



## Expropriation Bill: Developments

The Deputy President of South Africa, Mr Paul Mashatile, caused a lot of discomfort in the agricultural sector on Friday, 1 November with his announcement that the controversial Expropriation Bill 'will be signed soon'.

Free State Agriculture can assure members that we are ready to take action, if the law is indeed signed.

In the meantime, see the notification from Agri SA regarding the developments.

Member notice

### Status of **Expropriation Bill** and recent developments



The Expropriation Bill was submitted to the President for signature after being approved by both houses of Parliament on the 27th March 2024.

The President has three possible courses of action, one of which could be the signing of the Expropriation Bill into law. Alternatively, the President may upon the advice of his legal counsel refer the Expropriation Bill back to the National Assembly for reconsideration or refer it to the Constitutional Court for a declaratory order confirming that the Expropriation Bill meets Constitutional muster before signing it into law.

Agri SA obtained legal opinions from the Legal Advisory Committee and consulted widely to ensure that the value of property and private property rights are protected. AgriSA has been advised to refrain from taking legal action prior to the enactment of the Expropriation Bill as this would be premature.

AgriSA remains vigilant in monitoring the progress of the Expropriation Bill and shall take the necessary legal steps at the appropriate time and under the guidance and advice of Senior Legal Counsel, to ensure that the value of property and private property rights remain protected.



**LAND**

1 NOV 2024

For further information contact: [amy@agrisa.org.za](mailto:amy@agrisa.org.za)



## RURAL SAFETY

### Festive Season Safety Tips

In the run-up to the festive season, it is essential for farmers to pay attention to their safety plan, tips as well as their involvement in a safety structure in their area.

A survey by FSA conducted among farming communities in January 2023 after the festive season, showed that the following crimes were problematic during December 2022. This may therefore also apply in the upcoming festive season:

Theft of :

- Copper / power cables from Transnet / Eskom as well as pivots;
- Cell phone tower batteries;
- Solar panels and solar pumps;
- Seeds, fertilizers; diesel, plants;

Burglary at residences and / or warehouses;

Livestock theft - it was determined that this type of crime accounted for 66% of all crimes;

Farm attacks also tend to increase during the festive season.

Taking the above into account, farmers are requested to go through their safety checklist again, pass on information regarding suspicious movement of persons and vehicles to the safety representative of the farmers' association and the Rural Safety coordinator of the SAPS, as well as to make sure that their communication networks are in place especially in relation to radios and mobile phones.

### Farm attacks/murders in the Free State: 10-year period (2014-2024)

Dr Jane Buys, Safety risk analyst from Free State Agriculture, has provided an analysis of the past decade's farm attacks/murders in the Free State and the following can be mentioned:

- 93 farm murders and 486 farm attacks took place in the Free State in the last 10 years. This makes a total of 579 incidents in 77 farming communities.
- Of the 93 farm murders, 46 (48.93%) were on producers, including emerging farmers, while 40 (42.55%) were workers, including foremen and security guards. Eight (8.52%) victims were residents and visitors to farms.
- There were 27 incidents where between 2 - 7 victims were killed on farms, and 67 incidents where individuals were killed, making a total of 137 victims in 94 farm murder incidents.
- Ten (10) children under the age of 17 also fell victim to farm attacks during this period.



## RURAL SAFETY (continued)

### FSA initiates intervention meeting in Bultfontein

Free State Agriculture has requested an urgent intervention meeting with Major General Afonso, the District Commissioner of Police, in the Lejweleputswa district.

The meeting took place on 31 October 2024 in Bultfontein. The reason for the meeting was that the farming community could present their problems, complaints and challenges regarding service delivery issues by the police to the general. There were also concrete requests made with certain actions that could improve service delivery between all the role players. Requests for larger operations to more effectively address priority crimes were also made.

Dr Jane Buys confirms that a follow-up meeting will materialize where feedback will be provided regarding requests made.

