

**DEPARTMENT OF LAND AFFAIRS
REPUBLIC OF SOUTH AFRICA**



**IMPLEMENTATION PLAN FOR THE PROACTIVE LAND ACQUISITION
STRATEGY**

Version 1

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SECTION 1: PROACTIVE IMPLEMENTATION FRAMEWORK

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List of Acronyms

CASP:	Comprehensive Agricultural Support Package
CD:	Chief Directors of the Provincial Land Reform Offices
DLA:	Department of Land Affairs
DLD:	District Level Delivery
DOA:	Department of Agriculture
DOH:	Department of Housing
ESTA:	Extension of Security of Tenure Act
IDP:	Integrated Development Plan
LRAD:	Land Redistribution for Agricultural Development
LTA:	Labour Tenants Act
MOU:	Memorandum of Understanding
PDA:	Provincial Department of Agriculture
PLAS:	Proactive Land Acquisition Strategy
PLRO:	Provincial Land Reform Office

RLCC: Regional Land Claims Commission

A. ORIENTATION

1.1 Introduction

The Minister reaffirmed during the National Land Summit of 2005 that one of the measures that need to be in place *“to ensure that land and agrarian reform moves to the new trajectory that will contribute to the higher path of growth, employment and equity by 2014”* is the *“introduction of proactive land acquisition by the state for targeted groups in the land market.”*¹ The implementation of the Proactive Land Acquisition Strategy (PLAS) will contribute to the higher path of growth, employment and equity by 2014. While the PLAS was approved “in principle” in July 2003, it arrived with a Ministerial proviso that a management (implementation) plan be developed prior to the implementation of the Strategy. The PLAS dealt with two possible approaches: a needs-based approach and a supply-led approach but essentially focusing on the state as the lead driver in land redistribution rather than the current beneficiary-driven redistribution. The document was re-looked at in view of the Land Summit recommendations and the approaches were deemed to be similar (only the state’s entry point was different) as both approaches advocated the dominant role of the state. These approaches have therefore been streamlined into one approach: **State-driven Proactive Land Acquisition**. This document outlines an implementation framework that is formulated for the revised approach, taking into consideration the new direction/trajectory that the Department of Land Affairs (DLA) plans to take post Land Summit and in terms of the Accelerated Shared Growth Initiative (ASGISA).

To briefly reiterate the pivotal elements of the PLAS in order to contextualize the Proactive Implementation Framework (hereafter referred to as the “Framework”), and to emphasize revision of the plan in terms of the ‘new trajectory’ the strategy/approach moves from the premise that there is a need or demand for land, it might either be quantified (through IDPs) or not, but that it is not beneficiary demand driven, but rather **state driven**. This means that the state will proactively target land and match this with the demand or need for land.

The main advantages of this approach are to:

- accelerate the land redistribution process;
- ensure that the DLA can acquire land in the nodal areas and in the identified agricultural corridors and other areas of high agricultural potential to meet the objectives of ASGISA;
- improve the identification and selection of beneficiaries and the planning of land on which people would be settled; and

¹ Ministry for Agriculture and Land Affairs, 2005, Address by Ms. Thoko Didiza, MP Minister of Agriculture and Land Affairs at the National Land Summit , NASREC Johannesburg, Gauteng, 27- 30 JULY 2005

- ensure maximum productive use of land acquired.

The approach is primarily **pro-poor** and is based on purchasing advantageous land i.e. either because of the property's location, because it is especially amenable to subdivision, because it is suitable for particular agricultural activities that government would like to promote vis-à-vis redistribution, and/or because it is an especially good bargain.

The Framework (**Figure 1**) consists of the following elements:

- Legislative framework and delegation
- Target groups
- Corridor approach, agricultural development within the Nodal areas and land for housing
- Institutional Arrangements
- Financial Mechanisms
- The different Resettlement Models
- Systems and Procedures
- Communication strategy
- Skills development strategy
- Monitoring and Evaluation

1.2 Legislative Framework

The Provision of Land and Assistance Act, Act No. 126 of 1993² Section 10(1) (a) gives legal effect to the proactive acquisition of land:

**The Minister may, from money appropriated by Parliament for this purpose-
... (a) acquire land for the purposes of this Act**

Section 10 has been delegated³ to Provincial Chief Directors (CDs) and this gives them the authority to purchase land without first identifying beneficiaries if it is for the purposes of Act 126.

