

National Dialog on Land Reform kicked-off this week

Leading scholars and academics, members of civil society, politicians and representatives from the agricultural, agribusiness and banking industries met at the Gordon Institute of Business Science (GIBS) this week for the first National Dialog on Land. Academics from the Nelson Mandela University and GIBS took the initiative to arrange an open dialog to ensure that academics and intellectuals do not get side-lined in the process of debating the review of section 25 of the Constitution. Dr John Purchase served as a panellist and made a presentation highlighting the role of agribusiness in the economy, the link with property rights and the manner in which the sector can contribute to land reform within the context of inclusive growth. The presentation was very well received by the grouping.

Although land reform in its wider sense was part of the discussion forum, the majority of debate centred around the constitutional review and the issue of expropriation without compensation as this was the catalyst for the initiative. After a thorough interrogation of section 25 of the Constitution, the dominant discourse seemed to indicate that the Constitution is not an impediment to transformation but in fact facilitates it. However, the message also came out very clearly that the provisions of the Constitution needed to be implemented with vigour if we are to meet the transformation imperative contained in the Constitution. In addition, the ideas were mooted to amend the Expropriation Bill opposed to the Constitution itself to deal more specifically with unused land, land held for speculation purposes, abandoned buildings and land with absentee landlords. The legal arguments that arose from the debates are varied, but the parties were *ad idem* that any decision must be evidence-based and that data should be collected as a matter of urgency. The view was also expressed that the Constitution may already make provision for significantly discounted compensation in these instances, and that an amendment may simply serve to explicitly confirm this notion.

Finally, a session was chaired by the leader of the Constitutional Review Committee, the Honourable Vincent Smith MP. In this session participants were asked to voice their opinions on the single, basic question which the committee must investigate; is the Constitution an impediment to land reform and hence, is an amendment required? The chairperson welcome all of the inputs and ensured participants that everyone's inputs would be meaningfully considered. The chairperson furthermore clarified that public hearings would take place in various provinces between the 1st of May and the last day of June. Written inputs are also encouraged and one the committee reconvenes in July (following the public hearings), parties would be called to provide inputs to the committee. It will be vital that Agbiz and its members take part in this process to the fullest extent possible, starting with this National Dialog and the follow-up processes that will flow from it.

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