### Safety & stock theft workshops

Free State Agriculture's Rural Safety Committee has been busy with safety and livestock theft workshops since 4 September, in all the districts of the Free State.

The workshops are attended by the police's visible division, as well as farmers in collaboration with the Livestock Theft Unit Province.

The last three workshops for the year are scheduled for

- November 6 (Smithfield),
- November 13 (Bethlehem), and
- 20 November (Bloemfontein).

There are already plans to continue with similar workshops from February 2025 at the request of the farming communities. For inquiries about the workshops, Dr Jane Buys can be contacted at [jane@vslandbou.co.za](mailto:jane@vslandbou.co.za)



## NATURAL RESOURCES

### Comittee activities

The Natural Resources committee of Free State Agriculture will meet again on 07 November 2024. In order to understand the purpose and activities of the committee, it can be confirmed that standing items on the agenda include:

- Irrigation and water affairs
- Disasters – resilience and disaster relief
- Pests and pests
- Mining and other environmental impact studies - impact on agriculture
- AgriSA Center of Excellence Natural Resources - input and feedback

Kempen Nel, chairman of FSA's Natural Resources Committee, also serves on the daily management of the AgriSA committee. The AgriSA Natural Resources Centre of Excellence has 4 focus areas:

1. Water for Food Security
2. Biodiversity, Land Use and Land Conservation
3. Climate and Natural Disasters
4. Mining and Agriculture

It is through these structures that members can address issues at provincial and national level via their agricultural association.

### Gas Mining webinar

FSA's Natural Resources committee will present a webinar on Gas Mining on 7 November 2024 during 11:00 - 12:00 am, following the Environmental Studies that are currently being conducted for more than 10 prospecting right applications throughout the Northern Free State.

To guide members to actively participate in these Environmental Impact Studies (EIAs), the following speakers have been invited to provide more clarity:

- **Dr Surina Esterhuysen** of the UFS Center for Environmental Management: *Respond to gas prospect/mine applications with facts (and not emotion)*
- **Dr Nola Redelinguys** from the UFS Interdisciplinary Center for Digital Future & Dept. Sociology: *The importance of a socio-economic impact study and the data required*
- **Derek Light** (tbc) - Karoo Anti-Fracking Lawyer: *Legal approach - at what stage?*
- **Janse Rabie**, AgriSA Natural Resources - *AgriSA guidelines, position and experience*

Members who wish to join the webinar are requested to register [here](#)



## COMMERCIAL

### Transport Month: Free State farmers have little to celebrate

During October, the Department of Transport and its entities showcase transport infrastructure services in aviation, navy, public transport and roads.

However, Free State farmers believe there is not much to celebrate. The lack of transparent and effective management plans to address damaged infrastructure, as well as the continued appointment of substandard contractors, despite previous warnings about their incompetence, is a major source of concern.

[Read more](#)

### NERSA public hearing on Eskom tariff increase

Free State Agriculture (FSA) has requested to make a presentation to NERSA's public hearings in the Free State, which will take place on 25 November 2024.

Until 20 November, members can still send case studies to [jack@vslandbou.co.za](mailto:jack@vslandbou.co.za) of how ESKOM's proposed price increases could affect their industries.

FSA also provided input to AgriSA's written input to ESKOM's MYDP6 tariff increase application to NERSA which was submitted on 31 October.

### Carbon Farming Webinar

The Commercial Committee of FSA is presenting a webinar on the opportunities of Carbon Farming on 7 November during 12:30 -13:30. The following speakers will provide information:

- **Angus Macintosh** - Spier Estates, The "Farmer Angus" story.
- **Prof Linus Franke & Prof Johan van Tol** - UV Agronomy and Soil Science, The Science of Carbon Sequestration.
- **Dr Hendrik Smith / Prof James Blignaut** - Asset Research & Cultivating Carbon, Funding the transition.

Members can register for the webinar [here](#).

