

REPUBLIC OF SOUTH AFRICA

**PORTFOLIO COMMITTEE AMENDMENTS
TO
LAND RESTITUTION AND
REFORM LAWS AMENDMENT
BILL**

[B 64B—97]

(As agreed to by the Portfolio Committee on Land Affairs (National Assembly))

[B 64C—97]

REPUBLIEK VAN SUID-AFRIKA

**PORTEFEULJEKOMITEE-AMENDEMENTE
OP
WYSIGINGSWETSONTWERP
OP GRONDHERSTEL- EN
GRONDHERVORMINGSWETTE**

[W 64B—97]

(Soos goedgekeur deur die Portefeuljekomitee oor Grondsake (Nasionale Vergadering))

[W 64C—97]

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AMENDMENTS AGREED TO

LAND RESTITUTION AND REFORM LAWS AMENDMENT BILL [B 64B—97]

CLAUSE 30

1. On page 30, from line 12, to omit all the words up to and including “Minister,” in line 13 and to substitute:

If the Minister is satisfied that a claimant is entitled to restitution of a right in land, and that person has entered into an agreement in terms of which he or she has

2. On page 30, from line 15, to omit all the words after “Commission” up to and including “justice” in line 16.

NEW CLAUSE

1. That the following be a new Clause to follow Clause 31:

Amendment of section 1 of Act 3 of 1996

32. Section 1 of the Land Reform (Labour Tenants) Act, 1996 (Act No. 3 of 1996), is hereby amended by the substitution for the definition of “applicant” of the following definition:

“ ‘applicant’ means—

- (a) a labour tenant or his or her successor who has lodged an application in terms of section 17(1); and
- (b) for the purposes of the award of land or a right in land to an applicant by the Court, any other person nominated by the applicant and approved by the Court;”.

CLAUSE 32

1. On page 30, in line 34, to omit “(Act No. 3 of 1996)”.

NEW CLAUSE

1. That the following be a new Clause to follow Clause 36:

Amendment of section 22 of Act 3 of 1996

37. Section 22 of the Land Reform (Labour Tenants) Act, 1996, is hereby amended—

- (a) by the substitution in the subsections (2) and (3) for the expression “transferred” of the expression “awarded”; and
- (b) by the substitution in subsection (3) and paragraph (f) of subsection (4) for the expression “transfer” of the expression “award”.

CLAUSE 37

1. On page 34, in line 23, after “may” to insert “, within a reasonable time,”.
2. On page 34, from line 29, to omit “any interested person” and to substitute:

<ol style="list-style-type: none"> (a) the applicant referred to in subsection (1); (b) the owner of the affected land; (c) the mortgage; (d) the buyer; or (e) <u>the Department of Land Affairs</u>
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NEW CLAUSE

1. That the following be a new Clause to follow Clause 42:

Substitution of section 40 of 3 of 1996

43. The following section is hereby substituted for section 40 of the Land Reform (Labour Tenants) Act, 1996:

“Non-application of certain laws

40. If the Court or an arbitrator orders that any land or right in land or servitude be [**transferred to or**] awarded to [**or registered in the name of**] an applicant, the land in question shall not be subject to the provisions of the Subdivision of Agricultural Land Act, 1970 (Act No. 70 of 1970), or any other law regulating the subdivision of land.”.