Once land has been made farmable, Section 11 of Act 126 can be invoked to dispose of the land. It is therefore not necessary to process applications through the Provincial State Land Disposal Committees because Section 11 of Act 126 affords the Provincial CDs the discretion to sell, exchange or donate any land acquired in terms of Act 126 for the purposes of Act 126 or if the land is not required for the purposes of the Act. However it should be noted that Section 11 is a partial delegation and the power to impose terms and conditions still vests with the Minister. The approved terms and conditions will allow Provincial Chief Directors to dispose of land acquired through Act 126 and it will be a non-negotiable aspect of the Provincial Grants Committees approvals process. In this way all proactive projects, if they comply with the Ministerial terms and conditions, need not be sent through the state land disposal route.

² See Tool 1 in the Toolkit Section of this Manual for the full version of this Act.

³ See Tool 1 in the Toolkit Section of this Manual for the full version of the delegations in terms of Act 126 of 1993

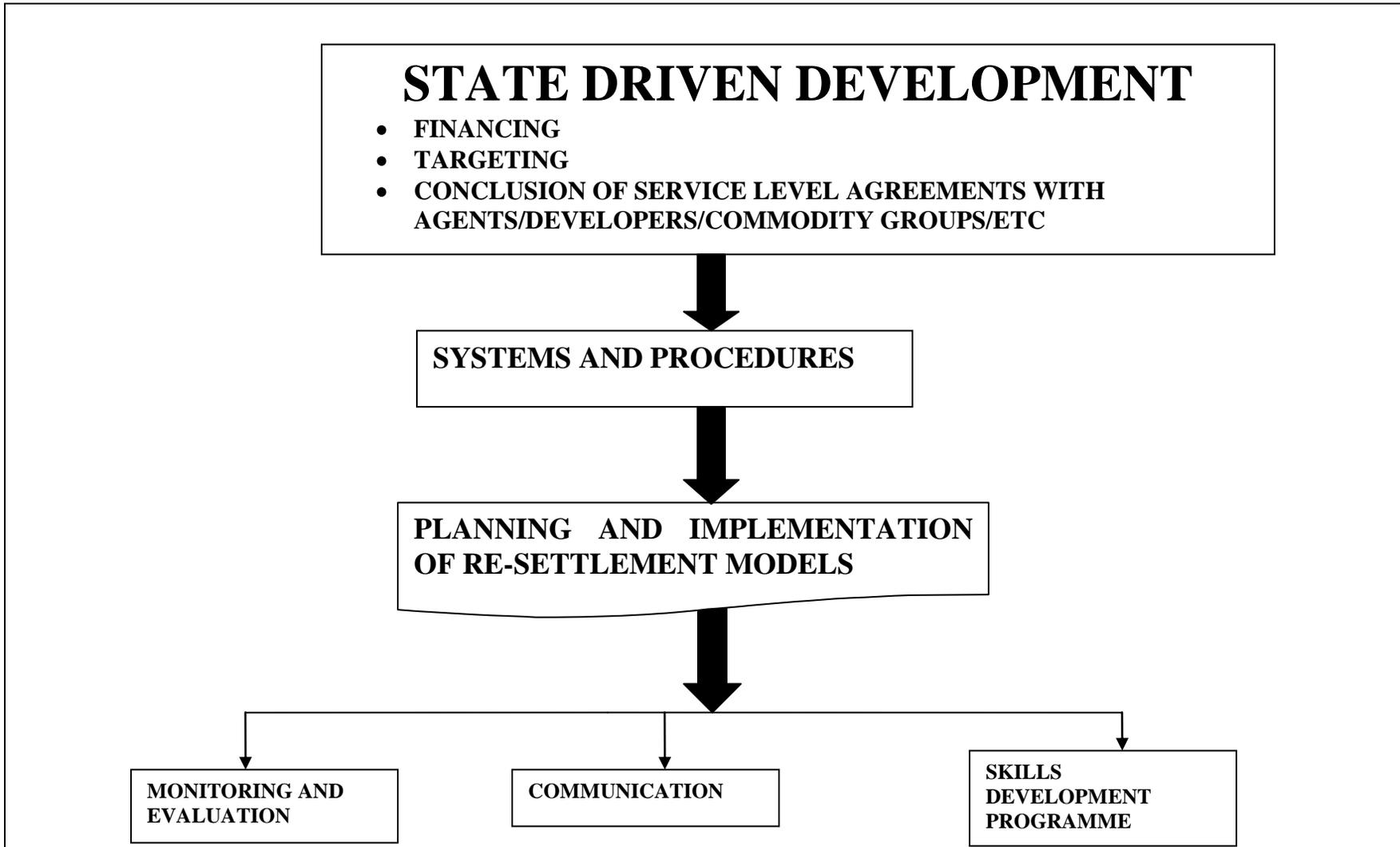


Figure 1: Proactive Implementation Framework

2. Target Groups

The Framework in terms of the strategy will target black people (Africans, Coloureds and Indians), groups that live in communal areas and black people with the necessary farming skills in urban areas, people living under insecure tenure rights. In this way the Framework seeks to contribute to the decongestion of the communal areas, secure on or off farm accommodation and to create sustainable livelihoods. While the approach is pro-poor⁴, it also caters for emergent and commercial farmers.

3. Corridor Approach, Agricultural development within Nodal Areas and land for housing

The proactive strategy supports the concept of the agricultural development corridors and should increase economic growth and development of rural towns. The agricultural development corridors focuses on developing agriculture along the major arterial routes (N1, N2 etc), guided by the principal of exploiting agricultural potential in the rural towns scattered along these routes. By using the models that the proactive strategy use to deliver land, land can be acquired and use for agricultural purposes though area-based planning and development.

