



Department of Rural Development & Land Reform Strategic Plan 2010 - 2013

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A case for rapid change & reviewed land tenure system



Mr G Nkwinti
Minister of Rural Development & Land Reform

The resolution of the 52nd National Conference of the ANC (December 2007) on agrarian change, land reform and rural development confirmed the ANC's acute awareness and sensitivity to the centrality of land (the land question) as a fundamental element in the resolution of the race, gender and class contradictions in South Africa. National sovereignty is defined in terms of land. That is why, even without it being enshrined in the country's supreme law, the constitution, land is a national asset. That is where the debate about agrarian change, land reform and rural development should, appropriately, begin. Without this fundamental assumption, talk of land reform and food security is superfluous! We must, and shall, fundamentally review the current land tenure system during this Medium Term Strategic Framework (MSF) period. This we shall do through rigorous engagement with all South Africans, so that we should emerge with a tenure system which will satisfy the aspirations of all South Africans, irrespective of race, gender and class.

It is, therefore, fitting and appropriate that the strategy of the Department of Rural Development and Land Reform be 'agrarian transformation' – interpreted to denote 'a rapid and fundamental change in the relations (systems and patterns of ownership and control) of land, livestock, cropping and community.' The objective of the strategy is 'social cohesion and development.' All anti-colonial struggles are, at the core, about two things: repossession of lost land and restoring the centrality of indigenous culture. To deepen one's appreciation of this statement, one has to look, in-depth, at colonialist use of land to subdue conquered populations; and, the use of tribal or ethnic sub-cultures to submerge the cross-cutting culture which characterises all tribal or ethnic groups – Ubuntu or human solidarity, in the case of Africans. The super-profiling of ethnic or tribal subcultures by colonialists is deliberately meant to create competition and conflict amongst them – the divide and rule

tactic generally used to deepen subjugation. Ubuntu, the over-arching African way of life, is integrally linked to land. Any attempt to restore Ubuntu without a concomitant land restoration is futile.

Social cohesion is a direct function of the restoration of land and indigenous culture. It is not just about allegiance to national symbols, e.g. the National Anthem and Flag, important as they are. Social cohesion is built around a people's culture. In multi-cultural societies it is built around recognition of cultural diversity as a strength; and, it is used to build social cohesion. Despite cultural differences, members of communities generally share the same values and taboos; and, tend to use those values and taboos to develop hybrid or sub-cultures which combine to hold people together. They tend to attend the same churches, schools and play for the same clubs and become members of the same stokvels, societies, etc. These institutions create subcultures which bind them together. In rural communities relationships are much deeper as they tend to be historical and inter-generational. Mutuality is a way of life which would have evolved organically, nourished and cemented by shared hard and good times. In African societies these relational virtues are summed up in one word: Ubuntu. This is the bedrock of African culture. Colonialism and Apartheid sought at all times, and by all means to destroy it. Of all such means, the Natives Land Act, 1913 (Act 27 of 1913) and the migrant labour system are the ones which wreaked the most havoc in African rural communities, seriously undermining the virtues of Ubuntu as people lost their basic expression of Ubuntu – the ability to give/ *izinwe*, which disappeared with the loss of their land: they could no longer produce enough food to feed themselves; they could not keep livestock – they had to survive on meager wages, which could hardly meet their family needs, let alone being generous and share with neighbours. Colonialism and Apartheid brutalised black people, turning them into hostages to perennial hunger,





New community ambulance,
Moses Kotane



House in KwaNgema



Building sport facility,
Riemvasmaak

related diseases and social strifes and disorders. Rural development and land reform must be the catalyst in the ANC government's mission to reverse this situation. It took centuries to inflict it on black people; it is going to take quite a while to address it. But, it shall be done. That long road necessarily starts with the crafting of a new pragmatic but fundamentally altered land tenure system for the country. Any other option will perpetuate social fragmentation and underdevelopment.

Development and its corollary, underdevelopment, as outcomes, are a function of certain political choices and decisions as well as certain administrative actions, processes, procedures and institutions. Defined in this context, development denotes 'social, cultural and economic progress brought about through certain political choices and decisions and realised through certain administrative actions, processes, procedures and institutions.' The key parameters for measuring development, therefore, are social, political, administrative, cultural, institutional and economic. Depending on the type of political choices and decisions; and, administrative actions, processes, procedures and institutions put in place, there will be progress (development) or stagnation (under-development).

In short, depending on the type of political choices we make, and the decisions we take now; and, the type of administrative actions we take, the processes, procedures and institutions we put in place, we will either bring about the desired social cohesion and development or we will perpetuate the colonial-apartheid's social fragmentation and under-development. For the sake of clarity, 'development' indicators in this text are 'shared growth and prosperity, full employment, relative income equality and cultural progress'; and, those for 'under-development' are 'poverty, unemployment, inequality and cultural backwardness'. It is submitted here that the two opposing socio-economic pillars, development and under-development, are a function

of certain political choices and decisions, as well as certain administrative actions, processes, procedures and institutions; not just any political choice or decision, nor any administrative action, process, procedure or institution. They distinguish one ideological perspective from the other. Apartheid was an outcome of particular political choices and decisions which were executed through a plethora of oppressive policies and laws, which were carefully crafted to achieve the set outcome. Consider the following passage, from one Maurice Evans, on the reduction in the Natal land quota for black people in this regard:

"Yet even this will mean an average of 156 acres per head of European population, and 6.8 acres for every native, while, 'the land which will fall within the European areas is infinitely healthier, more fertile, and altogether more desirable, than either present locations or the areas recommended by the Beaumont Commission.'"

This was not an isolated case. It was the South African story in the systematic denudation and impoverishment of black people. Our effort to bring about the corrective measures necessary to tone down the anger, bitterness and pain of those who were subjected to this brutal treatment must be collective. The Truth and Reconciliation Commission has adequately demonstrated the capacity of black South Africans to forgive.



Minister Gugile Nkwinti
Minister of Rural Development and Land Reform



Framework for MTSF delivery



Dr J Phaahla
Deputy Minister of Rural Development & Land Reform

A significant majority of South African citizens have their lives tied to rural life where they feel free to practice their customs and culture in an environment conducive of an agrarian rural economy. With the advent of the democratic era in 1994, we have had to consider the post colonial reconstruction and development where attention must be paid to the improvement of the quality of life for all our citizens living in rural areas. It is common knowledge that the colonial and apartheid governments did everything to dismantle the dignified and sustainable rural family life and this led to disintegrated rural communities. The wealth of rural families was eroded through various initiatives of government such as the so-called betterment schemes that significantly reduced access to land, reduced the number of livestock owned by blacks, regulated economic activity, distorted land administration in communal areas, interfered with and distorted traditional leadership, all of which had a negative impact on local economic development; leading to many rural people seeking employment in urban centres.

The grand spatial plan of the apartheid government was to push all black people to the impoverished homeland areas, reduce blacks on farms to poorly paid farm workers and labour tenants whilst those who moved to the cities were pushed to the poorly serviced black townships. The negative impacts of the apartheid policies included the deterioration of the relations of land, livestock, cropping and community. The land and farming policies of the past, as they affected black people, discouraged rural communities and this led to their loss of interest in agriculture.

We understand "Rurality" to mean "a way of life, a state of mind and a culture which revolves around land, livestock cropping and community". Rural areas include all traditional communal areas, farmland, peri-urban areas, informal settlements and small rural towns where people have a number of possibilities to live from the land. Rural

development is about enabling rural people to take control of their destiny, thereby dealing effectively with rural poverty through the optimal use and management of natural resources. It is a participatory process through which rural people learn over time, through their own experiences and initiatives, how to adapt their indigenous knowledge to their changing world. It is a post-colonial reconstruction and development programme whose heart is socio-economic transformation where it matters most; where the most humble and most vulnerable reside, the rural areas and communities. We are going to see change in the country side when there is the change of attitude, ownership and participation by rural communities themselves, support and commitment by all stakeholders including all spheres of government, development planners, non-governmental organisations, private sector and communities.

Our strategy to achieve sustainable rural development is "agrarian transformation", which is the rapid fundamental change in the relations of land, livestock, cropping and community. It will focus on, but is not limited to, the establishment of rural business initiatives, agro-industries, co-operatives, cultural initiatives and vibrant local markets in rural settings, the empowerment of rural people and communities (especially women and youth), and the revitalisation of old, and revamping of new economic, social, information and communication infrastructure, public amenities and facilities in villages and small rural towns.

The new administration is guided by the five priorities of the ruling party, namely; creation of decent work & sustainable livelihoods, education, health, rural development linked to land reform and food security, as well as the fight against crime & corruption. Government has defined the Medium Term Strategic Framework (MTSF) for the term ending in 2014 to include the following priorities; "Speeding up growth & transforming the economy to create decent work & sustainable livelihoods, Massive programme to build



Fencing,
Muyexe



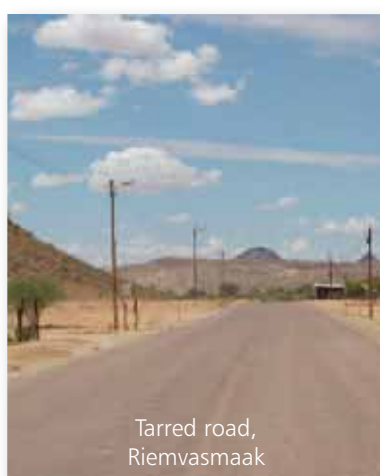
Early Childhood Development
Centre, Muyexe



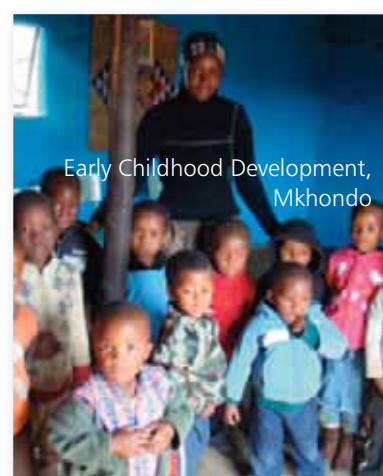
Early Childhood Development
Centre, Muyexe



Construction,
KwaNgema



Tarred road,
Riemvasmaak



Early Childhood Development,
Mkhondo

economic & social infrastructure, Comprehensive rural development strategy linked to land and agrarian reform and food security, Strengthen the skills & human resource base, Improve the health profile of all South Africans, Intensify the fight against crime & corruption, Build cohesive, caring & sustainable communities, Pursuing African advancement & advance the international cooperation, Sustainable resource management & use, Building a developmental state including improvement of public services & strengthening of democratic institutions."