The Commercial Affairs committee of Free State Agriculture's standing agenda items include among others: Infrastructure: Telecoms, Energy and Roads; Farm management issues: sustainability, profitability and resilience through our traceability system AIMS and liaison with banks, agribusinesses and insurance companies; Taxes: Diesel Rebate and Property Tax; AgriSA SvU Economics - input and feedback.



# AGRICULTURAL DEVELOPMENT

## Committee activities

The Agricultural Development Committee of Free State Agriculture will meet again on 6 November 2024. In order to understand the purpose and activities of the committee, it can be confirmed that items on the agenda include:

- Land reform & BEE: feedback on programs run by our affiliates (industries and agribusinesses and bank partners)
- Rural Development: Influence at Local Government level through input to the IDP (Integrated Development Plan and the Spatial Development Plan) through active agricultural forums
- Core legislation: new, amendments and interpretation (court cases)
- Strategic planning: for the committee's activities and actions for the new year

- **Communal grounds:**

A core problem that currently hinders rural development is uncontrolled communal land as well as the provision of land for housing and the establishment of successful communal land farmers and farm workers on other land. To address the issue, the committee organized an interdisciplinary meeting with the following government departments:

- Land Affairs: Making land available to the state for town/farm worker development.
- COGTA: Common land management - obligations of local Municipalities / Municipal Manager
- Agriculture: ESTA rights violations in the Free State, mediation options & the "right" to keep livestock?

- **Agri SA**

The committee also discusses inputs to AgriSA's Land committee meeting of 12 November 2024. The AgriSA Center of Excellence Land has the following main points on their agenda for feedback and discussion:

- LEGISLATION : Bills on Expropriation, the Land Court, the Conservation and Development of Agricultural Land and the Land Administration and Common Tenancy Law.
- REGULATIONS AND GUIDELINES: Upgrading of Land Tenure Rights and Extension of the Security of Tenure Amendment Act, Blended Finance Scheme, Access to Graves Protocol
- CONVERSATIONS WITH: the Minister of Land Reform and Rural Development about the AAMP, office of the Special Master of Hired Workers and the Commission for Restitution of Land Rights about living and working conditions on farms and alleged illegal actions of farm dwellers and residents
- LITIGATION: Moladora Trust Case

Feedback will be given on the court case that FSA's Legal Fund supports which deals with the rights of a farm dweller to keep livestock. The case, if not fought, could lead to creeping expropriation of agricultural land.

Inquiries about any of the above can be directed to Dr Jack Armour at [jack@vslandbou.co.za](mailto:jack@vslandbou.co.za)



# LABOUR ISSUES

## Hiring security guards for your farm - What you need to know

As a farmer, protecting your property and ensuring the safety of your assets is critical. Many South African farmers turn to security guards for assistance, but hiring these guards comes with specific legal obligations. Understanding these requirements can save you from fines and help you run your farm securely and legally. The Private Security Industry Regulatory Authority (PSIRA) oversees the security industry in South Africa and their regulations apply to anyone employing security personnel, even if the security service is for your farm alone.

A summarized document by SEESA to handle the process correctly is available [here](#)

## COIDA - Boerdery vs pakhuis

Farms that have warehouses must investigate to register the warehouse as a separate entity with the Compensation Fund. If successful, this can lead to big savings as the rate payable by a warehouse is much less than a farm.

A guide by Work Accident Support (in Afrikaans) provides guidelines to handle the process correctly. Download it [here](#)

# YOUNG FARMERS

## Entries for 2025 Young Farmer of the Year are open!

Young farmers between the ages of 18 & 40 years are invited to enter the 2025 Free State Agriculture Young Farmer of the Year competition.

Remember: It's not about the size of your cattle (or bank balance), but your ability to dream big and manage your farm that counts!

The entry form is available [here](#) or contact [elize@vslanbou.co.za](mailto:elize@vslanbou.co.za)



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