

GROUP AREAS - GENERAL

1991

JANUARY — JUNE

Areas repeal is no major gain

South 17/11 - 23/11 91

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pushing exercise.

The rumoured imminent abolishing of the Group Areas Act must be accompanied by positive steps to make land and housing accessible to the poor, reports Actstop publicity secretary **Cas Coovadia**

THE government has implied that the Group Areas Act will be scrapped during the first session of parliament this year.

The abolishing of an Act that displaced about 630 000 people and reserved more than 84 per cent of the country's land for white people should be heralded as a major event.

However, most people will not be overly enthusiastic about this.

The history of the struggle for a democratic, nonracial and non-sexist South Africa has been marked by a phenomenon whereby the apartheid government promulgates "major" changes a few years after the masses have invalidated racist laws through their own actions.

This was the case with the Immorality Act, Mixed Marriages Act, Pass Laws and other legislation. The same applies to the Group Areas Act. Black people have invalidated it in most major cities in South Africa.

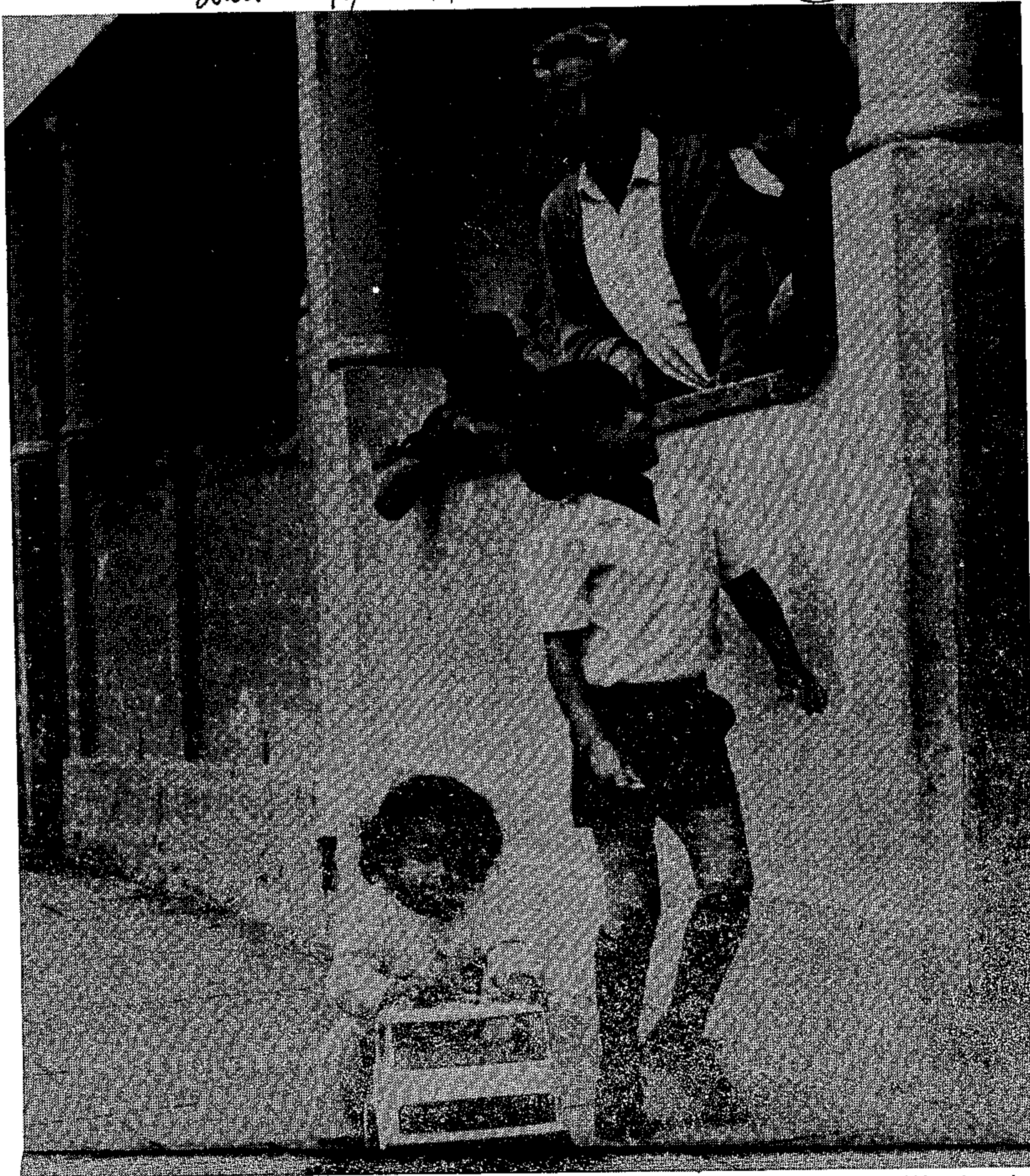
Abolition

Johannesburg, for instance, is a nonracial city with people of all races living side by side, despite the Act.

Its abolition will therefore not be of tremendous political significance for the majority in South Africa, although the government will regard it as being significant.

The scrapping must be seen within the context of the country's broader socio-economic problems. The legacies of apartheid include a serious homelessness crisis, a high rate of unemployment, astronomical building costs and interest rates and abject poverty for many.

Most unused accommodation units — houses or flats — have been occupied because people are desperate for a roof over their heads.



GREY AREA: The scrapping of the Group Areas Act will not change the face of Woodstock, which has long since been a "grey area"

Large tracts of land are in the hands of the private and business sectors and are financially beyond the reach of millions of South Africans, particularly those most in need of accommodation.

Only the privileged few have access

to elite areas created by the grossly unequal distribution of resources and wealth. The more accessible areas are already saturated.

The scrapping of the Group Areas Act will have little or no effect on the

conditions mentioned above.

The abolition of the Act must be accompanied by a positive programme by the state to make land and housing accessible to the poor. Otherwise the scrapping will be reduced to a pen-