The President has called for accountability as well as performance management and evaluation on the part of all Ministers and Premiers. The strategic objective is to improve service delivery and the performance of government through an outcome-based performance management system, where the Ministers shall sign performance delivery agreements with the President and report regularly on the progress made. The agreed outcome for this Department of Rural Development and Land Reform (DRDLR) is; "Vibrant, equitable and sustainable rural communities and food security for all". The agreed outputs on which the success of this Department shall be measured include the following:

- Sustainable land reform
- Food security for all
- Rural development and sustainable livelihoods
- Job creation linked to skills training

We acknowledge that social and economic transformation of our country will not be complete if we fail to address the enduring legacies of exploitation, hardship and insecure tenure our fellow South Africans living on farms, experience daily.

We have to overhaul our land policy and legislation, with specific reference to our land tenure system. The Green Paper on Agrarian Transformation, Rural Development and Land Reform process will help us to agree on the most appropriate forms of land ownership, the land size ceilings according to land use, the best practice on sustainable use of natural resources, etc.

We have aligned our resources for the "re-capitalisation and development programme" for all the land reform projects, including Land Reform for Agricultural Development (LRAD), Settlement and Production Land Acquisition Grant (SPLAG) and restitution projects. Our planned interventions for rural development and sustainable livelihoods will not be successful if we do not address and put in place mechanisms to deal with post settlement support as well as effective ways of disaster mitigation and management.

We believe strongly that "working together we can do more" to improve the quality of life for our rural communities.



Strategic context

In 2009, the new administration announced a new Ministry of Rural Development and Land Reform. In order to give effect to this mandate the Department developed the Comprehensive Rural Development Programme (CRDP) which is now a strategic priority within the MTSE.

The CRDP is aimed at being an effective response against poverty and food insecurity. It is anticipated that the rural development programme would create social cohesion in rural communities and thereby contribute to sustainable development interventions.

Guidance from Lekgotla

At the recent Lekgotla, it was agreed that the Department through the CRDP would be the major driver of the achievement of outcome 7, vibrant, equitable and sustainable rural communities. This vision will be achieved through coordinated and integrated broad based agrarian transformation which will focus on:

- Building communities
- Strategic investment in old and new infrastructure
- An improved land reform programme.

Rural development is an overarching issue and therefore also has a significant link to the other priorities of government which is:

- Speeding up economic growth and transforming the economy to create decent work and sustainable livelihoods
- Strengthen skills and human resource base
- Improve the health profile of the nation
- Intensify the fight against crime and corruption
- Massive programme to build economic and social infrastructure
- Build cohesive, caring and sustainable communities
- Sustainable resource management and use
- Pursuing African advancement and enhanced international co-operation
- Building a developmental state including improvement of public services and strengthening democratic institutions.

The four outputs that have emerged for the Department are the following:

- Sustainable land reform
- Food security for all
- Rural development and sustainable livelihoods
- Job creation and skills training, including a job creation model.

The CRDP requires a coordinated strategy to meet the diverse needs of communities and the participation of various departments across the different spheres of government, traditional authorities, non-governmental organisations and communities is vital. Communities will

become central to their own development and the CRDP model will be utilised even as the Department revitalises farms previously acquired through the land reform programme. The Department will therefore continue to implement an improved land reform programme that aligns with an agrarian transformation strategy that enables communities and individuals to use land more productively and contributes to the food security for the country.

To achieve these priorities, the Department will be developing and implementing joint programmes with other sector departments and spheres of government, as well as the private sector.

State of the Nation Address 2010

In his State of the Nation Address (SONA) of 11 February 2010, President Jacob Zuma highlighted the following:

Our rural development programme will improve rural productivity, and the lives of people living in rural areas.

- In this regard, we launched the first pilot site of the Comprehensive Rural Development Programme in Giyani, Limpopo in August last year.
- We are implementing similar programmes in seven sites across the country, benefiting 21 wards.
- By 2014, we aim to have sites in 160 wards.
- We want 60% of households in these sites to meet their food requirements from own production by 2014.
- We also need to better integrate land reform and agricultural support programmes.
- Our success in this area will be measured by the increase in the number of small scale farmers that become economically viable.

Budget Speech 2010

In the Budget speech, the Finance Minister highlighted the following areas which we have to contribute to in relation to the new growth path:

- Concerted effort to reduce joblessness
- Support for labour intensive industries through industrial policy interventions, skills development, public employment programmes and rural development strategy
- Sustaining high levels of public and private investment (infrastructure)
- Raising savings levels
- Increase the budget for housing
- Recapitalisation of State enterprises, including the Land Bank to assist land reform.



Vision, Mission & Strategic Outputs

Vision

Vibrant, Equitable, Sustainable Rural Communities

Mission

Facilitate integrated development and social cohesion through participatory approaches in partnership with all sectors of society

Strategy

Agrarian transformation, meaning the rapid and fundamental change in the relations (systems and patterns of ownership and control) of land, livestock, cropping and community.

Strategic Outputs

The Department of Rural Development and Land Reform has strategic objectives at two levels, namely:

Rewards

- Ensure sustainable land reform aligned to CRDP
- To contribute to the availability of and increased access to food security by all
- Contribute to sustainable rural development and livelihoods
- Increased income and access to job opportunities

Supportive Outputs

- Provision of efficient and effective cadastral surveys
- Provision of efficient deeds registration that underpins security of land tenure
- To ensure efficient and effective functionality of the Department to support the core vision

Core Business Values

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

Core Clients

- Rural communities
- Landless and tenure insecure communities
- Emergent black farmers
- All spheres of government
- Users of spatial information
- Land owners
- Non-governmental organisations
- Private sector



Education, Diyatalawa



Early Childhood Development
Diyatalawa



Constitutional Framework

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

Preamble

We, the people of South Africa recognise the injustice 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 establishes the framework for the implementation of land reform

It states:

Section 25 (1):

No one may be deprived of property except in terms of 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 -
 (a) for a public purpose or in the public interest; and
 (b) subject to compensation, the amount of which and the time and manner of payment of which have either been agreed to by those affected or decided 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 -
 (a) the current use of the property;
 (b) the history of the acquisition and use of the property;
 (c) the market value of the property;
 (d) the extent of direct State investment and subsidy in the acquisition and beneficial capital improvement of the property; and
 (e) the purpose of the expropriation.

Section 25 (4):

For the purposes of this section -
 (a) the public interest includes the nation's commitment to land reform, and to 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 legally secure or to comparable redress.

Section 25 (7):

A person or community dispossessed of property after 19 June 1913 as a result of past racially discriminatory laws or practices is entitled, to the extent provided by an Act of Parliament, either to restitution of that property or to equitable redress.

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 the legislation referred to in subsection (6).

Other sections establish the framework for the implementation of CRDP

- Section 10 which deals with the right to dignity.
- Section 24 (a) which deals with issues of natural resource use and management.
- Section 26 which deals with the right to access to adequate housing.
- Section 27 (1) which deals with the right to access to sufficient food and water.
- Section 41 which sets out the framework for co-operative and inter-governmental relations.

In the interim the Department's rural development implementation is being guided by the draft CRDP framework document.



Legislation implemented by the Department

Restitution

- The Restitution of Land Rights Act, 1994 (Act 22 of 1994), which provides for the restitution of land or the award of 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, 2003 (Act 48 of 2003), which empowers the Minister of Rural Development and Land Reform to purchase, acquire in any other manner or expropriate land or rights in land for the purpose of restitution awards or for any related land reform purpose.
- The Transformation of Certain Rural Areas Act, 1998 (Act 94 of 1998), which provides for the repeal of the Coloured Rural Areas Act, 1987.
- The Communal Land Rights Act, 2004 (Act 11 of 2004), once the commencement date is published, will provide for secure land tenure rights to persons and communities who occupy and use communal land as defined in that Act.
- The KwaZulu-Natal Ingonyama Trust Act, 1994 (KZN Act 3 of 1994 – G.N. 28 of 1994 dated 24 April 1994) was passed by the then KwaZulu Legislative Assembly and was amended by the (national) KwaZulu-Natal Ingonyama Trust Amendment Act, 1997 (Act 9 of 1997). It provides for the establishment of the Ingonyama Trust with the Ingonyama of Isizwe sakwaZulu as the sole trustee, the establishment of the board (KwaZulu-Natal Ingonyama Trust Board), which administers the affairs of the trust and its land and for the vesting of all the land that originally fell within the legislative jurisdiction of the former KwaZulu Legislative Assembly and land that may have been acquired for purposes of transfer to the then KwaZulu Government; and for the transfer of that land to the affected communities.

Tenure Reform

- The Distribution and Transfer of Certain State Land Act, 1993 (Act 119 of 1993) provides for the distribution and transfer of State land to persons or descendants of persons who were removed from such land and had prior to 27 April 1994 submitted applications to the then Advisory Commission on Land Allocation and the said Commission had confirmed their possible entitlement to such land. It empowers the Minister of Rural Development and Land Reform to designate such land to be dealt with in terms of the Act and also appoint a Land Distribution Commissioner to investigate and make awards to such persons who are found to have legitimate claims to such land;
- The Upgrading of Land Tenure Rights Act, 1991 (Act 112 of 1991) 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 Extension of Security of Tenure Act, 1997 (Act 62 of 1997), which provides for security of tenure to people living on land belonging to another person and regulates the conditions under which the eviction of such people may take 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 Associations Act, 1996 (Act 28 of 1996), which provides for the establishment of legal entities enabling communities to acquire, hold and manage land on an agreed basis in terms of a constitution; and

Redistribution

- The Land Reform: Provision of Land and Assistance Act, 1993 (Act 126 of 1993), aims to redress the imbalanced land allocation of the past by providing land and financial assistance to historically disadvantaged persons and communities.

Land Planning & Information

- 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;
- The Professional and Technical Surveyors Act, 1984 (Act 40 of 1984), which regulates the professional and technical surveyors' profession;
- The Sectional Titles Act, 1986 (Act 95 of 1986), which regulates sectional title schemes;
- The Development Facilitation Act, 1995 (Act 67 of 1995), which provides for extraordinary measures to facilitate and speed up the implementation of reconstruction and development programmes and projects in relation to land;

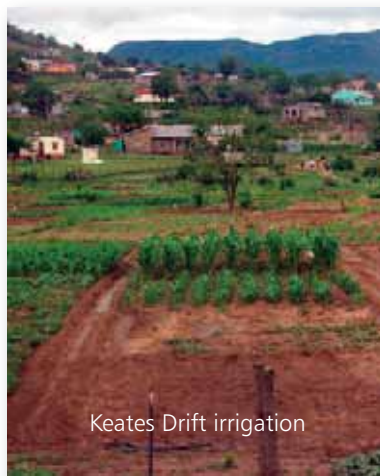
- The Land Survey Act, 1997 (Act 8 of 1997), which regulates the surveying of land in the Republic;
- The Planning Profession Act, 2002 (Act 36 of 2002), which provides for the establishment of the South African Council for Planners and regulates the planning profession; and
- The Spatial Data Infrastructure Act, 2003 (Act 54 of 2003), which provides the technical, institutional and policy framework for the capture, maintenance, distribution and use of publicly held spatial information.

