

Land Affairs

Aim

The aim of the Department of Land Affairs is to ensure an equitable land dispensation within the context of reconstruction, growth and development.

Policy developments

Amendments to legislation on land ownership and land rights allow the Department to proceed with its intended land reform programme.

The 1998 review of the land restitution process proposed an amalgamation of the Department's *Restitution* programme and the Commission on the Restitution of Land Rights, to improve delivery.

The main revision to the medium-term expenditure estimates on the Land Affairs vote is a shift to the land restitution process. The *Restitution* programme receives an allocation of R149,5 million in 2000/01, rising to R287,8 million in 2002/03.

Expenditure estimates

Table 29.1 Expenditure by programme

R million	Expenditure outcome			Revised estimate 1999/00	Medium-term expenditure estimate		
	1996/97	1997/98	1998/99		2000/01	2001/02	2002/03
Administration	65,0	76,6	93,0	97,2	103,8	98,1	101,8
Surveys and mapping	28,5	34,2	47,5	32,9	45,0	49,0	52,3
Cadastral surveys	42,3	48,1	55,5	43,9	59,3	63,3	67,9
Restitution	22,4	43,7	46,9	167,8	149,5	187,9	287,8
Land reform	106,3	195,7	431,0	301,4	423,8	418,9	380,4
Spatial planning and information	9,3	15,7	35,0	14,1	56,0	58,9	60,9
Auxiliary and associated services ¹	2,9	3,2	8,8	21,1	0,0	1,0	1,0
Departmental vote	276,7	417,2	718,0	678,5	837,4	877,1	952,2
Public Works ²	–	–	2,7	–	5,1	9,4	12,1
Total	276,7	417,2	720,7	678,5	842,6	886,5	964,3
Change to 1999 Budget estimate				(14,7)	(3,9)	(2,6)	

¹ Includes authorised losses of R0,2 million.

² Appropriated on vote:26 Public Works.

- *Administration* comprises executive management, and corporate and financial services.
- *Surveys and mapping* manages the national mapping programme.
- *Cadastral surveys* manages the national survey system.

- *Restitution* implements the restitution of land rights programme.
- *Land reform* implements the redistribution and tenure reform programmes.
- *Spatial planning and information* deals with national spatial planning, spatial information, land development and land development objectives.
- *Auxiliary and associated services* includes the augmentation of the Deeds Trading Account.

Table 29.2 Economic classification of expenditure

R million	Expenditure outcome			Revised estimate	Medium-term expenditure estimate		
	1996/97	1997/98	1998/99	1999/00	2000/01	2001/02	2002/03
Current							
Personnel	113,7	126,7	158,5	176,6	207,6	222,7	238,5
Transfer payments	14,8	22,3	80,9	14,1	0,9	0,8	0,8
Other	55,9	93,4	114,2	125,7	156,2	143,0	147,8
Capital							
Transfer payments	79,1	164,1	36,4	333,2	451,7	494,8	549,9
Acquisition of capital assets	13,2	10,7	330,7	28,9	26,2	25,1	27,1
Total	276,7	417,2	720,7	678,5	842,6	886,5	964,2

Spending on personnel increases by 55 per cent from R113,4 million in 1996/97 to R176,6 million in 1999/00 and is projected to grow by a further 35 per cent to R238,5 million in 2002/03. Spending pressures include consultants on the restitution process who are no longer funded by donor funding, and the restitution process moving from policy planning to the more personnel-intensive implementation phase. In addition, the finalising of internal departmental transformation will fill a number of posts in 2001.

Capital transfer payments increase significantly from R36,4 million in 1998/99 to R338 million in 1999/00, rising to R559,3 million in 2002/03 as transfers to the beneficiaries of the land reform programme increase. Capital expenditure, almost exclusively capital transfers, accounts for 57,8 per cent of spending in 2000/01.

Programme 1: Administration

Table 29.3 Programme expenditure

R million	Budget estimate	Adjusted appropriation	Revised estimate	Medium-term expenditure estimate		
		1999/00		2000/01	2001/02	2002/03
1999 Budget	102,0	103,4	97,2	102,2	106,2	–
2000 Budget	–	–	–	103,8	98,1	101,8
Change to 1999 Budget estimate		1,4	(4,8)	1,6	(8,1)	–

Administration relates to overall management of the Department and policy formulation by the Minister and the management of the Department.

The medium-term estimates are revised down to R103,8 million in 2000/01, R98,1 million in 2001/02 and R101,8 million in 2002/03. This relates to the finalising of information technology projects and the shift from contract personnel to permanent staff. The latter are remunerated from the relevant programme, whereas all contract personnel are remunerated under the *Administration* programme.