We must also guard against the propensity by the government to introduce forms of control that could have the same effect as the abolished Group Areas Act.

We hear of whispers about standards and protection of the rights of those who choose to live with their own kind. These are ominous attempts to retain some form of group areas without having the Act on the statute books.

The state argues that the scrapping of the Act must not compromise standards. We fully support any position that advocates that adequate health and hygiene standards be maintained.

However, we are not blind to the fact that those who have benefitted from apartheid in South Africa have enjoyed an inordinately high level of standards, while the victims of apartheid have been forced to become used to excessively harsh living conditions.

Transition

The transition to an apartheid-free South Africa must include the normalisation of standards for all population groups. This would of necessity mean a less luxurious life for the haves and a better standard of living for the have-nots.

The scrapping of the Group Areas Act must facilitate this process.

Better use must be made of all available land for accommodation, even in the elite areas created by apartheid.

The scrapping of the Act must also be part of a process that makes racism a punishable act. Any desire on the part of people to have a racially-exclusive area must be outlawed and be punishable in law.

The abolition of the Group Areas Act will thus not be an instant panacea to all the ills created by the Act since 1950. The homeless will still be without homes, the poor will still be restricted to the ghettos of our land and the divide between the haves and the have-nots will still exist.

The struggles that have been waged against the Group Areas Act must be continued until all the consequences of the Act have been reversed and all our people have an equal claim on the resources and wealth of our land.

(Actstop was launched as a fully-fledged civic association in January 1990. It has about 76 organised flat committees in about 76 buildings in Johannesburg.)

3,5-million removed by apartheid, report claims

POLLY JONES

THREE-and-a-half million people had been forcibly removed under apartheid legislation during the past 40 years, says the National Land Committee (NLC).

In its latest Land Update the organisation, made up of several rural action committees, says the effects of the Land Acts should be addressed urgently. The return of land to removed communities, land for the urban homeless, and development of rural and urban communities had to be examined.

The NLC believes that for land reforms to succeed the communities should be consulted.