General

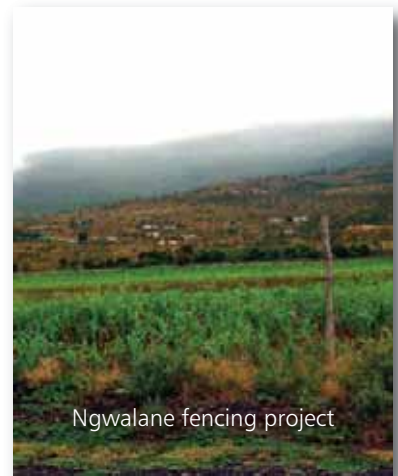
- The Land Titles Adjustment Act, 1993 (Act 111 of 1993), regulates the allocation of private land in respect of which one or more persons claim ownership, but do not have registered title deeds. It empowers the Minister to designate such land to be dealt with in terms of the Act and to appoint a Titles Adjustment Commissioner to investigate and make findings on such claims.
- The Abolition of Racially Based Land Measures Act, 1991 (Act 108 of 1991) repealed or introduced mechanisms to repeal certain racially based land-related laws.
- The Abolition of Certain Title Conditions Act, 1999 (Act 43 of 1999) provides for the cancellation of title conditions requiring the consent of the holders of obsolete offices.
- The Removal of Restrictions Act, 1967 (Act 84 of 1967) provides for the alteration, suspension or removal of certain undesirable title conditions.
- The Black Authorities Act, 1951 (Act 68 of 1951) regulated the administration of certain categories of land; and is to be finally repealed.
- The Kimberley Leasehold Conversion to Freehold Act, 1961 (Act 40 of 1961) provides for the conversion of certain land in the Northern Cape to freehold title.
- The Land Administration Act, 1995 (Act 2 of 1995) empowers the Minister to delegate any power conferred by or under a law regarding land matters.
- The State Land Disposal Act, 1961 (Act 48 of 1961) empowers the Minister to dispose of state land for which s/he is responsible.
- The Physical Planning Act, 1967 (Act 88 of 1967)
- The Physical Planning Act, 1991 (Act 125 of 1991) regulated certain aspects of spatial planning and land development, and it is anticipated that they will be repealed as they no longer meet the needs of the developmental state.



Msinga pack house



Keates Drift irrigation



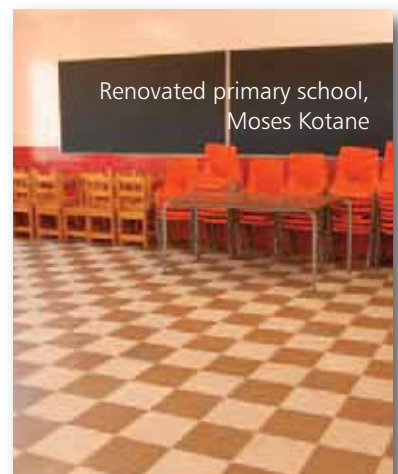
Ngwalane fencing project



Recently built house,
Moses Kotane



New livestock handling facility,
Moses Kotane



Renovated primary school,
Moses Kotane



Overview by the Director-General of Rural Development & Land Reform



Mr T Gwanya
Director-General:
Department of Rural Development & Land Reform

Rural development, land reform and job creation have been included amongst the key priorities of government. In 2009, the inclusion of the rural development mandate to the previous land reform mandate necessitated significant changes within the Department of Rural Development and Land Reform, including a re-conceptualisation of the development approach, vision, mission and the strategic objectives, as well as the implementation strategy for rural development and land reform.

The Comprehensive Rural Development Programme (CRDP), was introduced as an all encompassing strategy that is intended to create social cohesion and development in rural areas. The strategy is premised on three pillars of land reform, agrarian transformation and rural development. Through the implementation of the CRDP, the Department aims to promote the creation of vibrant, equitable and sustainable rural communities and food security for all. To ensure that the Department achieves this outcome the following are key initiatives within the CRDP programme:

- Social mobilisation and organisation of communities
- Strategic investment in social, economic, ICT and public amenity infrastructure
- Co-ordinated and integrated broad-based agrarian transformation
- An improved land reform programme.

Sustainable land reform Land Tenure Systems Reform

The challenges to the implementation of land reform have made a strong case for the urgent review of our land tenure system. Reform of the current tenure systems of the country

is therefore critical to unlock development and increase investment in rural areas.

The questions of land ceilings and ownership, land uses, land availability and the cost of land have been raised. Other pertinent questions relate to the forms of ownership.

All of these point to the fact that clear land tenure systems will be the bedrock to addressing power relations relative to productive land in South Africa and to safeguard our limited agricultural land.

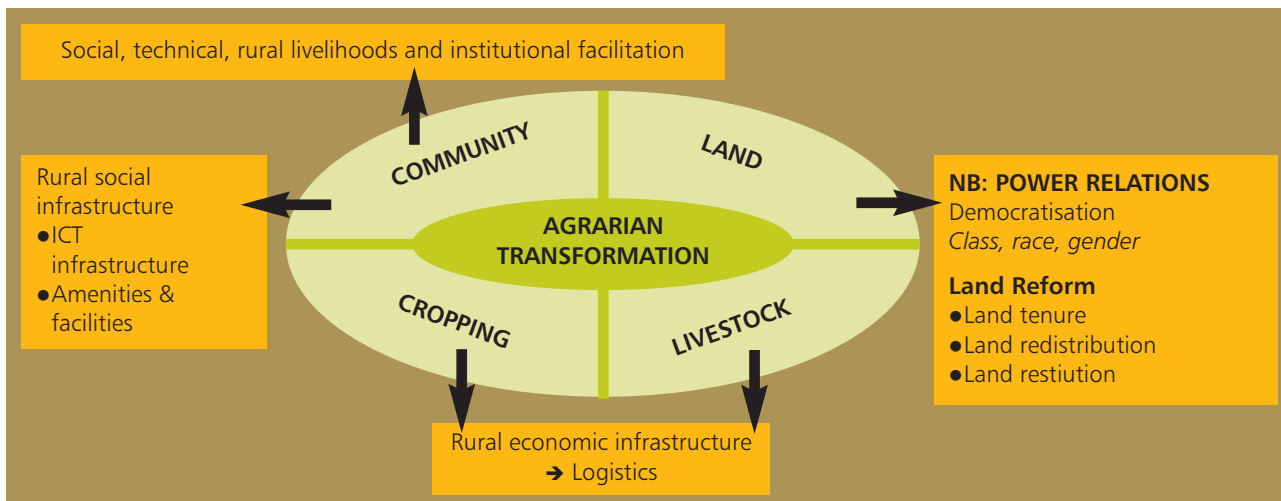
To facilitate this discussion, the Department is proposing two options: all productive land will become a national asset and a quitrent land tenure system either with perpetual or limited rights is envisaged. This may require an amendment to Section 25 of the Constitution. All tenure legislation will be subsequently reviewed and brought under a single national land policy framework. Option two will focus on a review of current tenure policies and legislation in order to maintain the current free-hold title system but within the ambit of a land ceilings framework linked to categorisation of farmers. Option two will also investigate a State Land Management Board to facilitate the management of State owned agricultural land and leases.

Policy and legislation that will impact on the ownership of land by non-nationals will also be finalised. Some policy options that will be investigated include the imposition of land ceilings with regard to ownership of land by non-nationals and/or limited property rights in the form of long term leases. A type of board may also be created to manage agricultural land transactions.

In relation to these proposals a Tenure System Reform Bill will be tabled by March 2012.

The diagram is a graphical explanation of the two options.





The Department will continue to utilise the Land Rights Management Facility as a tool to protect the land rights of the vulnerable farm dwellers. Included in the facility is access to a 24-hour call centre (Toll-Free no: 0800 007 095).

Within the improved land reform programme, the core objective of redistributing 30% of white owned agricultural land remains but has now been linked to a clear programme of support and capacity building that would ensure socio economic development of all land reform beneficiaries. In addition, the Department will over the Medium Term Expenditure Framework (MTEF) period be implementing programmes to revitalise farms, that are in distress, acquired since 1994 through land restitution and redistribution.

Redistribution

The Redistribution Programme is largely implemented through the Provision of Land and Assistance Act, 1993 (Act 126 of 1993). Prior to 2008, Act 126 had limited applicability which focused on land acquisition but certain key amendments in the latter part of 2008 will now make it possible for development interventions aligned to the broader CRDP.

To date 5.9 million hectares of land have been acquired through redistribution and restitution.

The tenure issues of millions of South Africans living and working on farms, communal areas and small rural towns still leaves much to be desired despite the efforts of government to regulate relationships between owners and occupiers and tenants. In addition, 16 years into democracy has not seen significant improvement in the living conditions of rural households.

Restitution

The Commission on Restitution of Land Rights established in terms of the Restitution of Land Rights Act, 1994 (Act 22 of 1994), will continue to provide redress to victims of land rights disposessions as a result of discriminatory laws and

practices since June 1913. To date, 96% of the 79 696 lodged land claims have been settled.

We have allocated R275 million as part of the re-capitalisation and development of the farms restored under restitution. This will form part of the post settlement support which will adopt the CRDP principles during implementation. The outstanding land claims will have to be resolved in an integrated development approach that takes into account the new mandate of the DRDLR.

Rural development & rural livelihoods

During 2009/10, the CRDP has been rolled out in eight provinces in the country and over the MTEF period the Department intends to implement this programme in 160 rural wards throughout the country. Significant progress has been made especially in Muyexe in the District of Giyani. Over the last eight months, amongst other initiatives, houses have been built, schools renovated, a clinic established and a number of community organisations have been formed and are operational.

Central to the CRDP is the social mobilisation of rural communities to ensure that they take centre stage in the improvement of their own quality of life. In order to ensure that all social mobilisation initiatives consider the dynamics of particular communities, a detailed household profiling precedes any initiative. The tool that has been used and will continue to be used is an adaptation of the National Integrated Social Information System (NISIS) tool used for the War on Poverty initiative.

In all 160 wards, communities will be organised into community organisations and cooperatives in line with development initiatives and local opportunities that have been identified through an interactive process. The essence of the CRDP therefore is that people are not the targets of development but rather subjects of their own development.

