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**Title:** Residents give mooted Expropriation Bill the thumbs down at public hearing

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# Residents give mooted Expropriation Bill the thumbs down at public hearing

**Speakers say it would do nothing for people's wellbeing**

**SITHANDIWE VELAPHI**

Some Buffalo City Metro residents who attended a public hearing of the Expropriation Bill in Greenfields on Friday rejected the bill, arguing it lacked clarity and was focused on commercialisation of land rather than the wellbeing of people.

The portfolio committee on public works & infrastructure held public hearings on the bill in all six district municipalities and two metros of the Eastern Cape from July 11 to 14.

The bill, which would give the minister of public works & infrastructure authority to expropriate property for a public purpose or in the public interest, once parliament passes it, seeks to repeal the Expropriation Act 65 of 1975.

According to the bill, public purpose expropriation would include the building of a dam, road or hospital while public interest expropriation would include the "state's commitment to land reform and reforms to bring about equitable access to natural resources".

Ilizwi Lamafama ("The Voice of the Farmers") member Asanda Magadla, from Mdantsane, said she did not support the bill.

"The bill is suppressive

"The land or property it seeks to appropriate will not benefit ordinary people like myself.

"The bill is more protective of commercial land than focusing on the interests of communal



**THUMBS DOWN:** Some of the Buffalo City residents who attended public hearings of the Expropriation Bill at the Robbie De Lange hall in Greenfields, East London, on Friday have rejected the bill, arguing it was lacking clarity. Picture: SITHANDIWE VELAPHI

land. Communal land belongs to the people, whether used or not. According to this bill, communal land would not be spared expropriation.

"Expropriation in whose interests? This bill was done hastily. Many people are not even aware of it," Magadla said.

DA MP Chantel King, who attended the public hearing in Greenfields, said: "The concern we have around this bill is about compensation.

"If there is none, how is this going to affect individual prop-

erty rights?"

The bill in its current form, said King, was not constitutionally fit. "The bill will disenfranchise the same people we are trying to protect. That is why we will not support it."

PAC's secretary in the TT Nyhobo (Buffalo City) region, Ntengo Qina, also said he did not support the bill.

"The reason is that the bill does not address the imbalances of the past. In its current form, the bill would still protect commercial interests of the land rather than the interests of

Africans.

"The land was forcefully taken from Africans in 1652. When the land was forcefully taken, people were killed. We want the land restored to its rightful owners. There were forced removals in the past and the bill does not clearly state how this will be resolved," said Qina.

Adv Kholeka Beja, acting executive manager for legal and procedural services in the Eastern Cape provincial legislature, said the bill sought to give effect to section 25 of the constitution which talks about expropria-

tion of property.

"We do have a piece of legislation that we use for expropriation of property but it's an 1975 act and it is outdated as it was passed before the current constitution (1996)," Beja said.

"The department of public works & infrastructure introduced this bill [Expropriation Bill of 2020] which will align with the constitution."

Beja said property, in terms of the bill and the constitution, went beyond land and included movable and immovable property.

She said the committee on public works & infrastructure would compile a report after the public hearings.

"The next step would be for us as the province to submit a negotiating mandate that reflects the views of the people of the province during the public hearings of this bill.

"But what first needs to be done is an evaluation of the hearings that took place in the Eastern Cape. The negotiating mandate is due for submission to the national council of the province on November 22."