Communities say the areas to which they have been moved are not habitable, and that the forced removal from their homes is unjust. Examples given by the NLC are:

□ The people of Mogopa near Vryburg, western Transvaal, were forcibly removed in 1984 from two farms which they had owned for 73 years. After

being resettled twice, they won an appeal case declaring their removal unlawful. However, they were unable to return to their land as it had been expropriated by the state. Although government allowed the people to return to Mogopa in 1988, they were again evicted and negotiations with government were continuing; and

□ The people of Sedawa in the northeastern Transvaal were moved by Lebowa's government in August 1990. They now share the London Mission with other communities, but there is no water and the plots are small.

Other affected communities are the Madiboa of Machaviestad, near Potchefstroom; the Tsitsikama Fingoes and the people of Roosboom in Natal.

The NLC believes that continuing evictions and demolitions of squatter camps place severe doubt on government's promises of land reform.

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THE notorious Land Acts of 1913 and 1936 and the Group Areas Act are going to be repealed during this parliamentary session.

But the crucial question remains — what is going to replace these laws.

The removal of apartheid laws will not, on its own, bring about any structural change to the existing inequitable distribution of land ownership and agricultural production.

Mr De Klerk continually makes firm assurances to the white community that despite the change their legal title will be protected. Land is an emotive issue in South Africa and because of the impact apartheid legislation has had on it, it is not enough for a parliamentary session to repeal Acts and believe the issue has been fairly dealt with.

A consultative process through which people's demands would be tabled and discussed is one step towards reaching a just rectification of the apartheid legacy. Is it incidental that government reform takes place on the eve of the negotiation deliberations?

The Land Acts have had devastating distortions on the lives of millions of black South Africans, the economy and society as a whole. This has been in the service of grand apartheid plans and ideology. They set aside 87 percent of land for white use and only 13 percent for black people.

The former is held in terms of private property while the latter is, ironically, almost entirely nationalised land for black occupation and use.

It is important to understand this, given the government's present emphasis on the sanctity of private property and the free market in land. What it supposedly means is that anyone, black or white, can buy land anywhere on a "willing buyer — willing seller" basis.

Struggle

This ignores the existing racial distribution and ownership of land, which has given control and protection to a white minority. The inability of the impoverished black majority to buy land on the free market is overlooked.

On the other hand, it assumes the willingness of the present white landowners to readily avail land for sale to meet the acute land hunger among blacks.

Many a struggle has been courageously waged over the land, be it by urban homeless in "squatter camps" or rural communities defending themselves from eviction and taking occupation of land.

These have not only challenged the historical dispossession of and

Repeal of Acts alone is not enough

BONGIWE NJOBE puts the ANC's view on land reform

the effect of apartheid on black communities, but have asserted the right to land as a primary source of income and subsistence.

This is the reality which must be taken into cognisance and within which any restructuring of the land must be built on.

Arising out of the negotiations can be the provision for the settlement of historical land claims and the immediate redress of the effects of apartheid.

Policy

A new system of law should be based on *de facto* land rights which go beyond current legal title. These should be vested in terms of values recognised by all South Africans, including birth rights, inheritance rights, occupation and productive use of the land.

As the legislature repeals the Land Acts, it must adopt a policy which will at the very least allow for a process out of which a representative investigation for future land dispensation can be established.

The policy should create opportunity for land acquisition and access to production resources on the basis of an affirmative action programme to establish viable black farming communities.

Finally, any legislation or transaction which take place in this interim period before we have a non-racial and democratically elected government in place should be subject to review. If these laws or the outcome thereof are not judged to be in the interest of a just redistributive land reform process there will be pressure not only to review but possibly revoke them.

● Bongiwe Njobe is a member of the ANC land commission.

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SITimes 27/1/91

The government's moves towards land reforms, if not handled carefully, could erupt into a storm that would overshadow some of the major political crises of past decades. Weekend Argus Political Correspondent, FRANS ESTERHUYSE, looks at the looming clash between long-established white privilege and black demands for a fair deal in land distribution and ownership rights.

SOUTH Africa's hidden political volcano is beginning to rumble. It threatens to be activated by government moves towards land reform.