The inception of the Integrated Sustainable Rural Development Programme (ISRDP) and the Urban Renewal Programme (URP) in 2001 ushered in a renewed focus on a new approach to integration at a local level in South Africa. Twenty-one nodal areas (both rural and urban) were identified in order to develop a model that would inform an overall strategy of government working in a new integrated way to produce results. The proactive strategy is one method of fostering integrated planning and development in such areas.

The proactive strategy is also aligned with the Department of Housing's various programmes linked to the fast tracking of housing delivery. Central to the programmes is the acquisition of well-located land for low-income housing where the Department has committed to make funding available for land acquisition. The Department and the Department of Housing will manage the systems for delivering land for housing.

⁴ See Toolkit... See Pro-poor guidelines for beneficiary selection in terms of the Proactive Land Acquisition Strategy for agricultural projects

4. Institutional Arrangements

4.1 Roles and Responsibilities of government role-players

In terms of the Intergovernmental Relations Framework Act (Act No. 13 of 2005)⁵, the implementation of the FRAMEWORK will require a concerted effort at both local (municipalities) and provincial (Agriculture, Housing, etc) level. The DLA, together with its national counterparts in Department of Housing (DOH), Agriculture and Department of Provincial and Local Government and South African Local Government Association will play a monitoring role and evaluative role in terms of this strategy. The DLA and DOA will for instance ensure that in terms of agricultural projects, that adequate budgets, systems and procedures are in place to effectively implement those projects. The DLA and DOH will ensure that in relation to settlement projects adequate budgets, systems and procedures are in place and to ensure alignment of the housing products and grant instruments with the proactive strategy. Memoranda of Understanding must be concluded between the DLA and DOA and DLA and DOH and other possible actors such as the municipalities that are critical to this process.

