

NOTICE 625 OF 2013**GENERAL NOTICE IN TERMS OF SECTION 11A OF THE RESTITUTION OF LAND RIGHTS ACT, 1994 (ACT No. 22 OF 1994)**

WHEREAS a land claim was lodged on behalf of the Moloto Community, which land claim was published in terms of Section 11 (1) of the Restitution of Land Rights Act, Act No. 22 of 1994 ("the Act")

and

WHEREAS during the investigation of the land claim, the Regional Land Claims Commissioner: Mpumalanga Province has reason to believe that the criteria set out in Section 11 (1) (b) of the Act have not been met.

NOTICE is hereby given in terms of Section 11A (2) of the Act that at the expiry of twenty one (21) days the notice of claim previously published under the terms of Section 11(1) of the Act in Government Gazette Notice No. 1808 of 2009 contained in Government Gazette No. 29457 of 15TH December 2006 will be withdrawn unless cause to the contrary is shown to his satisfaction.

The details of Government Gazette Notice 1808 of 2009 to which this Notice relates are the following:

REFERENCE:	KRP 1109
CLAIMANT:	MR T.P MOLOTO in his capacity as a community legal Representative
GAZETTE NOTICE:	1808/2009
PROPERTY DETAILS:	The Remaining Extent of Portion 40 Farm Hartebeespruit 235 JR
DISTRICT:	Kwa-Mhlanga, Mpumalanga Province
TITLE DEED NUMBER:	T163081/2005

BOND HOLDER: Investec Bank LTD
BOND: B186965/2005
REGISTERED OWNER: Matelot Prop Pty Ltd [200001147107]
EXTENT: 120.4925ha

The reason why the Regional Land Claims Commissioner believes that the criteria in Section 11(1) of the Act have not been met is that:


1. a new research was engaged to continue with further investigation of the claim;
2. the new researcher, in his further investigation, was requested to have regard to the facts relating to the claimant community and the families allegedly making that community as well as all evidence at his disposal which demonstrated whether or not the claimant community has been dispossessed of a right in land with specific reference to whether they enjoyed rights of ownership in land as contemplated in the definition of "right in land" in section 1 of the Act;
3. the new research indicated that the claimant community have not been dispossessed of a right in land as required in terms of the criteria set in terms of section 2 of the Act;
4. upon considering the contents of the Report, the Regional Land Claims Commissioner for the Mpumalanga Province made the report available to the claimant community and invited them in terms of Section 11 A of the Act, to ascertain whether the Claimant Community were dissatisfied with the conclusion drawn by the new research. The Claimant Community elected to reserve their right and not make any concessions in relation to the findings of the further research.

NOTICE is further given that at the expiry of the aforesaid twenty one (21) day period, the Regional Land Claims Commissioner shall, unless cause to the contrary is shown to his satisfaction, withdraw the notice of claim in accordance with the provisions of Section 11(3) of the Act.

The Regional Land Claims Commission: Mpumalanga Province
Private Bag X11330
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or

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Restitution House
Nelspruit
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Phone: 013 756 6000
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MR LH MAPHUTHA
THE REGIONAL LAND CLAIMS COMMISSIONER
MPUMALANGA PROVINCE
DATE: 2013/03/07