The President in the State of the Nation Address reiterated the call and necessity for all South Africans to work together. The CRDP is expected over the next few years to create the

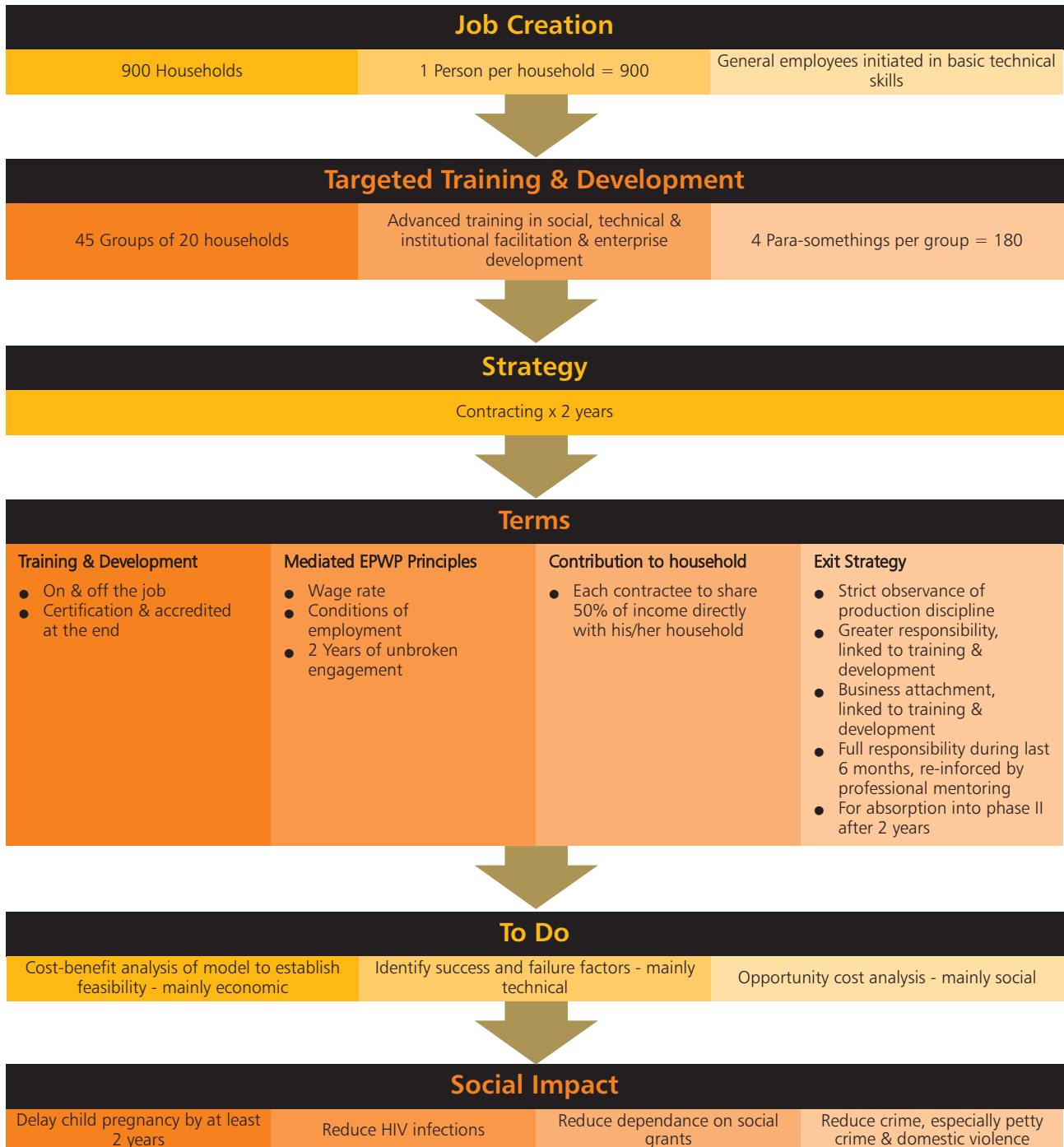
foundation for communities, government, non-governmental organisations and private sector to come together to foster sustainable development in rural areas.

The CRDP would also facilitate infrastructure development linked to a job creation model. Implementation of all the projects will result in short term job opportunities but most importantly over the next three years it is anticipated that the Department will be able to generate 320 000 two-year job

contracts. The infrastructure created, as well as the enterprises developed, should also be able to sustain a percentage of these jobs over the long term, thus bringing sustainable economic development and wealth creation into these areas.

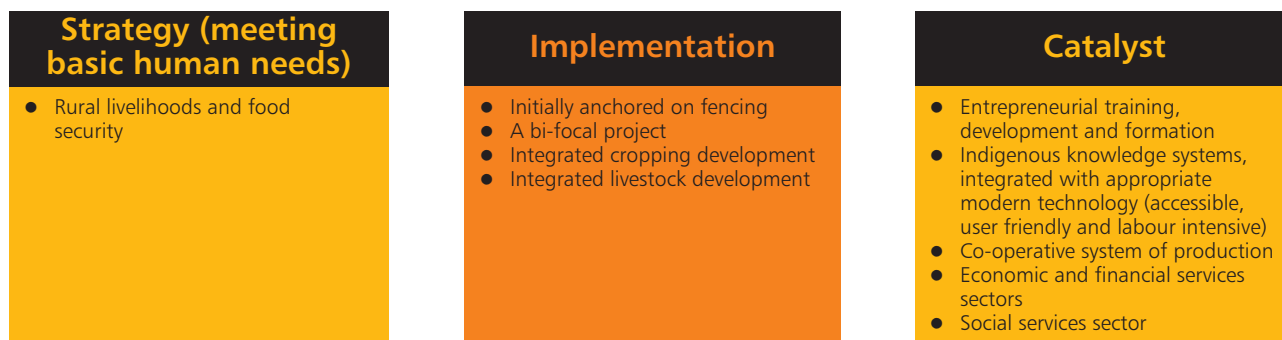
The following pages clearly depict the job creation model to be implemented and the intended impact.

CRDP Job Creation Model Phase I (Short-term)

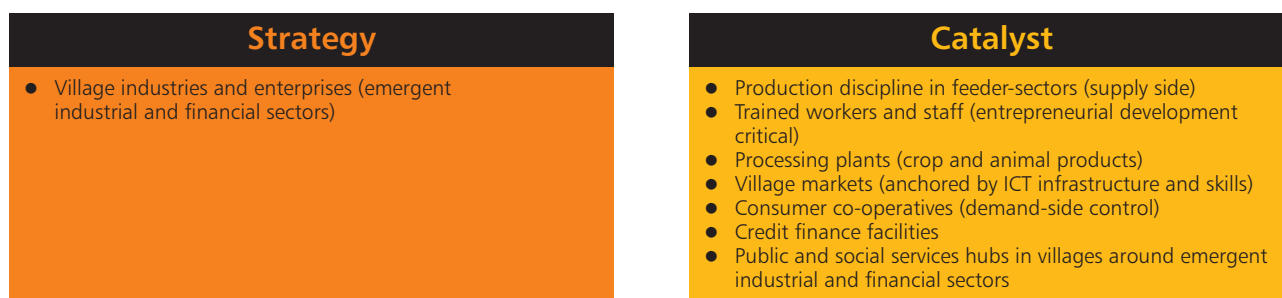


CRDP Job Creation Model

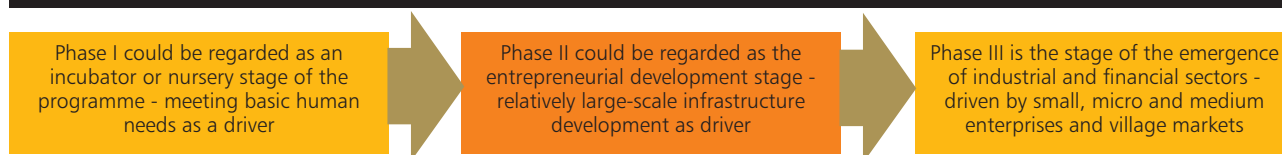
Phase II (Medium-term)



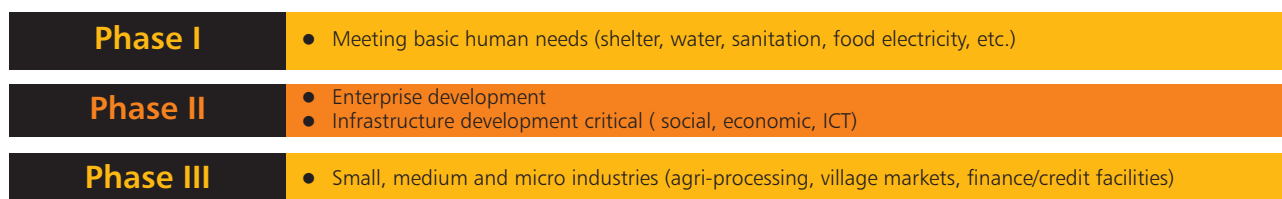
Phase III (Medium to long-term)



Vibrant, equitable & sustainable rural communities



CRDP Job Creation Model



Proposed number of households to be supported by the CRDP by 2013

Financial year	Number of rural wards per annum	Estimated number of households per rural ward reached (as reflected in the State of Local Government Report, 2009)	Estimated number of rural households supported (people)
2009/10	21	2 700	56 700
2010/11	25	2 700	67 500
2011/12	32	2 700	86 400
2012/13	37	2 700	99 900
TOTAL	115	10 800	310 500

Impact of the CRDP by 2013 (number of people)

Year	Average household size in rural areas (Stats SA, 2001)	Number of households supported (people)	Number of people affected by the CRDP programme
2013	4.5	310 500	1 397 250

Agrarian transformation initiatives will focus on expanding and supporting individual households to improve food security as well as focusing on development of smallholder family farming initiatives.

The Department has for the last six months been working on a draft Green Paper on Agrarian Transformation, Rural Development and Land Reform. Once approved by Cabinet, most of 2010 will be spent in consultation with key stakeholders including rural communities as we work towards the finalisation of the White Paper in 2011. In addition, during the next two years the requisite new legislation, as well as legislative amendments to give effect to the deliverables in the White Paper, will be completed.

Effective and efficient delivery on the rural development and land reform mandate would require commitment and collaboration across all spheres of government in the areas of resource allocation, planning as well as implementation. In addition, traditional leaders and other community leadership have a vital contribution to make. To bring government, community and the private sector together would require clear institutional guidelines and reporting mechanisms and the Department will through the lessons learnt during the implementation of the pilots to strengthen the current framework for delivery. The task of developing areas that have been deprived for decades of even basic necessities, would require wider support and commitment than just government and hence public private partnerships have a fundamentally important role to play not only in leveraging finances, but also to provide technical support and skills transfer.

Financial resources

The Department has a baseline allocation of R23 billion over the MTEF period.

This allows for the delivery of 1.8 million hectares and roll-out of the CRDP to 160 wards. This effectively means that we have had to revise the 30% target by 2014 to be in line with available resources.

In terms of restitution, there has been a significant decline in the allocation and even exploration of the expropriation process will not necessarily make land cheaper.

Human resources

The Department has already developed a new structure aligned to the key deliverables of the new strategy and key posts are already in the process of being filled. In addition, partnership agreements with sector departments and the private sector should assist in improving technical capacity required within the immediate future. A medium term recruitment and training plan will be implemented over the next six months so that the Department reaches the critical mass of staff required.

The inclusion of the rural development mandate has generated a new energy within the Department, as well as with relevant sector departments nationally and in the provinces. We remain committed to striving to create a better life for all.