4.2 Area-based planning

Proactive land acquisition must be executed within the ambit of local/district level IDP processes or area-based planning approach. However, the DLA need not necessarily wait for local level structures to approach the DLA for land (as is currently the situation), but could actively assist local level structures to determine land needs, select appropriate beneficiaries and identify suitable land. Thus Municipalities and/or local/district agriculture may actively identify land and beneficiaries, and then approach the DLA for funding assistance for planning and land acquisitions. The DLA may also embark on the process (with the Municipality/District Council as lead agents and/or local/district Agriculture) of actively identifying needs, land and beneficiaries.

In terms of the District Level Delivery (DLD) process, a proactive land reform strategy would improve and add to an efficient land delivery process.

⁵ The Act seeks to establish a framework for the national government, provincial governments and local governments to promote and facilitate intergovernmental relations; to provide for mechanisms and procedures to facilitate the settlement of intergovernmental disputes; and to provide for matters connected therewith.

4.3 Concluding Service Level Agreements

Proactive acquisition is driven by the state but the state can initiate service level agreements with any private or public sector agency to implement the strategy within the area-based approach. The state as the development driver will acquire the land, create a planning framework, develop the land and then assist potential beneficiaries through grants and services to acquire this land. In the development of the land and identification of beneficiaries, service level agreements with estate agents, financial institutions, commodity-groupings may be concluded.

Projects could be outsourced to other organisations/service providers such as the Land Bank, Ilovo, Tongaat-Hulleys, and Stockowners etc. The advantages are threefold. First, many of these organisations have ample technical capacity that could serve as a valuable addition to government's capacity, especially in terms of land-use planning, marketing, and extension support. Second, a number of these organisations have experience in identifying opportunities in the land market, and thus would be particularly well suited to accessing appropriate land for redistribution. And third, by relying on such organisations, government would be able to keep some supply-led processes at arm's length, the idea being that supply-led projects that are undertaken directly by government are more apt to be impeded or distorted by pressure exerted by various groups.

Service level agreements with farmer unions and associations, organised agriculture etc. can be developed. The bottom-line of this approach is that these associations and organisations can assist in identifying available and suitable land and ensure that the land is made available on the market. Guidelines and criteria for concluding service level agreements are available.

B. FINANCIAL MECHANISMS

5. Grant financing

5.1 Acquisition and Disposal Financing

The proactive approach would allow the DLA to acquire land in terms of Act 126 [Section 10(a)] based on the selling price, expropriation or auction price without attaching beneficiaries to such land. Once beneficiary selection has been finalised, beneficiaries are expected to lease⁶ with an option to purchase and lease fees would also be taken into consideration once the applicants are ready

⁶ Leases are determined according to the length of a production cycle of a particular agricultural enterprise.

to acquire full ownership of the land after being assessed by the Department of Agriculture.

Once the trial-lease period has expired the land can be disposed off to the same beneficiaries if they have been satisfactorily assessed by the Department of Agriculture. A “qualifying grant” based on the LRAD grant system would be made available to beneficiaries and discounted against the purchase price. The sale price of the land would have been fixed at acquisition by the DLA.⁷ A further discount of 30% would be offered to all qualifying beneficiaries.⁸ If grants and the discounts are still not enough to reach the purchase price, then beneficiaries should be assisted to obtain finance from:

- Commercial financial institutions;
- Development financial institutions such as the Land Bank; or
- MAFISA.

5.2 Planning Costs

Planning costs⁹ such as valuation, agricultural potential report/feasibility study, infrastructure development, subdivision and other costs that are necessary to make the farm “farmable” will be jointly funded by the DLA and Department of Agriculture through the CASP in relation to agricultural projects.

In relation to settlement projects, the Department of Housing will fund planning costs while the DLA will bear all costs associated with land acquisition.

6. The different Re-Settlement Models

As illustrated in **Figure 1**, there are, at this stage, seven re-settlement models through which the Proactive Land Acquisition Strategy can be implemented. These models can be implemented through mixing and matching various grants and services of different government departments e.g. agri-villages and Kibbutz type development can be implemented by combining grants and services from DLA (land acquisition), DoA (CASP, agricultural starter packs and extension), Department of Housing (building of the houses) and local government for municipal services. Each of these models will be integrated into local development strategies.

- Agri-village
- Small holdings
- Settlement + Commonage
- Establishing black commercial farmers

⁷ Subject to National Treasury approval.