The potentially explosive issue arises from the tragic legacy of apartheid in land ownership and the dispossession of millions of people through forced removals. If not handled carefully, this emotive issue could erupt into a storm that would overshadow some of the major political crises of past decades.

In essence the looming clash is between long-established white privilege and black demands for a fair deal in land distribution and ownership rights.

White fears were echoed once again this week during the "siege of Pretoria" by protesting rightwing farmers. And among black organisations fears are expressed that rightwing pressures will prevent the government from fully undoing the legacy of the Land Acts and grand apartheid.

Ironically the spark that could set off an eruption is the long-awaited repeal of the Land Acts and the Group Areas Act.

SPECIALISTS in land reform have warned that the promised abolition of the Land Acts, if not done carefully, may lead to dispossession on a far worse scale than that caused by the apartheid policy of forced removals.

Even at a time — until now — when the government has been silent about its intentions for handling land reform, demands have been building up for a fair distribution of land and removal of restrictions on ownership. The issue is being studied by various land reform bodies that have sprung up in recent years.

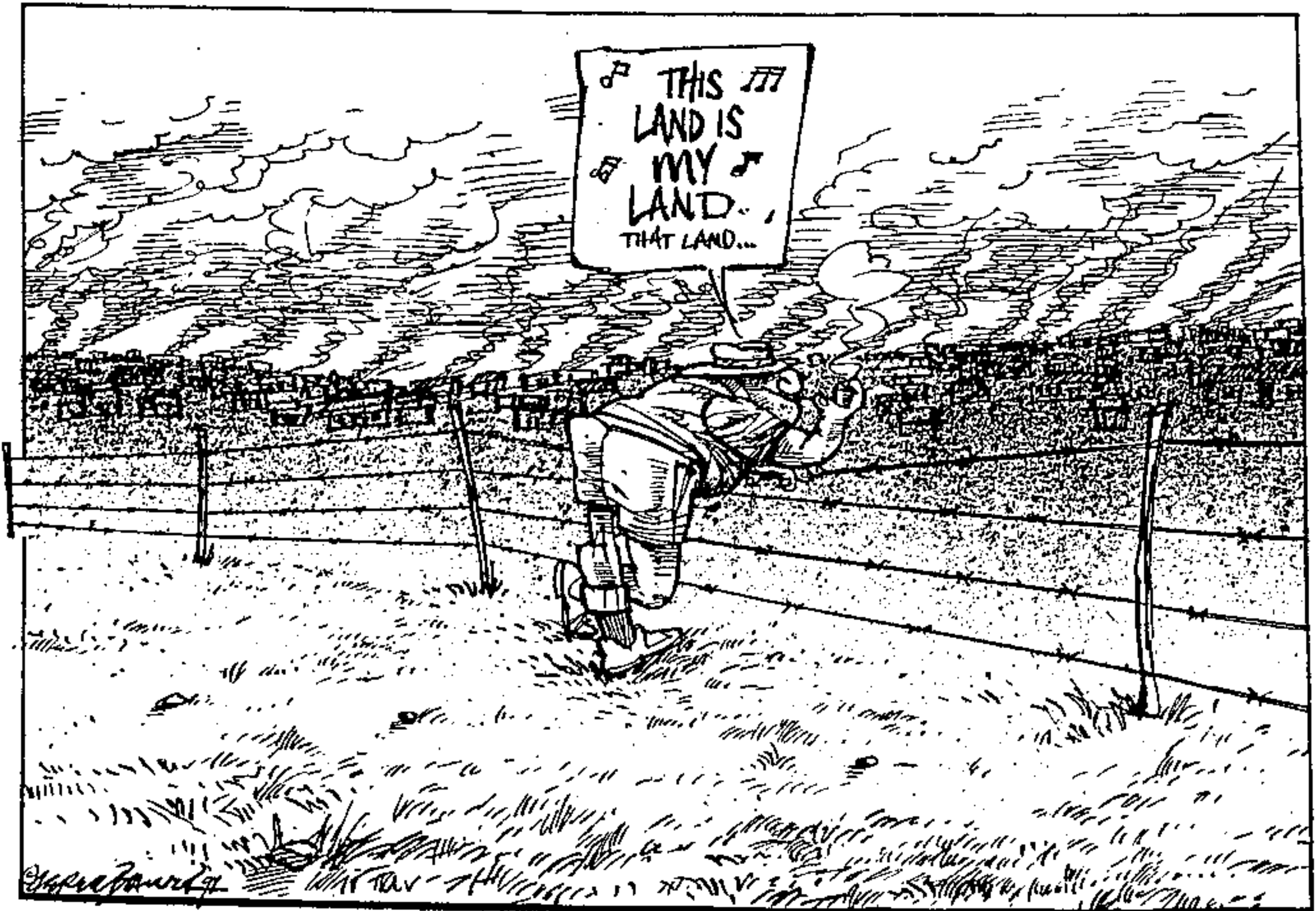
On all sides it has been claimed that the removal of the apartheid laws will not remove the awesome legacy of apartheid. The unequal distribution of land will remain, and so will the effects of injustices suffered by millions of people who were dispossessed under the system. Among them are 3.5 million people forcibly removed under apartheid legislation over four decades.