T T Gwanya
Director-General: Department of Rural Development
and Land Reform



Land Reform



Mr M Shabane
Deputy Director-General

The introduction of the Comprehensive Rural Development Programme (CRDP), of which Land Reform is an integral part, has necessitated that the current approach be overhauled and new approaches be adopted. While achieving equitable distribution of land remains a fundamental policy of government, there is an even more urgent need to ensure that land reform is measured not only through equity but also through productivity leading to enhanced food security for all, job creation and skills training amongst beneficiaries.

Categorisation of land needs

From the beginning of the new financial year the Department will implement stringent criteria to meet the different land needs of beneficiaries. Guided by the experience of the last 16 years, land needs of qualifying beneficiaries can be broadly defined into three categories. The first category comprises of a large majority of landless poor who need land for shelter and some land for household food production. This group includes approximately 2,8 million people who live on commercial farm land without any security of tenure, landless poor who live in and around rural small towns without meaningful incomes and people from over-crowded former homelands. These land needs can be met through the land redistribution programme by providing small units of land to accommodate their specific needs. They are not regarded as farmers but require land for shelter, ploughing and grazing to meet their basic household needs. A support package to meet these specific needs is currently being developed and should be implemented during the financial year 2010/11, as soon as all the required approvals are granted.

The second category comprises of a group commonly known as small scale farmers with proven ability and commitment to farm but do not have the means to expand

as they do not have enough land, access to finance and the required technical support. This category is largely found in communal areas and commercial farms. In fact, many commodity organisations affiliated to the organised agricultural formations almost all boast having thousands of this category as part of their membership. The new approach will purposefully target this category as they have a better chance of success. It is in this area where the Department aims to intensify production discipline, skills development, mentorship and job creation as conditions for government support. The success of the Department with this key intervention should, in the medium to long term, be measured on the number of farmers in this category who graduate to the commercial level.

The third category consists of relatively established black farmers who are already entrepreneurs. They largely achieved their success despite limited or lack of government support. Together with the second category, with well structured and coordinated support, they stand a fighting chance to compliment the country's ageing cadre of established commercial farmers in providing food security for the country. Critical to their sustained competitiveness and profitability, will be a well structured support package combining risk equity and government support.

Through this approach, despite fiscal constraints, the Department will measure the successful implementation of land reform through the number of jobs created, increased incomes and a critical mass of successful farmers who will contribute to the gross domestic product (GDP) and balance of payments.

Recapitalisation & development

During the period of implementing this Strategic Plan, the Department has prioritised the recapitalisation and development of all distressed land reform projects



implemented since 1994. The Department will establish strategic partnerships to provide technical support to all struggling land reform projects by working together with the Department of Agriculture, Forestry and Fisheries (DAFF), the Department of Water Affairs and the Land Bank and social partners in the private sector. The Department will conduct farm assessments, due diligence exercises and develop credible development plans as conditions for support, through social contracts with all beneficiaries. Among the conditions that will be attached to assistance, production discipline will be paramount. Twenty five percent of the Department's baseline allocation will be set aside for this purpose. This funding will compliment other funding provided by the DAFF and provincial equitable share of relevant provincial government departments. Recapitalisation and development will be further extended to black farmers in distress who are struggling to meet their loan obligations with the Land Bank and other financial institutions. This is a strategic intervention aimed at arresting real and lurking danger of rolling back of the limited gains government has made in the land redistribution programme. Fundamentally, the recapitalisation and development initiative of the Department underscores the seriousness of government in ensuring that there is food security for all.

Strategic partnerships, co-management, share equity & mentorship

Recognising the magnitude of this task and the capacity constraints of government, both material and technical, to

undertake this post colonial national reconstruction project, the Department will undertake a massive campaign to mobilise all social partners and forge strategic partnerships to ensure that all available capacity in the sector is galvanised to contribute to the success of this project.

Commodity organisations and agribusiness, retired/experienced farmers will be engaged to assist with farm assessments, conduct due diligences exercises, formulate credible development plans, provide skills training and mentorship and day-to-day farm management. Risk sharing will be encouraged through co-management and share equity arrangements with beneficiaries.

Strengthening the security of tenure of farm dwellers & labour tenants

Living conditions of farm dwellers and labour tenants remain less than satisfactory and thereby depriving them the enjoyment of the fruits of freedom enjoyed by the majority of citizens. Their tenure remains precarious, leaving them vulnerable to abuse and exploitation. While the Department will continue to provide professional legal support to defend their rights, the Minister intends introducing long awaited legislation aimed at strengthening the rights of farm dwellers and labour tenants. Land needs of this group will also be prioritised through the different categories discussed above.



Newly constructed fence,
Moses Kotane



Renovated primary school,
Moses Kotane



Construction site,
Riemvasmaak



Trenches for clinic,
Riemvasmaak



Fencing for creche,
Riemvasmaak



Construction, Mkhondo



The Commission on Restitution of Land Rights



Mr A Mphela
Chief Land Claims Commissioner

The Commission on Restitution of Land Rights remains committed to contribute towards the achievement of the 30% land acquisition target, the fundamental assumption being that financial resources will be available to carry out this noble task.

The Minister has already enjoined us to seek more innovative approaches in acquiring land by interacting with organised agriculture and other land owners such as corporations and parastatals, including land owned by municipalities. It is imperative that we focus on the expeditious transfer of State land to communities, whether forestry or agricultural land.

Our overall approach in settling the 3 909 outstanding claims will be in line with the principles of the Comprehensive Rural Development Programme (CRDP) focusing among others on the profiling of households and the employment creation model as well as building capacity for conflict resolution, a matter which normally undermines service delivery.

The key measure of success this financial year is that farms must be productive, individual households must benefit, and there must be discernible growth in the local economy. The Council of Stakeholders must be established for each area and projects must be integrated into the Municipal IDP system and evenly spread through the wards of the municipality to ensure equitable distribution of resources.

In line with our revised business process, once a claim is validated (accepted as a valid claim), the CRDP must come into effect. All concerned stakeholders must be duly informed. Each valid claim must be submitted to a joint planning committee between the members of the Commission and the other land reform programmes within the Department, regarding settlement. The Commission can no longer act on its own in accepting or dismissing a claim.

We have set ourselves a target to complete the research on all the outstanding land claims by December 2011. Under the political leadership of the Minister, the Commission intends to tackle the issue of the betterment claims and find ways to the resolution of the Kruger National Park claims as well as implement development concerning land claims such as District Six.

All the projects which currently have grant funding will be implemented in line with the CRDP and clear targets set per province. There shall be clear monitoring criteria for each project and early warning systems established to deal with any challenges which may hinder effective implementation and management of the project.

Given the current financial constraints, we are called upon to do more with less, and to do it efficiently. The outcome based monitoring system has been introduced to ensure that emphasis is not placed on input indicators only, but on the outcomes and value for money.

Effective performance management and the efficient use of resources and accountability will also constitute the central focus of our endeavours in the new financial year. The implementation of the Batho Pele principles, effective communication with claimants and other stakeholders through timely responses to public and other enquiries forms part of the non-negotiables in our service delivery. Presidential and related enquiries will be dealt with according to the stipulated timeframes.

Clear targets and outputs must be set per province, key activities spelt out, demands of the task elaborated on, and the mode of delivery determined. This must include effective costing of the activities, demands of the task, as well as the mode of delivery.

Lastly, every manager is held accountable for performance on the departmental priorities and mandate as elaborated by the Minister and the Director-General.



Geo-spatial Services, Technology Development & Disaster Management



Dr N Makgalemele
Deputy Director-General

The component of National Geo-spatial Information is responsible for the national control survey network, the national mapping and aerial imagery programmes and the provision of geo-spatial information services.

Information and knowledge of where the people live, what infrastructure exists in the area, what water and other natural resources are available, what is the land cover, what is the terrain like, what is the agricultural activity, where is the nearest town and public services, and other such information are crucial for decision making in rural development initiatives. This geo-spatial information is critical for the roll-out and ongoing monitoring of the Comprehensive Rural Development Programme.

In an effort to provide access to geo-spatial information (maps) to visually-impaired persons the National Geo-spatial Information component will produce a braille atlas for each province over the next three years. Limpopo will be prioritised. This component will continue with its map literacy and map awareness training for adults and support to educators and school learners to promote the use of geo-spatial information. Priority will be given to rural communities.

The rural areas of South Africa cover vast distances and it is necessary to have a control survey network that links these vast areas. The rural areas are well served by the permanent beacons but additional trignet stations will have to be installed in some areas to improve the accuracies and speed required using the satellite positioning system.

Aerial imagery is a significant source of geo-spatial information and a record of the land at that time. It is necessary to "refresh" the aerial imagery on a regular basis to record the changes taking place. National Geo-spatial

Information acquires aerial imagery on an annual basis. The CRDP sites have been prioritised.

Over this strategic period the implementation of the Spatial Data Infrastructure Act, 2003 (Act 54 of 2003) will be prioritised. The newly formed multi-sector Committee for Spatial Information will be supported and the sharing of geo-spatial information promoted.

The Branch will also assist in the creation of orderly and sustainable rural settlements by ensuring alignment and harmonisation of rural development plans to existing planning frameworks including Provincial Growth and Development Strategy (PGDS)/ Integrated Development Plans (IDPS). To this end the Branch will provide analysis of existing frameworks to determine linkages and identify potential conflicts and also ensure that development plans take into cognisance existing environmental tools.

The Branch would also contribute to the reduction of poverty and vulnerability in rural areas through research and the promulgation of appropriate technologies and innovative approaches to development.

In addition, the Department has considered the adverse impact that disasters have on rural areas and the lives of rural people and has included in its strategy, a disaster management component which together with other sector departments will co-ordinate responses to rural disasters.

We are living in a knowledge economy where research and innovation are critical for growth, competitiveness and profitability. Technology development, use of indigenous knowledge systems and appropriate technology remain central in the implementation of the CRDP.

We shall work closely with communities, research institutions and strategic partners to achieve our stated goals in this component.



Social, Technical, Rural Livelihoods & Institutional Facilitation (STRIF)



Mr M Swartz
Deputy Director-General

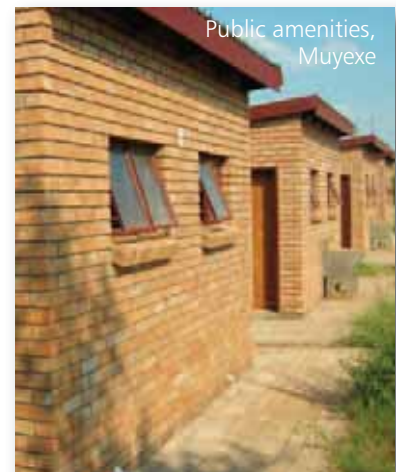
The Comprehensive Rural Development Programme has adopted a participatory approach to rural development to ensure that the rural communities are able to take full charge of their collective destiny. The approach is predicated on social mobilisation of the rural communities so that there can be ownership of rural development projects and programmes. Social cohesion and the building of strong organisations in the rural communities are primary tasks of the Social, Technical, Rural Livelihoods and Institutional Facilitation Branch.

