 2 – Disability Profile

Component		Office of the DG	Land Planning and Information	Land and Tenure Reform	Restitution	Corporate Services	Total
Female	African	0	2	2	0	1	<b>5</b>
	Coloured	0	1	0	0	0	<b>1</b>
	Indian	0	0	0	0	0	<b>0</b>
	White	0	11	0	0	1	<b>12</b>
Male	African	0	3	2	2	1	<b>8</b>
	Coloured	0	1	0	0	1	<b>2</b>
	Indian	0	0	0	0	0	<b>0</b>
	White	0	13	2	1	2	<b>18</b>
<b>Total</b>		<b>0</b>	<b>31</b>	<b>6</b>	<b>3</b>	<b>6</b>	<b>46</b>

Table 3 – Age Profile

Profile	Total	Percentage
17 – 19	5	0.17
20 – 29	722	24.88
30 – 39	1242	42.81
40 – 49	567	19.54
50 – 59	317	10.92
60 – 65	48	1.65

Table 4 – Office of the Director-General per salary level, race and gender

Salary Level		1 – 3	4 – 6	7 – 8	9 – 12	13 – 16	Total
Female	African	1	5	4	8	2	<b>20</b>
	Coloured	0	0	1	0	0	<b>1</b>
	Indian	0	0	0	1	0	<b>1</b>
	White	0	1	3	2	1	<b>7</b>
Male	African	3	6	3	6	3	<b>21</b>
	Coloured	0	0	0	1	0	<b>1</b>
	Indian	0	0	0	2	0	<b>2</b>
	White	0	4	1	1	1	<b>7</b>
<b>Total</b>		<b>4</b>	<b>16</b>	<b>12</b>	<b>21</b>	<b>7</b>	<b>60</b>

Table 5 – Land Planning and Information per salary level, race and gender

Salary Level		1 – 3	4 – 6	7 – 8	9 – 12	13 – 16	Total
Female	African	105	96	58	28	1	<b>288</b>
	Coloured	36	75	21	3	0	<b>135</b>
	Indian	4	12	13	6	0	<b>35</b>
	White	11	158	186	66	2	<b>423</b>
Male	African	131	111	80	42	8	<b>372</b>
	Coloured	34	46	23	12	1	<b>116</b>

	Indian	3	2	8	3	1	<b>17</b>
	White	14	18	86	100	12	<b>230</b>
<b>Total</b>		<b>338</b>	<b>518</b>	<b>475</b>	<b>260</b>	<b>25</b>	<b>1616</b>

Table 6 – Land and Tenure Reform per salary level, race and gender

Salary Level		1 – 3	4 – 6	7 – 8	9 – 12	13 – 16	Total
Female	African	14	32	50	44	4	<b>144</b>
	Coloured	2	11	6	4	0	<b>23</b>
	Indian	0	1	0	3	1	<b>5</b>
	White	1	2	16	14	1	<b>34</b>
Male	African	15	12	53	58	4	<b>142</b>
	Coloured	1	0	2	10	1	<b>14</b>
	Indian	0	0	0	4	0	<b>4</b>
	White	0	1	1	19	1	<b>22</b>
<b>Total</b>	<b>33</b>	<b>59</b>	<b>128</b>	<b>156</b>	<b>12</b>	<b>388</b>	

Table 7 – Restitution per salary level, race and gender

Salary Level		1 – 3	4 – 6	7 – 8	9 – 12	13 – 16	Total
Female	African	24	30	68	37	4	<b>163</b>
	Coloured	2	5	8	4	1	<b>20</b>
	Indian	0	1	2	5	0	<b>8</b>

	White	1	2	7	9	0	<b>19</b>
<b>Male</b>	African	14	12	82	76	6	<b>190</b>
	Coloured	2	1	3	7	0	<b>13</b>
	Indian	0	1	0	4	0	<b>5</b>
	White	0	0	4	6	0	<b>10</b>
<b>Total</b>		<b>43</b>	<b>52</b>	<b>174</b>	<b>148</b>	<b>11</b>	<b>428</b>

