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# Mixed views surround Expropriation Bill

*Members of the public urged to give input*

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WITH less than two weeks to go before the close of the comment period, the public have been encouraged to have their say on the Expropriation Bill.

The bill is currently before the National Council of Provinces (NCOP) and the comment period closes on March 6.

In a statement to call for public comment, the select committee on transport, public service and administration, public works and infrastructure said the bill sought to:

- Provide for the expropriation of property for a public purpose or in the public interest.
- Regulate the procedure for the expropriation of property for a public purpose or in the public interest, including payment of compensation.
- Identify certain instances where the provision of nil compensation may be just and equitable for expropriation in the public interest.

Opposition parties, the DA, IFP and the EFF, have all expressed reservations about the bill in its current form.

Earlier this week, Tim Brauteseth, NCOP DA spokesperson for public works and infrastructure, said the party was calling on all South Africans to submit their comments on the expropriation bill.

He said the party was specifically concerned about the "nil compensation" clause.

"The party remains deeply concerned with clause 12(3) of the bill. This provides for circumstances where it may be just and equitable for nil compensation to be paid, when land is expropriated in the public interest."

Of further concern was the definition of property in the bill, he said.

"As the bill currently stands, it includes intellectual property and moveable assets. The DA is of the view that expropriation should be limited to immovable property only."

Sanele Zondo, IFP spokesperson on public works and higher education, said the party would not support the bill in its current form.

"There are flaws in the bill and we don't see it benefiting the people of South Africa. The fact is for us to support this bill, it needs to assist the poorest of the poor. We want this to be made clear to us."

Zondo added that they were also concerned about agricultural land and what would happen to farmers.

"We are also worried about the Ing-

onyama Trust land whose trustee is the Zulu king. We need clarity that this land will not be affected and expropriated. We call on the public to make their comment about the expropriation bill."

Mathapelo Swisa, EFF MP and member of the public works and infrastructure committee, said that the party did not support the bill in its current form as it provided for circumstances where compensation would be paid when property was expropriated.

"We have made it clear that land and certain properties that used to belong to the state and might have been sold must be expropriated without compensation.

"It must be expropriated and fall under the state, that is the only way we will support this bill. We have made this clear and put in our submissions that we will not be supporting the bill in its current form."

Legal expert Mpumelo Zikalala said that legal issues arose when land was expropriated without compensation.

"The Expropriation Bill provides that land may be expropriated if it is for a public purpose or in the public interest. The issue is that if land is expropriated without compensation, this can be challenged in a court of law by the affected parties. This process in court can take from 24 to 36 months."

Zikalala said with a court delay in such cases, any government projects earmarked for the land would be severely hampered as Treasury provides that the budget allocated for infrastructure projects must be used within 24 to 36 months.

"If not used in that period the money is returned to the Treasury. This alone shows why land expropriation without compensation will not work."

University of Zululand economics professor Irshad Kaseeram said that land reform in South Africa was necessary.

"However, the process is fraught with opportunism, patronage, political influence and notorious bureaucratic stalling."

"Farmer support programmes have been ineffective, thus far. Less than 20% of the earmarked land has been transferred and poor farmer support means that the land is not meeting the desired development ideals for farmers."

"Land reform must go hand in hand with the assurance by the government of the protection of private property rights of private individuals and investors."

Comments can be emailed to [Hlupheka.Mtleni@expropriationcomments@parliament.gov.za](mailto:Hlupheka.Mtleni@expropriationcomments@parliament.gov.za) by no later than Monday, March 6. For enquiries call Mtleni at 083 709 8448.



OFFICERS during the parade at the annual Armed Forces Day event which was held in Richards Bay yesterday. | DOCTOR NGCOBO African News Agency (ANA)

## Ramaphosa commends Project Owethu

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PRESIDENT Cyril Ramaphosa has commended the role played by Project Owethu during his keynote address at the Armed Forces Day commemoration in Richards Bay yesterday.

Armed Forces Day is held annually on February 21 to remember the 616 black South African troops who died in the World War I naval tragedy when the SS Mendi steamship sank on its way to France.

It also seeks to honour other women and men who have lost their lives in patriotic duty and to pay tribute to those still serving the country.

The event was attended by the Zulu King Misuzulu kaZwelithini, KwaZulu-Natal Premier Nomusa Dube-Ncube, and the Chief of the SANDE, General Rudzani Maphwanya.

The South African Military Health Service (SAMHS) launched Project Owethu earlier this month as part of Armed Forces Day events.



PRESIDENT Cyril Ramaphosa thanked the men and women in uniform for their service. | DOCTOR NGCOBO African News Agency (ANA)

It aims to take health care to remote, rural, and marginalised communities in conjunction with relevant arms of government such as the departments of Home Affairs, Health, Agriculture, and Social Development to assist thousands of people in KZN.

Ramaphosa said the project could be a great catalyst for change through empowering communities and improving people's lives.

"Through Project Owethu, the SANDF is working with government

departments to provide access to health care and other social services in communities in KwaZulu-Natal that are remote and marginalised," Ramaphosa said.

Uthlathuze Municipality spokesperson Bongani Gina said since it was launched, Project Owethu has played a vital role in the municipality.

"Operation Owethu had played a huge role in uplifting the community, SANDF personnel have been helping children with vaccinations and with treatment for the elderly."

## MAVUNDLA JOINS ACTIONSA'S COURT BID

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FORMER deputy mayor of eThekweni Municipality, Phlani Mavundla has announced that he is joining the legal action initiated by ActionSA against the eThekweni Municipality over sewage spillages in the city.

ActionSA's Zwakele Mncwango and Mavundla announced yesterday that they had joined forces in the litigation against the municipality over the collapse of its sewerage infrastructure. ActionSA filed court papers a few weeks ago to hold the city and other government departments accountable for the spillages.

During his time in the leadership of the City, Mavundla also chaired the Human Settlement and Infrastructure Service Committee (HSI) which oversees almost all the infrastructure in the city, and he had access to details on the problems with the infrastructure.

Mavundla, the president of the Abantu Batho Congress, was in a coalition with the ANC but this ended last year when he was ousted as deputy mayor.

eThekweni has largely blamed last year's storm for the sewage problems, however, *The Mercury* has previously reported from an affidavit filed in the court action by the provincial department of Economic Development, Tourism and Environmental Affairs (Edtea) which detailed problems dating back from early 2021.

Mavundla has also previously insisted that the problems date back to before the April 2022 floods.

He had said he had warned the mayor and City officials that the infrastructure was on the brink of collapse.

"We are pleased the ABC has heeded our call and that we can work collaboratively to address this ensuing catastrophe in the interests of the people of eThekweni and its surrounds, who continue to have their business, homes and health compromised as a result of the ANC government's inaction," ActionSA said.

The parties said according to their information, 68% of the wastewater treatment works were not being maintained, as per the November 2021 Annual Process Audit Report Sanitation Operations.

"This has led to 88 194 cubic metres of waste being pumped into the ocean, as it was reported that the tankers of sludge were extremely costly for the City, which resorted to dumping sewage