In order to know the needs of the rural communities, the Department has introduced the process of household profiling, driven by the Branch. The Department has entered into a close working relationship with War on Poverty and the Department of Social Development and the War on Poverty questionnaire is used for the household profiling together with the National Integrated Social Information System (NISIS), for data capturing. The needs assessments

are also conducted at the community level through Participatory Rural Appraisal techniques employed not only to identify the needs of the rural communities but also to ensure the participation of the rural people in this process.

Food security, the building of sustainable livelihoods and skills training are key focus areas of the Branch and these are also some of the priorities of the Department. Forging partnerships with government and non-governmental stakeholders is crucial in ensuring that these priorities are successfully undertaken by the Department. The facilitation and coordination of the Department's job creation model also fall under the activities of the Branch.

The Branch has four key priorities: social organisation and mobilisation, technical support, skills development, rural livelihoods and food security and institution building and mentoring. The core function of STRIF is to facilitate social cohesion and sustainable rural development through a participatory community based planning approach to enable the rural people to take control of their destiny.





Rural Infrastructure Development



Ms L Archary
Deputy Director-General (Acting)

In contributing to vibrant, sustainable, equitable rural communities, the Rural Infrastructure Development Branch will focus on providing strategic investment in social and economic infrastructure to enable rural communities to first address their basic human needs but as they progress to also begin to engage with different economic activities. Economic infrastructure refers but is not limited to development of roads, railways, dipping tanks, fencing, pack houses, stalls and markets.

Rural development is also about enabling rural people to take control of their own destiny and therefore significant focus will be placed on the creation of new and revitalisation of public amenities and facilities to ensure better access to government services. In addition, it is vitally important to allow rural communities and especially young people to have access to information and to this end the Department will be focusing in partnership with Department of Communications on establishment of e-centres in all CRDP wards.

Implementation in the pilot areas over the last eight months has clearly pointed to the fact that key issues of infrastructure delivery remain in the areas of water, sanitation, housing, health care and roads. In ensuring that rural communities have access to the required infrastructure, the Department will be a catalyst, initiator, co-ordinator and facilitator.

It is vitally important that all infrastructure interventions contribute to the issues of food security and agrarian

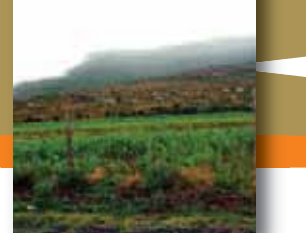
transformation. To achieve improved food security, infrastructure interventions will also be made at household level especially as regards access to water and fencing to support food production.

Over this MTEF period the Department will be focusing on the requisite legislation that needs to be developed as well as the establishment of the Rural Development Agency.

In addition, revitalisation of farms acquired through land reform will be done within the principles of the CRDP. Therefore the infrastructure development component of the Department will ensure that all the identified infrastructure requirements of these farms are provided. All infrastructure that is developed on CRDP areas, as well as land reform projects, will have a direct link to the job creation model of the CRDP and programmes will be developed to ensure that long term jobs are a spin-off.

There is currently a significant backlog in infrastructure in rural areas and it is therefore important for the efforts of government and private sector to be coordinated into joint programmes that will help to achieve maximum impact within limited budget allocations. There are also varied and scarce skills required to achieve the targets for infrastructure development and the Department will ensure access to these skills through partnerships and joint infrastructure programmes with other sector departments, spheres of government and the private sector.





Deeds Registration



Mr S Lefafa
Chief Registrar of Deeds

The core functions of the Component: Deeds Registration and the ten Deeds Registries falling under the supervision of the Chief Registrar of Deeds are as follows:

- To register real rights in land;
- To maintain a public land register;
- To provide registration information; and
- To maintain an archive of registration records.

The component: Deeds Registration administers the Deeds Registries Act, 1937 (Act 47 of 1937) and Sectional Titles Act, 1986 (Act 95 of 1986). The Deeds Registration Regulation Board and Sectional Titles Regulation Board were created in terms of these Acts. These two bodies are responsible for the development of policies, enactment and amendment of legislation relating to deeds and sectional registration. They have been created in order to advise the Minister regarding policy matters.

The component: Deeds Registration is responsible to provide a high quality deeds registration system whereby secure titles are registered and speedy and accurate information is provided, with special emphasis on land

reform and rural development. Furthermore, they maintain public registers of land. The impact thereof is security of title, efficient land use and land administration services. Each secure land right provides a source of wealth, a negotiable asset and a platform for investment for the rights holder, thus contributing to poverty alleviation and socio-economic development.

The tender for the progressive introduction of e-Cadastre has been awarded to the successful bidder. This project is aimed at reducing deeds registration turnaround times and will be implemented over the MTEF period. A phased approach will be followed which includes implementation of an enterprise architecture which will ultimately result in the consolidation of Cadastral Surveys and Deeds Registration data stores. This will also entail the back-scanning of all the paper and microfilm records in order to make all of our records available digitally. This project will facilitate the rationalisation of the areas of jurisdiction for Pretoria, Limpopo, Vryburg, Cape Town, Mthatha, King William's Town and Kimberley.



Satellite police station, Muyexe



Integrated Service Centre, Mkhondo



Early Childhood Development Centre, Muyexe





Cadastral Surveys Management



Mr M Riba
Chief Surveyor-General

The Chief Surveyor-General is responsible for cadastral surveying and land information services as and when required and will:

- promote and control all matters connected with such surveys and services;
- conduct cadastral survey related research as may be required;
- take charge of and preserve the records of all surveys and operations which do not form part of the records of an office of a Surveyor-General and which were carried out before the commencement of the Land Survey Act;
- prepare, compile and amend such maps and other documents as may be required;
- supervise and control the survey and diagrammatic representation of land for purposes of registration in a deeds registry; and
- regulate the procedure in each Surveyor-General's office and determine the manner in which the Land Survey Act shall be carried out.

Cadastral Surveys Management plays a key role in the land administration of the country, in particular to land development. Surveyors-General who have been

decentralised to seven of the nine provinces are responsible for the examination and approval of all land surveyed in the country as depicted on diagrams, general plans and sectional plans prior to registration at the Deeds Registration office. It is also the sole custodian of cadastral information.

Cadastral information preserved and maintained at the Offices of the Surveyors-General assist the Department in its analysis and planning of rural development initiatives. Other services provided including the facilitation of State land surveys as well as the identification of un-surveyed and un-alienated State land.

Cadastral Surveys together with Deeds Registration, deal with the land administration system by improving access of Surveyor-General offices to the majority of the population in all the provinces, as well as improving the multi-media lodgement facility that was implemented in 2008.

In addition the Department is in the process of developing a retention policy linked to scarce skills including the survey profession.

Through its training unit, professional land surveyors, survey technicians and pupil survey officers in-training will continue to receive training and development.





Support Services



Mr A van Staden
Deputy Director-General (Acting)

The global financial crisis, our Department's new mandate and the introduction of an outcome-based approach have all made it more imperative for us, to paraphrase the President, to work smarter, with more speed and with compassion in meeting the needs of our developmental state.

Accountability, performance management and the efficient use of resources will take centre stage as we strive to achieve our rural development and land reform mandate, with Batho Pele principles integrated into our seamless interactions with our stakeholders and the rapid responses to public and other enquiries. Presidential and related public enquiries must, without exceptions, be tackled within the set deadlines.

Timeframes, targets and outputs will be set per province and throughout the Department, with key activities clearly defined, demands of the tasks spelt out and performance standards well articulated to make sure that every official, throughout the Department, takes responsibility for the performance and the delivery of Departmental priorities.

Organisational structure, culture and values must be re-aligned to these imperatives.

Every manager is held accountable for performance on the Departmental priorities.

The recently developed structure of the Department is primarily designed to provide capacity for the new mandate. The main emphasis of the changed structure deals with the addition of two new branches to implement the CRDP, viz Social, Technical, Rural Livelihoods and Institutional Facilitation (STRIF) and Rural Infrastructure Development (RID).

The previous branch of Land Planning and Information has been restructured to deal with the new focus on rural development and is now called Geo-spatial Services, Technology Development and Disaster Management (GTD). This has necessitated the separation of Deeds and Cadastral

Survey Management into two stand alone components.

In addition, Provincial Shared Service Centres (PSSCs) have been created in all nine provinces. These PSSCs will act as the face of the Department providing rural development and land reform services across the spectrum on a geographical basis.

The Department has in previous years undertaken a robust recruitment drive to fast track recruitment through a focused team improving turnaround times from advertising to appointment of successful candidates. This effort will be further enhanced and should capacitate the Department in the MTSF period to deliver on its mandate.

The restructuring of the Department has been based on a clear articulation of the demands of the tasks and therefore provides a clear basis of all competencies and skills required.

To support the restructured Department, the Restitution Branch has also begun a process of scaling down activities and the employees are being transferred to the newly formed branches and formal re-skilling processes have been initiated.

In addition, the Department will continue with its graduate programme aimed at recruiting unemployed graduates to be trained in various areas where skills shortages are experienced. The Department has adopted a multi-pronged strategy to address the capacity shortage namely targeted adverts, skills research, bursary programs and exhibitions. This forms part of an innovative retention strategy geared to promote growth and effectiveness.

The Department has to this effect developed a Human Resource Plan that is aligned to its core business to guide human resource systems and processes with a view to ensuring that it has the right number of people, with the required competencies at all times to perform its mandates. This Plan identifies certain strategic interventions which will address the human resource related challenges experienced by the Department.



A result-driven performance management system will be adopted and all employees will be assessed on quarterly basis to ensure goal achievement and development of staff to improve their performance. As performance management is the driving force in successful organisations, performance management will be monitored at the level of executive management of the Department.

Monitoring & Evaluation

Government has demonstrated its seriousness about service delivery improvement by introducing a new Ministry for Performance Monitoring and Evaluation (PME). The Ministry has published the discussion document (Improving Government Performance: Our Approach) which describes a new approach to Performance Management Monitoring and Evaluation in government. Central to this approach are the government priorities (education, health, jobs, rural development and safety) as outlined in the Medium Term Strategic Framework (MTSF).

The Department will be guided by the new approach on how PME will be implemented i.e. the new Ministry and the Department will develop outcome indicators that are relevant to DRDLR. The focus will be on an outcomes-based monitoring and evaluation (M&E) where measurements will focus on results in the value chain.

The President in his SONA re-emphasised that the work of Departments will be measured by outcomes, developed through PME. The Department will ensure that outputs in the Departmental strategic plan are measurable, specific and relevant to achieve defined outcomes agreed upon by the DRDLR and the PME.

Due to fact that the mandate of the DRDLR can only be achieved through coordinated effort with various stakeholders, the Department will facilitate (as outlined in the Presidential PME Discussion Document: Improving Government Performance: Our Approach) Delivery Forums to negotiate delivery agreements with other departments and relevant stakeholders across all spheres. The agreements describe roles and responsibilities against timelines and budgets in order to ensure achievements of set outcomes.