Table 8 – Corporate Services per salary level, race and gender

<b>Salary Level</b>		<b>1 – 3</b>	<b>4 – 6</b>	<b>7 – 8</b>	<b>9 – 12</b>	<b>13 – 16</b>	<b>Total</b>
<b>Female</b>	African	42	34	31	12	5	<b>124</b>
	Coloured	8	7	2	2	3	<b>22</b>
	Indian	0	10	2	6	0	<b>18</b>
	White	3	25	38	13	1	<b>80</b>
<b>Male</b>	African	32	16	26	19	5	<b>98</b>
	Coloured	11	8	8	4	0	<b>31</b>
	Indian	0	0	0	3	0	<b>3</b>
	White	2	7	9	12	3	<b>33</b>
<b>Total</b>		<b>98</b>	<b>107</b>	<b>116</b>	<b>71</b>	<b>17</b>	<b>409</b>

Annexure 3 – Demand and Supply during 2004/2005

Table 1 – Office of the Director-General

<b>Component</b>	<b>Current Staff</b>	<b>Personnel Expenses</b>	<b>Vacancies</b>	<b>Financial Implications</b>	<b>Budget Allocation</b>	<b>Deficit/Surplus</b>
OFFICE OF THE DG	6	720	3	226	1,738	792
<b>Executive Services</b>	1	1,000	1	38	4,676	3,638
<b>Executive Support</b>	8	1,273	1	58	2,639	1,308

<b>Monitoring and Evaluation</b>	17	2,051	3	267	5,870	3,552
<b>Internal Audit</b>	7	1,733	4	391	7,099	4,975
<b>Policy Development</b>	5	1,048	4	353	3,072	1,671
<b>Security Management</b>	16	1,199	2	76	4	- 1,271
<b>Totals</b>	<b>60</b>	<b>9,024</b>	<b>18</b>	<b>1,409</b>	<b>25,098</b>	<b>14,665</b>

Table 2 – Land Planning and Information

<b>Component</b>	<b>Current Staff</b>	<b>Personnel Expenses</b>	<b>Vacancies</b>	<b>Financial Implication</b>	<b>Budget Allocation</b>	<b>Deficit/Surplus</b>
<b>Office of the DDG</b>	4	967	1	58	1,944	919
<b>Surveys &amp; Mapping</b>	7	2,021	0	0	5,360	3,339
<b>Spatial Information</b>	62	6,409	12	856	18,037	10,772
<b>Surveys Services</b>	101	12,740	10	423	39,968	26,805
<b>Cartographic Services</b>	44	3,727	6	400	9,443	5,316
<b>Cadastral Surveys</b>	3	570	7	496	1,615	549
<b>Cadastral Information</b>	4	2,542	12	1,154	13,902	10,206
<b>SGO: Bloemfontein</b>	49	3,808	6	397	8,066	3,861
<b>SGO: Pretoria</b>	162	10,759	11	625	23,469	12,085
<b>SGO: Pietermaritzburg</b>	89	6,409	6	360	13,356	6,587
<b>SGO: Nelspruit</b>	0	41	13	888	2,204	1,275
<b>SGO: Kimberley</b>	0	0	0	0	7	7
<b>SGO: Cape Town</b>	123	9,237	9	517	19,548	9,794
<b>Spatial Planning</b>	5	1,355	4	378	4,970	3,237
<b>National Spatial Framework</b>	10	119	12	1,209	0	- 1,328
<b>Development Facilitation</b>	11	1,679	3	394	4,674	2,601
<b>Development Framework</b>	6	2,497	7	512	9,645	6,636



Component	Current Staff	Personnel Expenses	Vacancies	Financial Implication	Budget Allocation	Deficit/Surplus
Deeds Registration	2		0	0	10707	
Support and Finance	13		4	270		
Legal Administration and	16		5	397		
DO: Pretoria	212		28	1,549	38,750	
DO: Johannesburg	160		16	837	24,243	
DO: Bloemfontein	97		19	977	13,362	
DO: Kimberley	17		13	607	3,234	
DO: Cape Town	196		25	1,383	34,102	
DO: Pietermaritzburg	156		19	943	22,935	
DO: Umtata	19		5	168	2,985	
DO: King William's Town	32		13	495	5,037	
DO: Vryburg	17		6	225	3,066	
<b>Totals</b>	<b>1616</b>	<b>121,669</b>	<b>272</b>	<b>16.582</b>	<b>348,042</b>	<b>209,791</b>