SENIOR research officer Miss Aninka Claassens, of the Centre for Applied Legal Studies at the University of the Witwatersrand, has described the consequences of such dispossession for black South Africans as "devastating". The Land Acts, she says, created the situation where Africans may own land only in the Bantustans, while whites own 87 percent of the country.

"The Land Acts have played their role — they have destroyed black property rights and they have entrenched white privilege. To drop them now will have only a minimal effect on the racial distribution of land. Only a tiny proportion of blacks have the necessary capital to buy land at its current price."

Miss Claassens warns there could be potential disaster for many people if the Land Acts were to be repealed "in a vacuum" without special measures to protect and restore the rights of black people.

She explains that in most instances property rights are not reflected in legal documents like title deeds. This does not mean blacks have no property rights; it means the State prohibited them from having such documents.



W/L ARGUS 2/2/91

Land: SA's hidden political volcano

LEGAL restrictions on black ownership of land are not limited to the white areas. There are restrictions in the homelands as well. While the land in these areas may be nominally owned by the SA Development Trust, or a homeland government, or a chief, it is in fact occupied by millions of individual families and communities, whose rights are not registered on the title deeds.

If these areas are simply opened up to the "free market", many people who have owned and occupied land for generations may find their land sold from underneath them by the nominal owners of the land.

"Rural people have suffered terrible and irretrievable losses through the implementation of these policies. Now, having put these policies behind it, the State is introducing a reform. It would be bitterly ironic if this 'reform' finally dispossesses people of their real rights to land in the name of 'private property' and the 'free market'."

According to the National Land Committee (NLC), the critical questions are: What reform measures will be legislated to replace these Acts? And what mechanisms will be introduced to redress the history of dispossession in South Africa?

The government's present approach to these questions is regarded by the committee as a matter of "grave concern".

It accuses the government of having planned its reforms on this complex and politically sensitive issue behind closed doors.

WHY don't the policy-makers open up the debate and consult widely, the

committee asks. "Reforms don't work if they don't have support from the people affected by them. The government must surely know this by now."

Ominous signs of a looming showdown over the land issue emerge from a clash of opinion between Minister Gerrit Viljoen and members of land reform bodies. The NLC, for example, says Dr Viljoen's dogmatic refusal to consider ways of restoring land to its former black freehold owners is unacceptable.

The Minister argues that such a step would "lead to a revolution" and that the same would happen if land ownership patterns were changed thus in countries like the US and Australia.

To this the NLC replies that the Minister ignores the fact that "we are not talking about dispossession in the dim and distant past, but about government policy which has robbed people of their land as recently as the 1980s".

"For more than 40 years black landowners were systematically deprived of their ownership and rights to land. They were forcibly removed, wholly inadequately compensated, and abandoned to barren, unproductive resettlement camps. Now they are expected to buy back land, and if they don't have ready cash they will lose their ancestral lands forever to the highest bidder."

