

No. 502

8 May 2009

**PROVISION OF LAND AND ASSISTANCE ACT, 1993 (ACT No. 126 OF 1993):
DESIGNATION OF REMAINDER OF THE FARM KYLASSA NO 9672 IN EXTENT IF
211, 2865 HECTARES SITUATED IN THE DISTRICT OF UGU IN THE KWAZULU-
NATAL PROVINCE.**

I, Aurelia Nomcebo Zondi, Provincial Chief Director of the KwaZulu-Natal Land Reform Office of the Department of Land Affairs, under the powers delegated to me by the Minister for Agriculture and Land Affairs –

- (a) hereby designate under section 2(1) of the Provision of Land and Assistance Act, 1993 (Act No. 126 of 1993) –

- **Remainder of the farm Kylassa No 9672 in extent if 211, 2865 hectares**

for the purposes of Agricultural development;

- (b) hereby impose under section 2(3) of the said Act, the following conditions for the use of the land so designated :

- (i) The land may be used only for agricultural development
- (ii) The Department will have the right of first refusal in the event that the Owner intends to sell or donate the Property (including the disposal of any portion thereof or share therein), or the Property is to be repossessed by a development or commercial financial institution.
- (iii) After the Owner has acquired the Property, the Department will subject the Property to inspections for the first three years or three cropping seasons (depending on the nature of the enterprise) by agricultural extension or monitoring and evaluation officers.
- (iv) Should an agricultural extension or a monitoring and evaluation officer discover that, in his/her opinion, the Property is under-utilised, is subjected to unsustainable land-use practices or lies fallow and that the Owner did or allowed this intentionally and notwithstanding expert advice given, the Property will revert to the Department. In exercising the reversionary right, the Department shall consider fair market value for the Property to be the market value less any financial assistance received by the Owner from the Department and compensate the Owner accordingly.

- (v) The Conservation of Agricultural Resources Act, 1983 (Act No. 43 of 1983), shall apply to the utilization of the land.
- (vi) The National Water Act, 1998 (Act No. 36 of 1998), shall apply in order to prevent the pollution of public water.



MS A N ZONDI
PROVINCIAL CHIEF DIRECTOR
KWAZULU-NATAL LAND REFORM OFFICE
DATE: 8/12/2008