Programme 2: Surveys and mapping

Table 29.4 Programme expenditure

R million	Budget estimate	Adjusted appropriation 1999/00	Revised estimate	Medium-term expenditure estimate		
				2000/01	2001/02	2002/03
1999 Budget	37,8	41,1	32,9	43,6	47,6	–
2000 Budget	–	–	–	45,0	49,0	52,3
Change to 1999 Budget estimate		3,3	(4,9)	1,4	1,4	–

Surveys and mapping supports sustainable development by undertaking field surveys, acquiring aerial photographs and processing survey and map data. The programme also produces maps, keeps digital databases and technical records, and markets products and services.

Expenditure estimates increase to R45,0 million in 2000/01 and R52,3 million in 2002/03, as a result of the upgrading and updating of information technology systems and increased allocations to professional and special services to maintain these systems.

Outputs and service delivery trends

Table 29.5 Surveys and mapping: Key activities and outputs

Key activities	Outputs
Surveys and mapping	Management and administrative services regarding surveys and mapping
Map production	National map series and ancilliary maps; aerial photographs and mapping data
Field surveys	Digital databases
Provision of professional and technical support regarding spatial information	Marketing and selling of products and services

The Department of Land Affairs runs a map awareness and literacy project to educate people on the use of maps. It aims to donate local topographic maps to every senior school classroom in the country; to date 3 786 free map sheets have been distributed to 627 schools.

The Department strives to achieve at least 95 per cent availability of trigonometrical stations and height benchmarks on a national basis. Under the national mapping programme, coverage of topographical maps is revised as follows:

- 25 per cent every 5 years
- 42 per cent every 12 years
- 33 per cent every 20 years, depending on developments.

About 4 000 orthophoto sheets are revised every five years, while 7 900 orthophoto sheets are revised every decade. The table below shows measurable indicators for the *Surveys and mapping* programme.

Table 29.6 Outputs for surveying and mapping programme

	1999/00	2000/01	2001/02	2002/03
National mapping programme				
Maps produced	210	560	750	800
Area covered (km ²)	123 700	182 000	186 000	190 000
National control survey network				
Beacons maintained	1 800	1 800	1 800	1 800
Beacons added	10	30	20	20
Spatial information				
Maps	94 000	90 000	91 000	92 000
Photographs	24 000	26 000	29 000	32 000
Digital data units	16 100	18 000	19 500	12 500

The national control survey network is the unique national spatial reference framework. All cadastral surveys, mapping, development projects and navigation are based on this network. It makes service delivery by various users less expensive and ensures integrity of positioning. Maps, aerial photographs and spatial information guide development planning and decision-making. They facilitate the optimal location of communication routes, efficient provision of water, border security and optimal land use.

Policy developments

The national control survey network is being prepared for the standardised spatial reference framework for all positioning services in South Africa. This will include the provision of real-time satellite positioning techniques.

Programme 3: Cadastral surveys

Table 29.7 Programme expenditure

R million	Budget estimate	Adjusted appropriation 1999/00	Revised estimate	Medium-term expenditure estimate		
				2000/01	2001/02	2002/03
1999 Budget	52,4	57,3	43,9	57,0	61,2	–
2000 Budget	–	–	–	59,3	63,3	67,9
Change to 1999 Budget estimate		4,9	(8,5)	2,3	2,1	–

Cadastral surveys comprises cadastral services, including any survey carried out for purposes of registering rights to land at a Deeds Office, such as subdivision of stands, layout of new towns and sectional title schemes. The programme ensures accurate cadastral surveys through the Surveyors-General based in Bloemfontein, Cape Town, Pietermaritzburg and Pretoria, and provides cadastral information services.

Baseline estimates are revised downwards to R59,3 million in 2000/01, thereafter increasing to R67,9 million in 2002/03. This is mainly due to the decline in spending on professional and special services associated with shifting the national spatial information framework to the *Spatial planning and information* programme.

Outputs and service delivery trends

Table 29.8 Cadastral surveys: Key activities and outputs

Key activities	Outputs
Cadastral surveys	Surveys
Examination and approval of cadastral surveys	Maintenance and computerisation of records
Coordination and support of spatial information	Spatially related information

In 1999/00 the Department approved 363 442 cadastral surveys, an increase of 27,1 per cent.

Programme 4: Restitution

Table 29.9 Programme expenditure

R million	Budget estimate	Adjusted appropriation 1999/00	Revised estimate	Medium-term expenditure estimate		
				2000/01	2001/02	2002/03
1999 Budget	87,7	183,1	167,8	148,8	187,2	–
2000 Budget	–	–	–	149,5	187,9	287,8
Change to 1999 Budget estimate		95,4	80,1	0,7	0,7	–

The *Restitution* programme restores land and provides suitable compensation to victims of forced removal. Restitution and settlement grants are the main cost drivers. The revision of baseline estimates to R149,5 million in 2000/01 and R287,8 million in 2002/03 is due to increased transfers to the beneficiaries of restitution, as more cases are being finalised.