⁸ Subject to National Treasury approval.

⁹ See Toolkit 5 .for detailed explanation on what can be considered as planning costs in terms of this strategy.

- Sustainable human settlements
- Commonage
- Kibbutz type development

These models can be implemented utilising the systems and procedures, as discussed below, based on the approach.

C. SYSTEMS AND PROCEDURES

7. Guidelines, methods and arrangements for proactive acquisition and disposal

7.1 Guidelines for acquiring land proactively

The state will acquire¹⁰ land based on a quantified or non-quantified need or demand. Thus the state can buy/secure suitable land that is available, on offer or have been targeted for land reform, before or after beneficiaries have been identified and quantified. This can be achieved either programmatically or at a project level.

At a project level, the need or demand may or may not be quantified in terms of identified beneficiaries. In some cases this may be quantified in terms of specific DLA programmes and there is an indication of what type of land is needed as the need is very specific e.g. a set number of labour tenant claims are registered. The state in this case may simply purchase the land based on the number of claims registered in the office and then commence proper planning with the selected beneficiaries.

In terms of the programmatic approach, land needs of potential beneficiaries are to be identified in a specific area and matched with suitable and available land in that area. Various re-settlement models as outlined in Figure 1 can be applied within this approach. The Programmatic approach is therefore based on area development planning; ultimately culminating in an area development plan that will clearly stipulate the land needs. These land needs would then need to be quantified, if not already quantified through other planning tools such as the IDPs

¹⁰ See Toolkit 4 for non-negotiable guidelines for acquisition of land utilizing the Proactive approach.

or Provincial Growth Strategies, in terms of beneficiaries. The quantification exercise must be driven by district and local municipalities with assistance from PLROs and other relevant institutions.

7.2 Methods of acquisition

'Methods of acquisition' refers to how the state will acquire the land proactively.

a) Expropriation

The rationale of the targeted expropriation option would be that the land market is not providing adequate opportunities to acquire the land that is considered necessary for redistribution. Expropriation or compulsory acquisition by the State has the advantage of enabling better planning:

- If the land market as a whole is not supplying enough land to meet overall national targets;
- If the land market is not supplying enough land in the particular areas that the Government wants to develop as part of the land reform and rural development programs:
 - high-potential agricultural land;
 - contiguous blocks of agricultural land suitable for resettlement, with possible infrastructure cost-savings because of economies of scale; and
 - extension of farming by households resident in communal areas—again cost-savings (due to economies of scale and possibly savings on residential infrastructure if households would not need to physically move) would be achieved if households can still use the existing social infrastructure in the communal area, but farm better land on neighbouring agricultural land.

Comprehensive systems and procedures have been developed for expropriation of land for Redistribution, ESTA¹¹ and Restitution purposes.

b) Auctions

In terms of Act 126 of 1993 (sections 10 (1) (a), the Minister or Delegate may acquire land for the purposes of the Act. Land auctions provide the DLA with a good opportunity to proactively acquire land cheaply; giving that the final bidding

¹¹ See Toolkit 42 for summary of expropriations procedures to Act 126 & ESTA

price for land at an auction is generally plus or minus 90% of the actual market value.

The auction process is relatively straightforward. Prior to the commencement of the auction, all those intending to bid must make a 10-15% down-payment or provide a financial guarantee. This enables the auctioneer to determine who the serious bidders are. The sale occurs as per rising bid, with the right to purchase reserved to the highest offer. The agreed purchase price is paid as follows: a 10% deposit is payable or a financial guarantee is given to the auctioneer on the day of the auction with the balance paid to the liquidator/attorney by the Date of Transfer/upon registration of the property (approximately 30/60 days)¹².

The following exemption may be offered to **government departments depending on the private auction houses in particular provinces**: A financial guarantee that includes:

- the maximum amount available for bidding; and
- a description of the property on auction.

The financial guarantee binds the Department that full payment will be made within or on the date of transfer to the auctioneer.

c) Market transactions/ negotiated transfers

Land will be acquired through normal market transactions. PLROs or prospective beneficiaries can approach owners to see if they would be interested in selling it through normal market transactions, depending on the negotiations.

