
GENERAL NOTICES • ALGEMENE KENNISGEWINGS

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT**NOTICE 501 OF 2021****GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT, (NO. 22 OF 1994) AS AMENDED.**

AMENDMENT OF GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT, 1994 (No. 22 OF 1994), [hereinafter "the Act"].

Whereas the Ebenhaeser community lodged a land claim with the Office of the Regional Land Claims Commission Western Cape before 31 December 1998;

And whereas the claim was published in terms of section 11(1) of the Act in the **Government Gazette No.17783 on 14 February 1997 under Notice 315 of 1997.**

And whereas the Ebenhaeser Land claim was referred to the Land Claims Court (Case No. LCC 5 of 2015) in terms of section 14(2) and 14(3A)(x) of the Act on the basis that some of the owners of the claimed subject properties agreed to the merits of the claim, whilst others known as landowner defendants opposed the claim;

And whereas the parties in dispute to the merits of the claim, agreed to Section 35A court ordered mediation proceedings in attempt to have issues in dispute settled through a process of mediation and negotiations;

And whereas such mediation proceedings resulted in parties reaching an agreement as to the terms and conditions and processes and procedures to be followed to implement the settlement of the claim;

And whereas the Main Settlement Agreement was reduced to writing and made an order of court in terms of Rule 62(1)(b) of the Rules of the Land Claims Court on 28 August 2020.

And whereas in terms of paragraph 9.2 of the Main Settlement Agreement which was made an order of court the Commission on Restitution of Land Rights through the Office of the State Attorney Cape Town was ordered to cause a Notice to be published in the Government Gazette to the effect that all properties of the Landowner Defendants that have not been acquired by the Minister pursuant to the said Settlement Agreement and which were included in Notice 315 of 1997 published in Government Gazette 17783 of 14 February 1997, are with effect from the date of the Court Order no longer subject to the claim.

Now therefore notice is hereby given that the properties described in Attachment "A" hereto are with effect from 28 August 2020 no longer subject to the land claim by the Ebenhaeser Community mentioned above and that consequently Government Gazette Notice 315 of 1997 mentioned above is hereby amended to exclude the properties described in Attachment "A" hereto.

Particulars

Reference number : KRK 6/2/3/A/7/64/0/2 (E42)

Dispossessed person: Ebenhaeser community

Area : Olifantsrivier Irrigation Scheme, Matzikama local municipality, West Coast District Municipality, Western Cape Province
Claimant : Legal Resources Centre, on behalf of the Ebenhaeser community
Property : Various listed in attachment "A"
Capacity : Ownership dispossessed
Year of dispossession: 1925
Current owner/s : Landowners listed in attachment "A".
Date claim submitted: 1996

Office of the Regional Land Claims Commissioner: Western Cape
14 Long Street – 1ST & 2ND Floors
CAPE TOWN, 8000
Tel: 021 409 0476 (o/h)
Contact person: Benjamin Mars. Email address:benjamin.mars@dalrrd.gov.za


Mr. L.H. Maphutha
Regional Land Claims Commissioner

Date: 2021/08/18