Outputs and service delivery trends

Table 29.10 Restitution: Key activities and outputs

Key activities	Outputs
Restitution	Secretariat service to the Land Claims Commission
Research and settlements	Restitution policy
	Research

The pace of restitution has increased dramatically. Between December 1998 and December 1999, the number of finalised cases increased from 26 to 785. Over the same period, 13 930 households received land valued at R46 million, and R32 million was paid out in cash to compensate 969 households. A total of 65 000 claims have been lodged following a public awareness campaign regarding the deadline of 31 December 1998. The Land Claims Commission is evaluating the final set of claims, 80 per cent of which are for urban areas. Most of these will qualify for financial compensation and/or housing initiatives.

Programme 5: Land reform

Table 29.11 Programme expenditure

R million	Budget estimate	Adjusted appropriation	Revised estimate	Medium-term expenditure estimate		
		1999/00		2000/01	2001/02	2002/03
1999 Budget	362,1	321,8	301,4	438,4	427,5	
2000 Budget	–	–	–	423,8	418,9	380,4
Change to 1999 Budget estimate		(40,3)	(60,7)	(14,6)	(8,6)	–

Land reform implements Government's land reform programme, in particular focusing on land redistribution and tenure reform.

The 15,9 per cent decline in the estimated expenditure in 2000/01 to R423,8 million is largely due to the shift in focus from land redistribution and tenure grants to restitution. Estimated expenditure on the programme declines further to R418,9 million in 2001/02, and decreases to R380,4 million in 2002/03.

Outputs and service delivery trends

Table 29.12 Land reform implementation: Key activities and outputs

Key activities	Outputs
Redistribution: Making available land acquisition/settlement grants	Land acquisition or settlement grants to enable individuals and communities to gain ownership of land
Tenure reform: Making available tenure grants	Tenure grants to enable individuals and communities to gain legal tenure of land

Land ownership and land development patterns in South Africa mirror the socio-economic disparities of the apartheid era. *Land reform* is a comprehensive programme aimed at redressing this legacy while contributing to national reconciliation, growth and development.

Through land redistribution, the government enables poor and marginalised communities or individuals to purchase land and services through a settlement or land acquisition grant. The Department also provides a settlement planning grant and a development grant. The former enables communities to plan how they intend to use the land, while the latter funds the resources they need to ensure viable and sustainable income-generating enterprises on the land.

Tenure reform is implementing a single legal system of landholding, providing secure forms of tenure, facilitating resolution of tenure disputes and providing alternatives for displaced people.

Table 29.13 shows trends in the achievement of the programme between 1996/97 and 1998/99.

Table 29.13 Progress achieved in the Land reform programme

	1996/97	1997/98	1998/99
Redistribution			
Households	7 052	9 866	14 250
Hectares	77 911	82 569	–
Tenure reform			
Households	–	8 400	3 600

Policy developments

Redistribution policy has been reviewed to enhance the pace and quality of land distribution. The following initiatives were introduced:

- The settlement or land acquisition grant was increased by 7 per cent from R15 000 to a maximum of R16 000.
- Land reform beneficiaries can now use the grant to pay for equipment to increase the productive value of the land, permanent improvements on the land and inputs for agricultural production and settlement.
- The Commissioner of the Revenue Service exempts beneficiaries of land reform from donation tax on donations of immovable property. As a result, landowners have been encouraged to contribute to the land reform process.
- The Department developed policy and procedures to enable beneficiaries of land reform to access the grant through the Land Bank for land-based production activities.

Programme 6: Spatial planning and information

Table 29.14 Programme expenditure

R million	Budget estimate	Adjusted appropriation 1999/00	Revised estimate	Medium-term expenditure estimate		
				2000/01	2001/02	2002/03
1999 Budget	46,4	33,1	14,1	55,5	58,5	
2000 Budget	–	–	–	56,0	58,9	60,9
Change to 1999 Budget estimate		(13,3)	(32,3)	0,5	0,4	–

Spatial planning and information provides information and support services and delivers a national spatial information framework in support of orderly development.

Most of the allocation for *Spatial planning and information* is spent on grants for land development objectives, accounting for 78 per cent of the R56,0 million allocation in 2000/01.

Outputs and service delivery trends

Table 29.15 Spatial planning and information: Key activities and outputs

Key activities	Outputs
National spatial framework	Framework for the management and exchange of spatially related information
Land development	Land development policy
Land development objectives	Planning grants to municipalities

The Independent Electoral Commission and Statistics SA benefit from the spatial data produced by the Department of Land Affairs. The Commission uses the data to plan and execute national, provincial and local government elections. Statistics SA uses the data to capture census enumerator areas into a demographic geographic information system. In 1999/00, 363 442 new land parcels were added to the database.