THE committee then poses this question: "President De Klerk has assured white farmers that their title deeds are safe. What about the title which people held in the past? Does this count for nothing now?"

One of the committee's key conclusions is that the credibility of a programme of land reform will rest on the extent to which it is seen to be an honest and fair attempt to both redress the historical wrongs of apartheid as well as improve rural black access to land and resources.

"Removing apartheid legislation is not enough. The apartheid legacy, too, must be redressed."

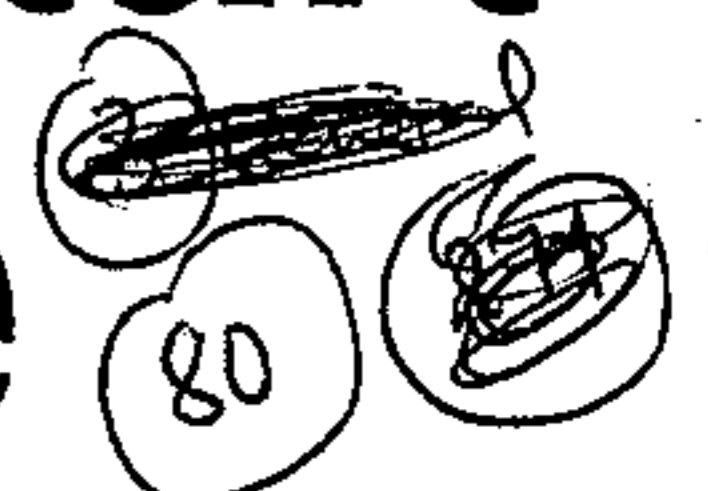
Warnings about the depth and magnitude of the land problem have also come from the African National Congress. A member of the ANC's land commission, Miss Bonqiwe Njobe, says the removal of apartheid laws will not, on its own, bring about any structural change to the existing inequitable distribution of land ownership and agricultural production.

THE thinking behind some of the rumblings over the land issue is reflected in a resolution passed at a recent conference in Soweto of representatives of 18 Transvaal rural communities. The conference rejected a government plan to make individual private ownership the only legal basis on which land can be held when the Land and Group Areas Acts are abolished.

The resolution says among other things: "The Land Acts took away our land, and we are happy they are going. But just removing them will not give us back our land. Mr De Klerk says we should have a free market, that we have to buy the land. Why should we buy the land which was stolen from us in the first place? Apartheid has made us poor and we cannot afford to buy the land. The government must give us back the land."

Land Act repeal: start of obstacle course

Sowetan 5/2/91.



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And among black organisations fears are expressed that rightwing pressures will prevent the Government from fully undoing the legacy of the Land Acts and grand apartheid.

Ironically, the spark that could set off an eruption is the long-awaited repeal of the Land Acts and the Group Areas Act.

Specialists in land reform have warned that the promised abolition of the Land Acts, if not done carefully, may lead to dispossession on a far worse scale than that caused by the apartheid policy of forced removals.

Even at a time - until now - when the Government has been tight-lipped about its intentions for handling land reform, demands have been building up for a fair distribution of land and removal of restrictions on ownership. The issue is being studied by various land reform bodies that have sprung up in recent years.

On all sides it has been claimed that the removal of the apartheid laws will not remove the awesome legacy of apartheid. The unequal distribution of land will remain, and so will the effects of injustices suffered by millions of people who were dispossessed under the system. Among them are 3.5 million people forcibly

Experts have warned that the scrapping of the Land Acts and the Group Areas Act will not be enough to remove the tragic legacy of these apartheid measures. Removals of these laws, some say, will merely set the scene for the real battle for a just distribution of land.

FOCUS

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Disaster

Claassens warns there could be potential disaster for many people if the Land Acts were to be repealed "in a vacuum" without special measures to protect and restore the rights of black people.