Occasionally land owners alert either provincial or national government officials that they would like to make their land available for sale for redistribution. Owners may have a variety of different motives for such offers, ranging from a genuine wish to 'contribute' to redistribution, to a conviction that the redistribution programme is the solution to their inability to sell their property in the normal market. All such offers should be objectively assessed relative to the province's pre-defined land needs within the area-based approach.

7.2.1 Other potential sources of land

These are other sources of land that can be relevant to the strategy and area-based planning.

¹² See Toolkit 43 for procedures on auctions

a) Existing public land

The Department should actively assist local government to identify state land for disposal based on identified needs in the area. Various mechanisms are already in place (e.g. Provincial and National State Land Disposal Committees) where, *inter alia*, the Department of Public Works and the Provincial Governments are actively identifying state land that can be used for land reform purposes, in a joint effort. State land has already been set aside for land reform as a first priority in terms of a **Cabinet Memorandum No. 5 of 1994**. Superfluous state land can therefore, where suitable, be utilized for proactive redistribution purposes.

b) Financial Institutions landed properties

There is an existing MOU with the Land Bank that it will provide the DLA with first option to purchase any of its landed properties. This MOU can be extended to other financial institutions through the Banking Council. In terms of the current agreement the Landbank undertakes to instruct its branch offices to supply the PLROs with all available information on new properties that are acquired by the Bank from time to time in the province concerned, including the purchase price.

On receipt of the information PLROs will conduct preliminary investigations into the suitability of the relevant properties for land reform purposes, and will make its findings known to the relevant branch office of the Bank in writing within 30 days from the date of the Bank's letter of advice. If no answer is received within the mentioned 30 day, the Bank will accept that the property is not suitable for land reform purposes.

If the PLRO finds that a property has immediate potential to be used for land reform purposes and has informed the Bank accordingly, the Bank undertakes to withdraw the relevant property from the market for a further period of five months to afford the PLRO time to engage in the necessary activities towards planning/approval of the land for such purposes in terms of applicable legislation/policy and to register transfer of such property. Should the procedures not be finalised when the period of 5 months expires, opportunity costs calculated on the selling price at the current interest rate will be payable monthly in advance to the Bank by the PLRO, until date of registration of transfer, or until payment is made by the PLRO for the land in question.

c) Donations

The state could proactively communicate to farmers on the possibility of donating their land/part of their land the land is located in an area that has been identified

for development purposes. In order not to discourage such donations, the DLA has developed a policy whereby such donations are exempt from donations tax. Often, the proposed donation is to a specific group of people, for example the owner's farm workers or former farm workers. Occasionally, however, the proposed donation is not linked to anyone in particular, in which case it would appear to be suitable for proactive acquisition. Notwithstanding the advantage of acquiring the land for free, the same caveat is evoked here as was mentioned in the case of land offered for sale: all such offers must be scrutinised relative to the stated land needs of the province.

7.3 Holding arrangements: Guidelines for the administration/management of land prior to leasing and/or disposal

Prior to entering into leases with beneficiaries, the PLRO would need to make sure that the land is developed and made 'farmable'. During this period the PLROs must ensure that holding arrangements are in place by either appointing a caretaker, lessee or a management/security company.

a) Caretaker arrangements

Once agricultural land has been acquired proactively, there may be a need to acquire the services of a caretaker¹³. A caretaker agreement is essentially an interim holding arrangement and a few points garnered from the experience of state land administration are also relevant in this context:

- A caretaker agreement, or lease, should never include an option to purchase.
- A caretaker may have to pay for the opportunity to occupy and use the land but this will depend on what is agreed upon between the relevant provincial DLA and the caretaker.
- Caretaker agreements will not extend for more than twelve months at a time, and shall be subject to a notice to cancel period of one month.
- Any breach of the caretaker contract should be dealt with immediately and the caretaker should be given 30 days notice to vacate the property. Should the PLRO fail to do so, it might very well be the case that the caretaker might damage the land rather than taking care of it.

b) Management companies

¹³ See Toolkit 15 & 16 for guidelines on caretaker agreements and an example of a caretaker agreement

The DLA could utilize reputable management companies to manage the collection of lease fees¹⁴. Some property companies such as Pam Golding or Just Letting manage agricultural properties on behalf of their clients. In such cases a service level agreement would need to be concluded with these companies in order to ensure strict compliance with DLA requirements. Regular quarterly reports are also expected to be forwarded to the DLA on the leases being managed and outstanding payments.