The conditional grant for land development objectives assists provinces and municipalities in determining their land development objectives in terms of the Land Development Facilitation Act of 1995. The grants are transferred to:

- under-resourced local government bodies, mainly in rural and non-metropolitan areas
- provinces with land development objective regulations or a similar regulatory framework.

Table 29.17 shows funding for land development objectives across the provinces.

Table 29.16 Proposed land development objective allocations (R million)

Province	1999/00	2000/01	2001/02	2002/03
Eastern Cape	2,0	4,5	4,5	4,5
Free State	4,0	2,5	2,5	2,5
Gauteng	–	–	–	–
KwaZulu-Natal	2,7	4,5	4,5	4,5
Mpumalanga	4,0	1,9	1,9	1,9
Northern Cape	3,0	1,7	1,7	1,7
Northern Province	4,6	4,0	4,0	4,0
North West	2,8	2,5	2,5	2,5
Western Cape	1,8	–	–	–
Unallocated	–	21,9	23,8	25,6
Total	24,9	43,5	45,4	47,1

Programme 7: Auxiliary and associated services

Table 29.17 Programme expenditure

R million	Budget estimate	Adjusted appropriation 1999/00	Revised estimate	Medium-term expenditure estimate		
				2000/01	2001/02	2002/03
1999 Budget	4,8	21,1	21,1	1,0	1,0	–
2000 Budget	–	–	–	0,0	1,0	1,0
Change to 1999 Budget estimate		16,3	16,3	(1,0)	–	

Auxiliary and associated services deals with the augmentation of the Registration of Deeds Trading Account in terms of the Deeds Registry Act of 1937.

The medium-term estimates indicate a nominal provision of R1 million a year to accommodate transfers to the Deeds Trading Account. The programme applies for further funding each year once the financial position of the Trading Account for that year has been established. In 1999/00 the Deeds Trading Account received a transfer of R16 million to offset its losses.

Outputs and service delivery trends

Table 29.18 Auxiliary and associated services: Key activities and outputs

Key activities	Outputs
Registration of Deeds Trading Account; augmenting trading capital and procurement	Capital equipment for the Registration of Deeds Trading Account

The table below gives statistics of deeds and documents registered at all nine provincial deeds offices.

Table 29.19 Deeds and documents registered at provincial deeds offices

	Conventional deeds		Sectional titles		Leaseholds	
	Transfers	Bonds	Transfers	Bonds	Transfers	Bonds
1996	301 121	289 173	91 739	60 475	22 776	6 928
1997	362 670	271 177	74 450	51 316	22 370	4 799
1998	380 018	227 530	73 657	48 367	33 281	3 208
1999	341 215	193 907	58 690	33 120	52 370	2 759

The purpose of the Registration of Deeds Trading Account is to subsidise the Deeds Registries' operating costs. The main funding source is fees charged on the registration of deeds and documents, and the sale of deed registration information. Shortfalls in the Account are appropriated from the budget of the Department of Land Affairs on an annual basis, while profits or surpluses are paid into the National Revenue Fund. The table below shows the financial information of the Registration of Deeds Trading Account.

Table 29.20 Income and expenditure of the Registration of Deeds Trading Account

R'000	1996/97	1997/98	1998/99	1999/00
Income	82 840	84 218	93 801	119 965
Expenditure	79 303	104 49	119 438	139 175
Surplus/(shortfall)	3 537	(20 277)	(25 637)	(16 210)

The Deeds Enquiry System (Aktex) enables subscribers to gain electronic access to registration information, seven days a week and 24 hours a day. Table 29.21 shows an 87,4 per cent increase in the utilisation of the system between 1996 and 1999.

Table 29.21 Aktex electronic enquiries

	1996	1997	1998	1999
Number of enquiries	3 818 238	4 978 212	5 918 369	7 156 280
Annual increase (%)	–	30,4	18,9	20,9

Public entities reporting to the Minister responsible for Land Affairs

The Development Planning Commission was appointed in September 1997 by the Minister in terms of the Development Facilitation Act of 1995 to:

- draft the Green Paper on Development Planning
- analyse principles for land development in the Act
- produce guidelines and a manual to assist users
- analyse provincial planning laws and recommend how they can be rationalised.

The Commission received a budget of R2 million to cover its activities in 1999/00. The future role of the Commission is under discussion; the Department provides R1 million to cover its operating costs in the interim.

Bala Farms (Pty) Ltd is a government-owned company created in 1988 by the former Bophuthatswana administration to buy and administer farms outside the homeland territory. Bala Farms currently administers certain state land on behalf of the Department in Western Cape, Mpumalanga, Eastern Cape and North West. The company leases and collects rentals, and works with the Department to transfer the Bala Farmland to land reform beneficiaries.