Table 3 – Land and Tenure Reform

Component	Current Staff	Personnel Expenses	Vacancies	Financial Implication	Budget Allocation	Deficit/Surplus
Office of the DDG	6	803	1	72	2,186	1,311
Implementation Manage	6	625	1	87	2,875	2,163
Support	8	2,163	5	618	7,671	4,890
Provincial Offices	312	145,871	93	7,015	463,464	310,578
Land Reform Systems	3	230	4	463	3,550	2,857
Public Land Support	23	3,798	5	446	15,897	11,653
Implementation	18	3,202	2	124	9,470	6,144

<b>Systems</b>						
<b>Redistribution Systems</b>	12	2,152	3	155	4,465	2,158
<b>Totals</b>	<b>388</b>	<b>158,844</b>	<b>114</b>	<b>8,980</b>	<b>509,578</b>	<b>341,755</b>

Table 4 – Restitution

<b>Component</b>	<b>Current Staff</b>	<b>Personnel Expense</b>	<b>Vacancies</b>	<b>Financial Implication</b>	<b>Budget Allocation</b>	<b>Deficit/Surplus</b>
<b>CLCC</b>	4	1,792	0	0	4,415	2,623
<b>Management Support</b>	4	671	1	47	1,073	355
<b>Programme Management</b>	20	2,108	6	613	2,085	- 636
<b>Coordination Support</b>	13	2,503	2	140	4,378	1,735
<b>RLCC: Gauteng and NW</b>	74	149,700	17	1,458	161,150	9,992
<b>RLCC: Kwazulu-Natal</b>	60	193,149	11	873	138,348	- 55,674
<b>RLCC: Western Cape</b>	56	82,519	9	554	95,404	12,331
<b>RLCC: Eastern Cape</b>	45	55,828	17	1,429	194,759	137,502
<b>RLCC: Mpumalanga</b>	51	91,047	17	1,450	171,644	79,147
<b>RLCC: Limpopo</b>	58	83,679	15	1,043	80,022	- 4,700
<b>RLCC: Free State and NC</b>	43	34,333	12	1,057	76,546	41,156
<b>Totals</b>	<b>428</b>	<b>697,329</b>	<b>107</b>	<b>8,664</b>	<b>929,824</b>	<b>223,834</b>

Table 5 – Corporate Services

<b>Component</b>	<b>Current Staff</b>	<b>Personnel Expenses</b>	<b>Vacancies</b>	<b>Financial Implication</b>	<b>Budget Allocation</b>	<b>Deficit/Surplus</b>
<b>Office of the DDG</b>	3	555	1	58	1,676	1,063
<b>Human Capital and OD</b>	3	900	2	117	18,456	17,439
<b>Resource Development</b>	15	4,719	0	0	9,896	5,177
<b>Resource Management</b>	52	7,703	10	711	12,632	4,218

<b>Legal Services</b>	17	2,294	2	260	6,223	3,669
<b>Advisory Support Services</b>	76	6,807	7	372	18,492	11,313
<b>Transformation</b>	5	1,118	2	114	6,016	5,784
<b>Shared Service Centres</b>	102	9,908	27	1,419	21,146	9,819
<b>Financial Management</b>	4	2,373	0	0	6,478	4,105
<b>Financial Administration</b>	73	7,023	7	408	21,237	13,806
<b>Management Accounting</b>	15	3,233	3	297	6,797	3,267
<b>Business Information</b>	27	13,009	11	569	46,961	33,383
<b>Communication</b>	17	4,080	13	956	13,064	8,028
<b>Totals</b>	<b>409</b>	<b>63,722</b>	<b>85</b>	<b>5,281</b>	<b>189,074</b>	<b>120,021</b>

