

NATIONAL ASSEMBLY

FOR WRITTEN REPLY

QUESTION NO 954

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(INTERNAL QUESTION PAPER NO 16)

954. Mr M M Swathe (DA) to ask the Minister of Water Affairs and Forestry:

- (1) Whether the dividends and rentals paid by a consortium (name furnished) to the beneficiaries of a certain trust (name furnished) are being held in trust by her department; if not, (a) why not and (b) what is the position in this regard; if so, what are the details of the dividends and rentals paid since the inception of the lease agreement up to the latest specified date for which information is available;
- (2) whether the accumulated funds from both dividends and rentals will be disbursed to the beneficiary communities; if not, why not; if so, (a) when and (b) to whom will these funds be disbursed;
- (3) whether there are minimum prescripts to be met by the beneficiary communities before disbursements are made; if not, what is the position in this regard; if so, what are these prescripts;
- (4) whether these prescripts have been met by (a) the beneficiaries or (b) any other institution of State such as the Land Claims Commission; if not, what is the position in this regard; if so, what are the relevant details?

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REPLY:

- (1) No. (a) The dividends should be paid directly by the Singisi Forest Company to the Singilanga Community Trust because the trust is an equity partner of the consortium. The rentals paid by the consortium are however being held in trust by the Department of Water Affairs and Forestry. (b) Singisi Forest Company pays rental to the Department of Water Affairs and Forestry on an annual basis in terms of the long term lease agreement signed in 2001. The Department of Water Affairs and Forestry has collected R59 454 112.72, which include capital and interest since the inception of the lease agreement. The Department of Water Affairs and Forestry invests the rentals collected with the Corporation for Public Deposits, which is an interest bearing account.
- (2) Yes, rentals will be distributed. (a) As soon as the rightful beneficiaries are identified through the land reform process. (b) Only to land beneficiaries identified by the Department of Land Affairs.
- (3) Yes. In order to retain the land under a lease system, the Department of Water Affairs and Forestry negotiates and enters into a headlease agreement with the claimant community. The community is then entitled to annual rentals.

- (4) (a) Yes, the communities enter into a Section 42D settlement agreement in terms of the Restitution of Land Rights Act, 1994 (Act No 22 of 1994). (b) Yes, there is a bilateral agreement between the Department of Water Affairs and Forestry and the Department of Agriculture and Land Affairs to cooperate in terms of these settlement agreements.