Robust monitoring and evaluation of the five government priorities will be enhanced through regular project site visits

and reporting. The public will participate in M&E by being involved as sources of the monitoring data and being involved in actual fieldwork where empirical data is collected.

In this MTEF, the Department will complete the implementation of a Performance Information Management System (PIMS), which will ensure timely availability of programme and subsequently project performance information in the Department. Through this system, availability of performance information will be enhanced and credibility and reliability of information improved.

Previous M&E systems such as programme and project performance monitoring, reporting on the government's Programme of Action (PoA), evaluation in the form of quality of life impact studies, baselines surveys and diagnostic evaluations will continue. Under the CRDP programme and project evaluation, the Department will produce periodic review reports to ensure availability of timely information on quantities, quality and outcomes towards the five key priorities of government as contained in the MTSF. The critical role of analysis and provision of critical statistics and strategic information will also continue.

Policy Unit

The Department through the Policy Unit will provide research on the overall, comprehensive, strategic and long-term issues related to rural development and provide policy suggestions and consulting advice to the Department. The Department will also play a leading role in the development of rural development and land reform related legislation and provide support to other departments whose legislation impacts on the mandate of the Department. The Department will expand its extensive contacts with government departments, research institutions and other key partners and provide a service to the government and society with its high-level research results.

The Department will in this period be focusing extensively on the development of new legislation and policy including the following:

- Green Paper on Agrarian Transformation, Rural Development and Land Reform
- Land Tenure System Reform Policy.





Chief Financial Officer



Mr V Mahlangu
Chief Financial Officer (Acting)

Office of the Chief Financial Officer provides support to the Accounting Officer in discharging his responsibilities in consistence with the Public Finance Management Act, 1999 (Act 1 of 1999) (PFMA). These include the design and implementation of the Financial Management Framework, appropriate integrated financial management systems, financial and supply chain management policies and processes across the Department.

Major policies exist which provide direction to line managers in carrying out their financial management responsibilities. The processes will be updated to provide additional detail and describe how policies are to be implemented in line with the new mandate of the Department. The main control objectives will be to ensure:

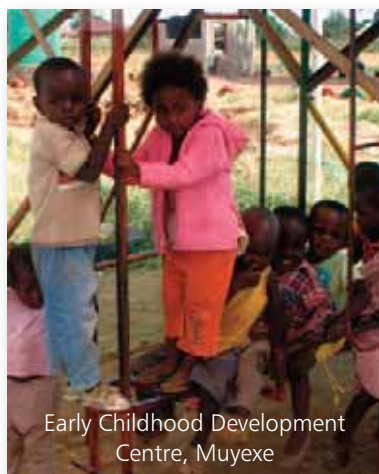
- The efficiency and effectiveness of operations
- Compliance with applicable laws and regulations
- The reliability of financial reporting and
- To strengthen the oversight and sound management of public resources entrusted to the Department.

In the 2009/2010 financial year, all critical posts were filled providing the Branch with adequate capacity to establish a structured approach to collecting, analysing, producing and using financial information that help managers at all levels to manage and report on performance adequately. A clean audit report must be obtained by 2012.

During the 2009/2010 financial year, a trading account was established which is fully operational. This trading account will be used to fund distressed farms. Various sources of funding will be considered where the current allocation of R208 million does not cover the costs.



ECD centre, Riemvasmaak



Early Childhood Development Centre, Muyexe



Housing project, Riemvasmaak





Rationale for the targeting by the Department of Rural Development & Land Reform

The implementation of rural development should result in vibrant, equitable and sustainable rural communities and food security for all. The essence of such a community would be measured through the following:

- Food security
- Rapid and sustained economic growth
- Intellectual development
- Environment sustainability
- Healthy rural communities
- Political maturity
- Social stability and growth
- Self reliant and confident community
- Fairness in line with the Bill of Rights
- Social cohesion

As the targets were being developed, the Department took cognisance of the fact that we now operate within an outcomes-based performance monitoring system and hence all the outputs that have been set are linked to the achievement of the outcome as stated above. The stated outcome relates directly to the achievement of other outcomes and priorities of government which include the

following:

- Decent employment through inclusive growth
- Skilled and capable workforce to support an inclusive growth path
- An efficient, competitive and responsive economic infrastructure
- Empowered fair and inclusive citizenship
- Enhanced use and protection of environmental assets and natural resources
- Quality basic education
- A long and healthy life for all South Africans
- All people in South Africa are and feel safe

In order to achieve this, each component of the Department will be focusing on the achievement of certain targets as indicated in the attached plan. The strategic framework, as indicated on the following two pages, guides the planning, implementation and monitoring framework of the Department.

Rural development is an overarching mandate and hence the achievement of many of the targets will be a result of collaboration across sector departments, non-governmental organizations and the private sector.



Building inspection, Riemvasmaak



Delivering fencing material, Mhlontlo



Laying foundations, Riemvasmaak



Construction worker, Riemvasmaak



Planting cabbages, Mhlontlo



Construction worker, Riemvasmaak

Strategic Plan: Framework

Outcomes

Political Mandate

Ruling Party:

Creation of decent work and sustainable livelihoods
Education
Health
Rural development, food security and land reform
The fight against crime and corruption

Government:

Speeding up growth and transforming the economy to create decent work and sustainable livelihoods
Massive programme to build economic and social infrastructure
Comprehensive rural development strategy linked to land and agrarian reform and food security
Strengthen the skills and human resource base
Improve the health profile of all South Africans
Intensify the fight against crime and corruption
Build cohesive, caring and sustainable communities
Pursuing African advancement and enhanced international cooperation
Sustainable resource management and use
Building a developmental state including improvement of public services and strengthening democratic institutions

Inputs

Strategic functions:

Back Office

Support Services
Land Reform
Rural Development
Social, Technical and Institutional Facilitation,
Enterprise Development and Food Security
Special Services





Legislative Programme

Strategic objective	Key Result Area (Output)	Action (Task)	Indicators	Target 2010/11	Target 2011/12	Target 2012/13
Legislation and policy to support rural development and land reform	Tenure reform policy developed	Review land tenure system	Policy and legislation on land tenure in place by March 2012	Policy framework approved by Cabinet	Bill introduced to Parliament.	New law brought into operation
		Draft legislation amending ESTA/LTA/PIE and CPA introduced in Parliament by July 2010	Draft legislation amending ESTA/LTA/PIE and CPA introduced in Parliament by July 2010	July 2010	None	None
	Land Reform General Amendment Bill	Draft amendments to effect consequential changes to own administered Acts in terms of the National Macro Organisation of the State	All consequential amendments to own-administered Acts attended to	Land Reform General Amendment Bill	None	Review
	Black Authorities Repeal Bill	Draft Bill repealing entire Black Authorities Act	Repeal Bill submitted to Cabinet by April 2010	Black Authorities Repeal Bill	None	None
	Deeds Registries Amendment Bill	Draft amendments to Deeds Registries Act	Draft legislation amending Deeds Registries Act submitted to Cabinet by April 2010	Deeds Registries Amendment Bill	None	None
	Sectional Titles Amendment Bill	Draft amendments to Sectional Titles Act	Draft legislation amending Sectional Titles Act submitted to Cabinet by April 2010	Sectional Titles Amendment Bill	None	None
	Geomatics Profession Bill	Draft legislation amending current Geomatics Profession Bill	Draft legislation amending current Geomatics Profession Bill submitted to Cabinet by June 2010	Geomatics Profession Bill	None	None
	Land Protection Bill	Draft legislation submitted to Cabinet by March 2010	Approved policy framework and Bill by March 2010	Policy framework and Bill approved	None	Review



Strategic objective	Key Result Area (Output)	Action (Task)	Indicators	Target 2010/11	Target 2011/12	Target 2012/13
Legislation and policy to support rural development and land reform (continued)	Rural Development Agency Bill	Policy Framework submitted to Cabinet by March 2011 and Draft Bill by July 2011	Approved Business Case, Approved Policy Framework and Bill	Policy Framework approved	Rural Development Agency Bill developed	None
	Green/White Paper on Agrarian Transformation, Rural Development and Land Reform	Draft Green and White Papers	Green Paper gazetted by May 2010 White Paper submitted to Cabinet by March 2011	Green Paper consultations, developing a rural sector profile	White Paper	Review



Strategic Output 1 (SO1): Sustainable land reform aligned to CRDP Intended impact: Improved access to secure tenure & developmental resources

Measurable Output	Action (Tasks)	Indicators	Target 2010/11	Target 2011/12	Target 2012/13
Strategically located land acquired and redistributed	Acquire and redistribute white owned agricultural land aligned to budget	Number of hectares acquired and redistributed by 2014	283,592	303,615	321,122
	Acquire and warehouse repossessed properties from financial institutions	Number of hectares acquired	152,653	179,372	180,719
Improved access by beneficiaries	Improved land acquisition instruments	Availability of improved land acquisition instruments	Improved land acquisition instruments available	Effectiveness of instruments monitored	Review if required
Settlement of outstanding restitution claims	Restore land rights or award alternative forms of equitable redress to claimants (aligned to CRDP and budget allocation)	Number of claims settled	60	150	250

Strategic Output 2 (SO2): Food security for all

Intended impact: Reduction of poverty levels in the rural communities and improved nutrition levels of children

Measurable Output		Indicators			Target 2010/11	Target 2011/12	Target 2012/13
	Action (Tasks)	Functional, accredited strategic partners available	Database available Revitalise projects linked to required partnerships	Database available Revitalise projects linked to required partnerships	Database available Revitalise projects linked to required partnerships	Database available Revitalise projects linked to required partnerships	Database available Revitalise projects linked to required partnerships
Recapitalisation and development of farms in distress, acquired since 1994	Create strategic partnerships	Functional, accredited strategic partners available	Database available Revitalise projects linked to required partnerships	Database available Revitalise projects linked to required partnerships	Database available Revitalise projects linked to required partnerships	Database available Revitalise projects linked to required partnerships	Database available Revitalise projects linked to required partnerships
	Develop farms in distress, acquired since 1994	Number of farms developed*	504	387	416		
Community and institutional, school gardens developed	Functional agricultural infrastructure provided to improve production on identified farms (fencing, irrigation and dipping tanks)	80% of identified farms provided with functional agricultural infrastructure	403	309	332		
	Implement agricultural programmes	40% of public/community institutions (churches, clinics) have gardens by 2014	225	444	660		
		60% of rural schools have school gardens by 2014	1 000	1 000	1 000		
		Every household with a productive garden, crop field and/or chicken-run on all CRDP sites	15 000	22 200	26 400		
Establishment of agri-parks through CRDP	Establish strategic partnerships	Availability of joint agreements with relation to sector departments	Joint agreements conducted (Health, DAFF, Water, Education)	Joint agreements conducted	Joint agreements conducted	Joint agreements conducted	Joint agreements conducted
	Establish agri-parks	One agri-park per district across the country by 2013	10	15	14		
	Facilitate trade agreements linked to agri-parks	Number of trade agreements entered into with markets	10	15	14		