#### Annexure 4 – Projected retirements

<b>Component</b>	<b>2005 to 2006</b>	<b>2006 to 2007</b>	<b>2007 to 2008</b>
<b>Office of the Director-General</b>	1	0	0
LAND PLANNING AND INFORMATION	2	6	5
<b>Land and Tenure Reform</b>	1	0	1
<b>Restitution</b>	0	0	0
<b>Corporate Services</b>	2	1	2
<b>Total Projected Retirements</b>	<b>6</b>	<b>7</b>	<b>8</b>

#### Annexure 5 – Appointments from 1 April 2004

Table 1 – Office of the Director-General

Salary Level		1 – 3	4 – 6	7 – 8	9 – 12	13 – 16	Total
Female	African	2	1	0	1	0	4
	Coloured	0	0	0	0	0	0
	Indian	0	0	0	0	0	0
	White	0	0	0	0	0	0
Male	African	1	2	1	1	0	5
	Coloured	0	0	0	0	0	0
	Indian	1	0	0	0	0	1
	White	0	0	0	0	0	0
<b>Total</b>		<b>4</b>	<b>3</b>	<b>1</b>	<b>2</b>	<b>0</b>	<b>10</b>

Table 2 – Land Planning and Information

Salary Level		1 – 3	4 – 6	7 – 8	9 – 12	13 – 16	Total
Female	African	37	5	1	0	1	44
	Coloured	0	0	0	0	0	0
	Indian	2	0	0	0	0	2
	White	0	0	0	0	0	0
Male	African	19	13	2	0	0	34
	Coloured	1	0	0	0	0	1
	Indian	0	0	0	0	0	0
	White	0	0	0	0	0	0
<b>Total</b>		<b>59</b>	<b>18</b>	<b>3</b>	<b>0</b>	<b>1</b>	<b>81</b>

Table 3 – Land and Tenure Reform

Salary Level	1 – 3	4 – 6	7 – 8	9 – 12	13 – 16	Total
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<b>Female</b>	African	19	7	10	3	0	<b>39</b>
	Coloured	0	3	1	0	0	<b>4</b>
	Indian	0	0	0	0	0	<b>0</b>
	White	0	1	1	0	0	<b>2</b>
<b>Male</b>	African	11	6	6	5	0	<b>28</b>
	Coloured	1	0	0	0	0	<b>1</b>
	Indian	0	0	0	0	0	<b>0</b>
	White	0	0	0	1	0	<b>1</b>
<b>Total</b>		<b>31</b>	<b>17</b>	<b>18</b>	<b>9</b>	<b>0</b>	<b>75</b>

Table 4 – Restitution

<b>Salary Level</b>		<b>1 – 3</b>	<b>4 – 6</b>	<b>7 – 8</b>	<b>9 – 12</b>	<b>13 – 16</b>	<b>Total</b>
<b>Female</b>	African	15	13	20	3	0	<b>51</b>
	Coloured	1	1	0	0	0	<b>2</b>
	Indian	0	0	0	0	0	<b>0</b>
	White	0	0	0	1	0	<b>1</b>
<b>Male</b>	African	9	3	37	5	0	<b>54</b>
	Coloured	1	1	1	1	0	<b>4</b>
	Indian	0	0	0	2	0	<b>2</b>
	White	0	0	2	0	0	<b>2</b>
<b>Total</b>		<b>26</b>	<b>18</b>	<b>60</b>	<b>12</b>	<b>0</b>	<b>116</b>

Table 5 – Corporate Services

<b>Salary Level</b>		<b>1 – 3</b>	<b>4 – 6</b>	<b>7 – 8</b>	<b>9 – 12</b>	<b>13 – 16</b>	<b>Total</b>
<b>Female</b>	African	56	8	3	1	0	<b>68</b>
	Coloured	1	0	0	0	0	<b>1</b>
	Indian	0	0	0	1	0	<b>1</b>
	White	0	1	1	0	0	<b>2</b>

<b>Male</b>	African	42	1	3	3	0	<b>49</b>
	Coloured	1	0	0	0	0	<b>1</b>
	Indian	0	0	0	1	0	<b>1</b>
	White	0	0	0	0	0	<b>0</b>
<b>Total</b>		<b>100</b>	<b>10</b>	<b>7</b>	<b>6</b>	<b>0</b>	<b>123</b>