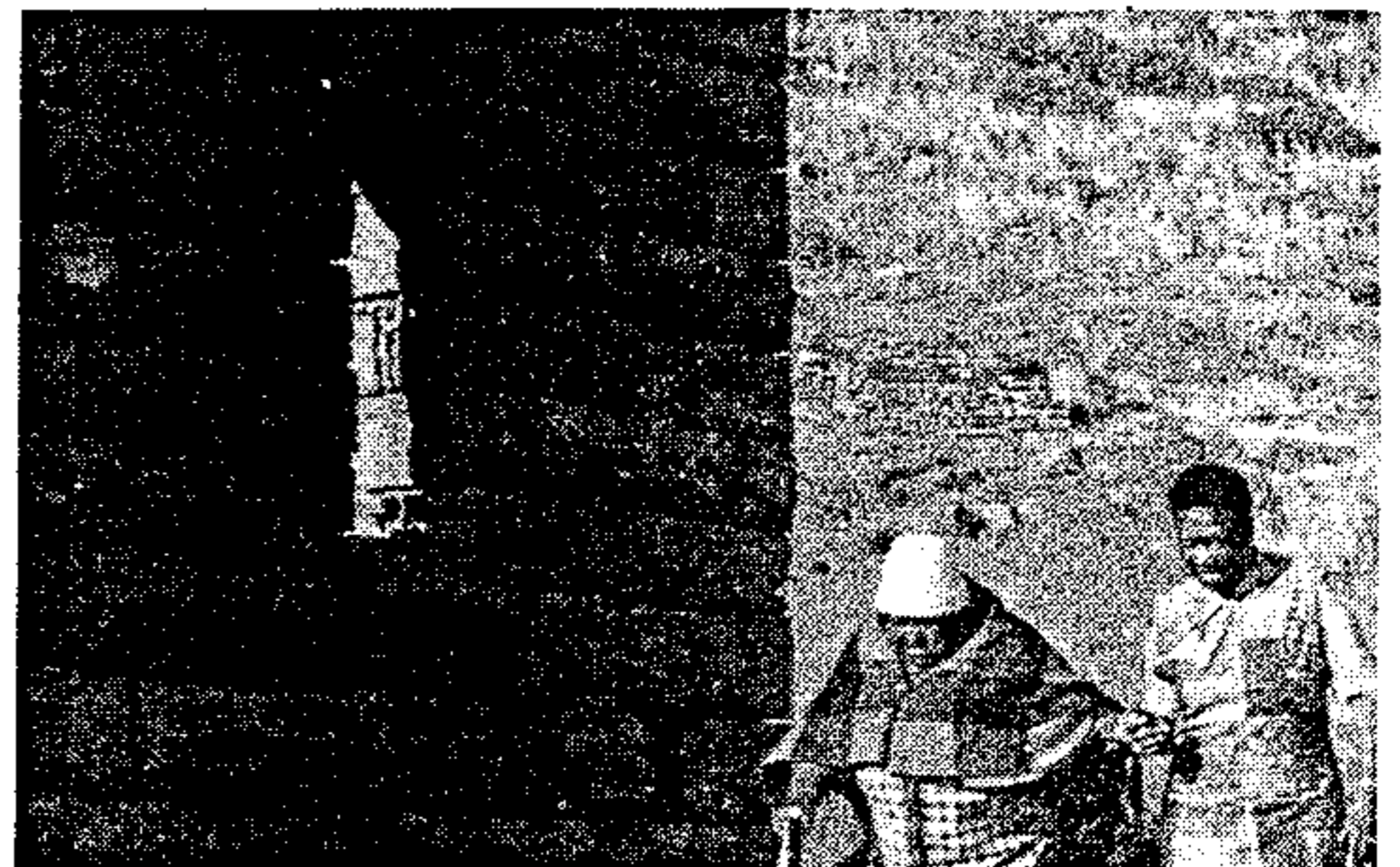
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Mrs Ellen Kuzwayo escorting her Aunt Blanche to her former home which was declared a black spot in 1984. Will such land be given back to its people?