* Including farms acquired through restitution and redistribution

Strategic Output 3 (SO3): Rural development & sustainable livelihoods Intended impact: Improved socio-economic development & growth in rural areas

Measurable Output	Action (Tasks)	Indicators	Target 2010/11	Target 2011/12	Target 2012/13
Roll-out of CRDP to contribute to sustainable development Economic, social ICT and public amenities infrastructure developed	Identification and development of CRDP sites	Number of wards with active CRDP intervention*	25	37	44
	Develop rural infrastructure	1 clinic per CRDP site	25	37	44
		% reduction in rural infrastructure backlog in CRDP sites	20%	20%	20%
		Alternative energy solutions implemented in all CRDP sites	25	37	44
		2010 Soccer World Cup – viewing parks on CRDP sites across the country	15	0	0
	Facilitate community access to ICT infrastructure	% household access to communication networks (internet, broadcast media, cellular/landline/hardware/software) in CRDP sites	50%	50%	50%
		E-centres established in CRDP sites	15	20	30
		Number of joint infrastructure programmes facilitated with relevant departments (transport, water, energy, agriculture, housing, etc.)	4	4	4
Community structures established to support social cohesion and development	Establish community structures	Number of enterprises established and operational	125	185	220
		Number of cooperatives established and operational	375	555	660
		Council of stakeholders established and operational	25	37	44

* War on Poverty will continue to roll-out to 1 128 Wards (rural & urban) including the above

Measurable Output	Action (Tasks)	Indicators	Target 2010/11	Target 2011/12	Target 2012/13
Natural Resource Conservation	Establish mechanisms to ensure natural resource conservation	Resource management plans for natural resource management and waste management in place and operational per ward	25	37	44
	Establish partnerships with relevant sector departments and municipalities	Number of joint programmes developed for natural resource management	3	3	3
Disaster mitigation and management	Establish disaster management desk to facilitate rapid response	Disaster management desk established within Thusong centers (MPCCs)	40	40	40
		Mitigation strategy developed to address rural disaster management	Availability of strategy	Communication and implementation of strategy	Implementation
Research conducted to enhance rural development initiatives	Establish a research body of stakeholders to deal with rural development issues	Research and development of new technologies linked to indigenous knowledge conducted	Reports available	Reports available	Reports available
			Reports available	Reports available	Reports available

Strategic Output 4 (SO4): Increased income & access to job opportunities and skills development

Intended impact: Increase in average per capita income & reduction in unemployment rate

Measurable Output	Action (Tasks)	Indicators	Target 2010/11	Target 2011/12	Target 2012/13
Job creation linked to skills training	Implement job creation model*	Increase in number of jobs as a result of increased production on land reform projects	17 000	14 000	14 200
		1 member per household employed in all CRDP wards for two years (estimation of 2 000hh per ward)	50 000	74 000	88 000
	Training and capacity building	Number of community members trained	2 500	3 700	4 400

* Refer to Overview by the Director-General

Supportive Output 1 (SO1): Provision of efficient & effective Cadastral Surveys Intended impact: Improved provision of cadastral services for sustainable rural & urban development

Measurable Output		Action (Tasks)		Indicators		Target 2010/11	Target 2011/12	Target 2012/13
Surveyed State land, registrable diagrams, general plans, sectional plans and communal general plans	Facilitate surveying of State land	Research reports, cadastral survey information and plans from spatial information generated	Within 15 working days per request	Dependent on the priorities of the Branches: RID, STRIF, Restitution and Land Reform	Dependent on the priorities of the Branches: RID, STRIF, Restitution and Land Reform			
	Examine and approve diagrams, general plans and sectional plans	Average number of days taken to examine and approve diagrams, general plans and sectional title plans under a normal workload	Projects involving rural development examined within nine working days All other projects within 15 working days	Projects involving rural development examined within nine working days All other projects within 15 working days	Projects involving rural development examined within nine working days All other projects within 15 working days			
	Complete and current cadastral information for all land parcels in both paper and digital format, including the creation of National Spatial Data Set	Maintenance of cadastral information, both paper documentation and spatial (digital)	Number of projects processed Number of land parcels created Percentage completeness of National Spatial Data Set	13 000 200 000 65%	13 000 200 000 85%	13 000 200 000 100%		

Supportive Output 2 (SO2): Provision of efficient Deeds Registration that underpins security of Land Tenure Intended impact: Increased number of rural & urban communities provided with security of land tenure

Measurable Output		Action (Tasks)		Indicators		Target 2010/11	Target 2011/12	Target 2012/13
Registered title deeds	Examine deeds and documents	Number of days from lodgement until examination is completed (in accordance with legislation, practice and procedure)	95% of deeds lodged, examined within 7 days	96% of deeds lodged, examined within 7 days	97% of deeds lodged, examined within 7 days			
	Register deeds and documents	Number of days after registration until registered deeds/ documents are delivered (in accordance with legislation, practice and procedure)	95% of deeds registered, delivered within 15 days	96% of deeds registered, delivered within 15 days	97% of deeds registered, delivered within 15 days			

Supportive Output 3 (SO3): To ensure efficient and effective functionality of the Department to support the core vision

Intended impact: Improved service delivery for effective rural development & land reform

Measurable Output		Action (Tasks)	Indicators	Target 2010/11	Target 2011/12	Target 2012/13
Skilled and capacitated Department to deliver on the Departmental mandate	All employees and managers to be trained	Training linked to PMDS		80%	90%	95%
	Recruit staff aligned to strategic objectives and demands of the task	% vacancy rate		12%	11%	10%
Periodic performance review reports on Departmental performance	Provide framework for Departmental performance monitoring and evaluation	Performance monitored and evaluated on a quarterly and annual basis		Quarterly and annual performance reports	Quarterly and annual performance reports	Quarterly and annual performance reports
Provisioning of an enabling environment for improved financial compliance and service delivery	Review policy and procedures to ensure reliable financial reporting	Improvement on the internal audit findings		Unqualified audit opinion	No emphasis of matter	Clean audit report
	Implement a sourcing strategy to support comprehensive rural development	% of expenditure aligned to strategic objectives (Demand Management Plans)		99%	100%	100%

Estimate of National Expenditure Vote 32: Rural Development & Land Reform Budget Summary

R thousand	2010/11				2011/12		2012/13	
	Total to be appropriated	Current Payments	Transfers and subsidies	Payments for capital assets	Total	Total	Total	
1. Administration	577,811	555,782	12,309	9,720	602,083		634,489	
2. Geospatial and Cadastral Services	283,550	261,050	13,593	8,907	303,027		318,972	
3. Rural Development	256,229	255,747	-	482	293,331		293,023	
4. Restitution	1,568,596	395,614	1,172,982	-	2,069,910		2,173,570	
5. Land Reform	4,083,369	409,949	3,672,719	700	4,704,590		4,940,024	
Total expenditure estimates for programmes	6,769,555	1,878,142	4,871,603	19,809	7,972,941		8,360,078	
Executive authority Accounting officer Website address	Minister of Rural Development and Land Reform Director-General of Rural Development and Land Reform www.ruraldevelopment.gov.za							

The Estimates of National Expenditure booklets for individual votes are available on www.treasury.gov.za. They provide more comprehensive coverage of vote specific information, particularly about goods and services, transfers, public entities and lower level institutional information.

Abbreviations & acronyms

CDW	- Community Development Worker
CPA	- Communal Property Association
CRDP	- Comprehensive Rural Development Programme
DAFF	- Department of Agriculture, Forestry and Fisheries
DDG	- Deputy Director-General
DMP	- Demand Management Plan
DRDLR	- Department of Rural Development and Land Reform
EPWP	- Extended Public Works Programme
ESTA	- Extension of Security of Tenure Act
FET	- Further Education and Training
GDP	- Gross Domestic Product
GTD	- Geo-spatial Services, Technology Development and Disaster Management
ICT	- Information and Communication Technology
IDP	- Integrated Development Plan
KZN	- KwaZulu-Natal
LRAD	- Land Reform for Agricultural Development
LTA	- Labour Tenants Act
M&E	- Monitoring and Evaluation
MPCC	- Multi-Purpose Community Centres
MTEF	- Medium Term Expenditure Framework
MTSF	- Medium Term Strategic Framework
NISIS	- National Integrated Social Information System
PFMA	- Public Finance Management Act
PGDS	- Provincial Growth and Development Strategy
PIE	- Prevention of Illegal Eviction from and Unlawful Occupation of Land Act
PIMS	- Performance Information Management System
PMDS	- Performance Management and Development System
PME	- Performance Monitoring and Evaluation
PoA	- Programme of Action
PSSC	- Provincial Shared Service Centres
RID	- Rural Infrastructure Development
SETA	- Sector Education and Training Authority
SO	- Strategic Objective
SONA	- State of the Nation Address
SPLAG	- Settlement and Production Land Acquisition Grant
STRIF	- Social, Technical, Rural Livelihoods and Institutional Facilitation

Contact details

National Office

Private Bag X833
Pretoria, 0001
184 Jacob Maré Street
Pretoria, 0001
Tel: 012 312 8911
Fax: 012 312 8066
Website: <http://www.ruraldevelopment.gov.za>
Toll-Free: 0800 007 095

Director-General

Mr Thozì Gwanya
Tel: 012 312 8503
Fax: 012 323 6072
e-mail: ttgwanya@ruraldevelopment.gov.za

Cape Town

Tel: 021 465 6320
Fax: 021 465 3282

Deputy Director-General: Land Reform

Mr Mdu Shabane
Tel: 012 312 9552
Fax: 012 312 9128
e-mail: mshabane@ruraldevelopment.gov.za

Chief Land Claims Commissioner

Mr Andrew Mphela
Tel: 012 312 9244
Fax: 012 321 0428
e-mail: ammphela@ruraldevelopment.gov.za

Deputy Director-General: Geo-spatial Services, Technology Development and Disaster Management

Dr Nozizwe Makgalemele
Tel: 012 312 9834
Fax: 012 326 9524
e-mail: npmakgalemele@ruraldevelopment.gov.za

Deputy Director-General:

Social, Technical, Rural Livelihoods and Institutional Facilitation

Mr Moshe Swartz
Tel: 012 312 8409
Fax: 012 323 6072
e-mail: meswartz@ruraldevelopment.gov.za

Deputy Director-General:

Rural Infrastructure Development (Acting)

Ms Leona Archary
Tel: 012 312 9556
Fax: 012 323 6072
e-mail: lcarchary@ruraldevelopment.gov.za

Deputy Director-General:

Support Services (Acting)

Mr Anton van Staden
Tel: 012 312 8151
Fax: 012 321 0658
e-mail: afvanstaden@ruraldevelopment.gov.za

Chief Financial Officer (Acting)

Mr Vusi Mahlangu
Tel: 012 312 8154/9310
Fax: 012 321 3279
e-mail: vsmahlangu@ruraldevelopment.gov.za

Website: <http://www.ruraldevelopment.gov.za>

Toll-Free: 0800 007 095