

No. 766

23 September 2011

**PROVISION OF LAND AND ASSISTANCE ACT, 1993 (ACT No. 126 OF 1993):  
DESIGNATION OF PORTION 1 OF FARM OLYMPUS NO. 11778, IN EXTENT OF  
86.665, 8932 HECTARES REGISTRATION DIVISION ET, PROVINCE OF THE  
KWAZULU-NATAL.**

I, Bonginkosi Zulu, Provincial Chief Director of the KwaZulu-Natal Land Reform Office of the Department of Rural development and Land Reform, 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) –

**PORTIN 1 OF FARM OLYMPUS NO. 11778 IN EXTENT OF 86.665  
HECTARES, SITUETED WITHIN THE EZINQOLENI LOCAL MUNICIPALITY  
(KZ 215) IN THE UGU DISTRICT MUNICIPALITY (DC 21), IN THE PROVINCE  
OF KWAZULU-NATAL.**

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 for agricultural development only
  - (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) Any sale or donation offer must be addressed to the Minister for Agriculture and Land Affairs, who shall acknowledge the offer within ten working days.
  - (iv) If the Owner has acquired the Property by virtue of section 16(1) (a) or (b) and sections 18, 19, 21 or 22 of the Land Reform (Labour Tenants) Act 3 of 1996 or section 4 (1) (b) of the Extension of Security of Tenure Act 62 of 1997, the Owner will not be required to pay back any state funding received.

- (v) 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.
- (vi) 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.
- (vii) The Owner may lease the Property provided that prior written permission from the Department has been obtained.
- (viii) The Conservation of Agricultural Resources Act, 1983 (Act No. 43 of 1983), shall apply to the utilization of the land.
- (ix) The National Water Act, 1998 (Act No. 36 of 1998), shall apply in order to prevent the pollution of public water.



**MR B ZULU**

**ACTING PROVINCIAL CHIEF DIRECTOR**

**KWAZULU-NATAL RURAL DEVELOPMENT AND LAND REFORM OFFICE**

**DATE: 27/7/2011**