

DALRRD ANNUAL PERFORMANCE PLAN: WHAT IS IN STORE FOR THE FINANCIAL YEAR?

Background

The Department of Agriculture, Land Reform and Rural Development (DALRRD) released its annual performance plan (APP) for 2022 / 2023 on the 30th of March 2022. In the foreword, Minister Thoko Didiza sets out the aims of the APP as follows: “The 2022/2023 Annual Performance Plan (APP) is, therefore, a cogent, coherent and practical implementation plan that articulates the programmes which the Department of Agriculture, Land Reform and Rural Development (DALRRD) will undertake, to chart its quest towards the improvement of rural infrastructure, to enhance competitiveness; radically address spatial patterns; and build a resilient, united and transformed sector.” She also highlights climate change, research, access to land, rural infrastructure and farmer support as important questions to be addressed.

In his overview, the director-general, Mooketsa Ramasodi, said: “In the 2022/23 financial year, the primary focus for the sector is the Agriculture and Agro-processing Master Plan (AAMP), which will be launched within the first half of 2022. DALRRD will hold policy discussions with relevant stakeholders and social partners at the national level to ensure the successful implementation of the AAMP at provincial and municipality levels. The master plan intends to create a domestic and globally competitive and inclusive agricultural sector to develop rural economies, ensure food security and create employment and entrepreneurial opportunities for all participants in agriculture and agro-processing value chains.”

Policies and legislation in the pipeline

The APP lists policies and laws that are planned for the current financial year. Policies include the following:

- Animal Identification and Traceability Policy: To establish an effective individual animal identification and full value chain traceability system in South Africa
- Agricultural Insurance Policy Framework: To facilitate the development of an innovative, demand-orientated and economically sustainable insurance product against systemic climate perils for producers in the sector.
- National Research and Development Policy: To promote research and innovation in the agricultural, forestry and fisheries sector.
- Crop Production Policy: To position the plant production subsector to respond to emerging challenges, while at the same time increasing its contribution to food security, job creation, rural development, poverty alleviation and economic development.
- Bio-safety Policy: To establish common measures, requirements and criteria for risk assessments, environmental impact assessments and assessments of the socio-

economic impact to ensure that genetically modified organisms (GMOs) are appropriate and do not present a hazard to the environment, human, animal or plant health.

- Communal Land Tenure Government Policy Position Paper: To establish a framework and institutions for democratic and inclusive communal land administration as guided by the Constitution.
- Land Tenure Reform Policy Framework: To provide tenure policy reforms to formalise and integrate the administration of South Africa's land mass.
- Communal Property Association Policy: To restore ownership of communal land to the communities themselves and clearly define the roles of executive committees, traditional authorities, communities and the State.
- Electronic Deeds Registration Policy: To develop, establish and maintain the Electronic Deeds Registration system that utilises computer and other information technologies to prepare, lodge, register and maintain deeds records.
- Policy on the Exceptions on the June 1913 cut-off date of the Restitution of Land Rights: To review the cut-off date for the lodging of land rights claims.
- Rural Enterprises and Industry Development Policy: To stimulate integrated social transformation and inclusive growth through rural enterprises.
- Rural Development Policy Framework: To provide a national definition of rural and strategies for rural development.
- Land Administration Policy Framework: To provide an overarching framework for land administration and land management.
- Regulation of Land Ownership by Foreign Nationals: To regulate land ownership by foreign nationals and entities.
- Agri-village and Rural Settlements Policy: To provide guidelines for implementing functional agri-villages and rural settlements.
- Financial Compensation Policy: To guide the implementation of settlement for financial compensation claims.
- Monitoring of Payments Policy: Aims to support the standardisation processes in the monitoring of payments and establish a practical and holistic approach that can be implemented across the office of the Commission on Restitution of Land Rights (CRLR).
- Options Workshop Policy: Seeks to support the settlement of claims for restoration purposes by providing direction and guidance on salient and paramount issues during the on-the-ground implementation of the settlement process.
- Recreation of Missing Files Policy: This policy is sought to ensure that the commission is acting following legislation that stipulates that public records must be classified and stored so that they are easily accessible, thereby facilitating transparency, accountability and democracy.
- Settlement of Land Claims Policy: To deal with the settlement of land claims through various available instruments and seeks to support the settlement of claims for restoration purposes by providing direction and guidance.

This is a very long list of planned policies. Some of these proposed policies have surfaced in some form or another before, such as the regulation of land ownership for foreign nationals and the communal land tenure policy, as well as the agri-village policy and the policy aiming to cater for exceptions to the 1913 restitution cut-off date.

In terms of legislation that is planned for the current financial year, the list is much shorter:

- Agricultural Produce Agencies Amendment Bill, 2022
- Agricultural Products Standards Amendment Bill, 2022
- Deeds Registries Amendment Bill, 2022,
- Plant Health (Phytosanitary) Bill, 2022
- Preservation and Development of Agricultural Land Bill, 2022
- Sectional Titles Amendment Bill, 2022
- Planning Profession Amendment Bill, 2022

The Preservation and Development of Agricultural Land Bill have been in the pipeline for years. It is a critical piece of legislation needed to protect high potential agricultural land. A previous draft was quite controversial because it brought in the concept of state custodianship over agricultural land. The current draft Bill does, however, not contain any reference to state custodianship. Other critical long-awaited pieces of legislation are not on the list such as the Pounds Bill, the Fertilizer Bill and the Feeds and Pet Food Bill.

The APP also states that:” In the 2022/23 financial year, the department will process to Parliament the Land Redistribution Policy and Bill, and the Communal Land Tenure Policy and Bill, which are aimed at accelerating land reform. So although these two bills do not appear on the list of planned legislation, the government intends to also pass them in the current financial year.

Launch of the Land Reform and Agricultural Development Agency

According to the APP, the Land Reform and Agricultural Development Agency, which President Ramaphosa first mentioned in his 2021 State of the Nation Address, will be launched within the first half of the year. This agency’s focus will likely be on land redistribution, while restitution and tenure remain an integral part of the government-driven programme. The focus of the agency will be on implementation. This is a positive development.