7.4 Guidelines for leasing to beneficiaries and/or disposing of land after acquisition

It should be noted that the once the state takes possession of the land it becomes state land unless the seller and the PLRO have agreed on the delayed transfer route. The state is not exempted from paying VAT or transfer duties or rates as the state will be assuming ownership of the land. No transfer duties or VAT are payable once the land has been disposed off to beneficiaries after the lease period has expired.¹⁵

Land that has been acquired becomes a state asset and as such must be registered on the state asset register¹⁶.

7.4.1 Transfer/Disposal/Lease methods

As stated earlier, Section 11 of Act 126 of 1993 allows the Minister to sell, exchange, donate or lease land acquired via Act 126 for the purposes of Act 126 or for any other purpose. As a further requirement to Section 11 of Act 126, the Minister has to determine terms and conditions to allow for Provincial Chief Directors to dispose of land acquired proactively via Act 126¹⁷. The approved terms and conditions would enable Provincial Chief Directors to dispose of land acquired via Act 126 without utilising state land disposal methods¹⁸. However it should be noted that existing state land made available for the strategy will be still subjected to the state land disposal processes.

b) Leasing (Trial lease period¹⁹)

Lease agreements with an option to purchase must be concluded with the selected beneficiaries. Lease period must be linked to one production cycle of

¹⁴ See Toolkit 31 for Guidelines on leases

¹⁵ See Toolkit 4 for non-negotiable guidelines related to the disposal of land acquired proactively.

¹⁶ See Project cycle, phase 1, step 5 for details of registering land on the asset register.

¹⁷ See Toolkit 29 for Terms and conditions in terms of Section 11 of Act 126.

¹⁸ See Toolkit 39 for format of memo for approval of LRAD grants & disposal of land.

¹⁹ See Toolkit 31 for Guidelines on leases

the enterprise that the beneficiaries are engaged in. Beneficiaries who are in arrears with their lease fees and who have not broken even during the lease period will be removed from the farming operation and new beneficiaries will be installed. However circumstances beyond beneficiaries control such as adverse weather conditions or animal diseases/pest problems will be considered before the decision is taken to remove under-performing beneficiaries. Leases currently utilized as part of state land disposal will be utilized during proactive disposal.

The trial lease period does not apply to beneficiaries that have been assessed in terms of rights-based programmes such as Extension of Tenure Security Act and the Land Reform (Labour Tenants) Act.

c) Exercising the option to purchase/outright disposal

Once a particular lease period has expired and the selected beneficiaries have demonstrated their farming capabilities after the Department of Agriculture has assessed their performance, the beneficiaries will be given the opportunity to exercise the option to purchase. The DLA at this stage will consider applicable grants as per the LRAD grant system, lease fees paid and other discounts before disposing of the land to the beneficiaries²⁰.

7.4.2 Transfer/Disposal route

a) State land disposal route

In relation to public land that will be made available for proactive land reform purposes, the state land disposal route will have to be followed. This will not apply to land that has been acquired proactively as the Section 11 terms and conditions will take effect.

b) Delayed transfer

Double transfers may be avoided through the endorsement of title deed **but this applies only in cases where the state acquires all land (not just particular portions) held under a title deed and the seller is agreeable to this.** This would only apply in situations where the state intends to outright dispose of land rather than lease land to intended beneficiaries.

²⁰ See Toolkit 39 for format of memo for approval of LRAD grants & disposal of land.

In this instance Section 16 of the Deeds Registries Act, Act No. 47 of 1937, dealing with endorsement procedures can be applied. The land can then be transferred later to beneficiaries through normal conveyancing procedures.

Section 16 reads as follows:

Save as otherwise provided in this Act or in any other law the ownership of land may be conveyed from one person to another only by means of a deed of transfer executed or attested by the registrar, and other real rights in land may be conveyed from one person to another only by means of a deed of cession attested by a notary public and registered by the registrar: Provided that notarial attestation shall not be necessary in respect of the conveyance of real rights acquired under a mortgage bond: Provided further that where the State acquires all the land held under any title deed, whether by way of expropriation or otherwise, or where a local authority by virtue of the provisions of any law acquires all the land held under a title deed by any other such authority, the registrar shall make such alterations and entries in his registers and such endorsements on any such title deed as may be necessary to register transfer to the State or such authority, as the case may be, of the property so acquired free of charge, and that the provisions of subsection (4) (a) of section 31 of this Act shall apply mutatis mutandis in respect of such a transfer by endorsement.

The endorsement procedure is exempt from any registration fees but conveyancing costs can be incurred. However there is a general view from conveyancers that endorsement procedures are far less than a formal transfer process.

c) Normal transactions

Once beneficiaries have exercised the option to purchase after the lease period, normal conveyancing procedures, as contained in the Deeds Registries Act, Act No. 47 of 1937 would apply.

D. COMMUNICATION, SKILLS DEVELOPMENT AND MONITORING AND EVALUATION STRATEGIES

8. Communication Strategy

The strategy would need to be communicated to all spheres of government and relevant stakeholders. The Department would need to adopt a sensitive approach in communicating this strategy. A clear and credible position on how the land will be acquired need to be in place specifically if targeted and administrative expropriation is to be supported.

Different communication strategies for a wide range of stakeholders will be put in place. The approach must be widely communicated to different government Departments at national, provincial and local levels. Different communication tools would be used; following are some of the tools that would be used, road shows, print media, radio stations etc.

9. Skills development strategy

Implementing the Proactive Land Acquisition Strategy will present the Department with challenges as it would need highly skilled personnel, more so because government departments are moving away from appointing service providers to do the work that can be done in house. To ensure effectiveness, efficiency in delivering land using proactive land acquisition strategy and compliance with other important legislation, various training programmes will be put in place and they would target DLA project officers, Local Government employees, commodity groups, Estate Agents and other stakeholders that would be identified from time to time.

Needs assessment will be undertaken to inform a process of developing a comprehensive training strategy and a programme. The existing training programmes e.g. business planning, valuations etc will be part of the proposed training programme. Some of the elements that will be included in a training programme are:- policies and legislation that are specific to land reform e.g. Expropriation Act, 1975 (Act No 63 of 1975) National Spatial Development Framework, Environmental related legislation, internal legislation like the Provision of Land and Assistance Act, 1993 (Act No 126 of 1993). The following will be included:

- Livelihoods participatory approaches, and
- Integrated development planning.

Training programmes will also include crosscutting issues like gender and HIV/AIDS. The recently developed e-learning would be upgraded to include the proactive strategy. E-learning provides an option to project officers to go through a training course in the comfort of their offices at their own pace.

It is also important that project officers understand the provincial specific process e.g. Provincial Growth and Development Strategies for the sustainability of land reform projects. When it becomes clear that some of the areas of training would

need specialist intervention other government departments would be drawn into the training teams as and when needed.

10. Monitoring and Evaluation

The DLA, through its Monitoring and Evaluation unit, will develop indicators for each model identified within the strategy. Currently in terms of the LRAD, there are streamlined processes of approval in terms of a District Screening Committee and a Provincial Grants Approval Committee. The Strategy, when implemented, will follow a similar process as the LRAD screening and grant approvals processes. It is during these processes that monitoring audits can be performed in terms of a checklist for the various models within the strategy and then can proper indicators be developed. Baseline information can normally be collected after projects have been in existence for about three years. Evaluation will take place both during the implementation of the models and after the implementation of the different models. The impact assessment of the strategy will take place after five years of implementation through a survey of different households that benefited from the strategy.