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According to the National Land Committee, the critical question is: What reform measures will be legislated to replace these Acts? And what mechanisms will be introduced to redress the history of dispossession in South Africa? The government's present approach to these questions is regarded by the committee as a matter of "grave concern".

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Bureaucrats still busy as group areas go

Star 22/2/91

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By Helen Grange

Despite being in its death throes, the Group Areas Act still necessitates the services of scores of Government officials issuing permits to blacks wanting to live in white areas.

These Government officials, originally hired two years ago to investigate contraventions of the Act and to institute prosecutions as a last resort, are now screening an increasing number of permit applications.

What they will do once the Act is finally abolished is anybody's guess.

The fact that permits are still needed in view of the Government's commitment to have the Act scrapped — and this week's abandonment of prosecutions — has caused consternation among those affected.

"Why must we still have permits? Although they are free of charge, I

know of estate agents asking for a fee to get them on behalf of people," said Fred Samuel of Homestead Park.

Estate agents agreed that permits remained a stumbling block, but some said interest in buying property in white suburbs was increasing slowly.

A spokesman for Northwest Estate Agents said some buying interest had been shown. However, there had been no dramatic upturn in inquiries about sales.

This slow trend was to be expected, said Dave Miller, director of Basil Elk Estate Agents.

Mr Miller did foresee a change of market trend in Johannesburg's immediate grey areas.

Some estate agents felt much more interest would be shown in white areas once the Group Areas Act was formally abolished and permits were no longer needed.

Bureaucrats press on regardless of reforms

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Weekly Mail Reporter

GOVERNMENT bureaucrats proclaimed 43 new group areas last year at a cost of R786 611 — after President FW de Klerk had announced that the Group Areas Act (GAA) would be "replaced".

This was disclosed in parliament this week by Provincial and Planning Affairs Minister Henus Kriel when he was tackled on the subject by Democratic Party MP for Gardens Ken Andrew.

And, although all GAA prosecutions have now been stopped and all pending charges withdrawn, officials still managed to prosecute 10 people last year for violating the Act.

Kriel said 43 new group areas — eight white, 24 coloured, one Malay and one Indian — had been gazetted since De Klerk said the law would be replaced. Although De Klerk said the government was committed to the replacement of the law "with an effective and generally acceptable measure based on a fair and just foundation without statutory discrimination, the Act has not yet been repealed and therefore the provisions of the Act must still be adhered to".

Kriel added that 22 people had been employed by his department in administering, investigating and enforcing group areas and free settlement areas for the past nine months.

Andrew said this expenditure on proclaiming new group areas was a disgrace. "Apartheid is supposedly going but the apartheid bureaucracy rolls on, doing whatever damage it can," he said.

Welfare, Housing and Works Minister Sam de Beer, who is responsible for white welfare in the "own affairs" administration assured Conservative Party MP for Brits Andrew Gerber that his department did not envisage a change in admission to old age homes as a result of the abolition of the Act.

De Beer said 429 of the 433 homes registered with this department were owned and managed by private organisations and had their own admissions policy.

The department would continue to administer the other four homes "in line with the needs and wishes of the particular communities".

"It is government policy to promote the concept of an own community.

"As the state president spelled out in the opening address to parliament, an own community life has to be sustained by the inherent will and capabilities of the communities themselves and not by statutory coercion."

Which can only mean that old-age home apartheid is not about to be scrapped and the government intends continuing to subsidise whites-only homes.

Lenience over 'white areas'

07044 21/2/91 TANIA LEVY

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THE number of people given permission to live in "white areas" has increased since President F W de Klerk's opening of Parliament speech last year.

According to Local Government, Housing and Works area director Nico van Rensburg, the exact number of permits granted last year would soon be tabled in Parliament by Housing Minister Sam de Beer.

The repeal of the Group Areas Act is a mere formality after Justice Minister Kobie Coetsee halted all prosecutions under its provisions this week, but permits are still required to register property with the Registrar of Deeds.

Planning and Provincial Affairs Minister Andre Fourie said yesterday the chances of applications being turned down were very slim.

Government had become very lenient about granting people permission to live where they chose, he said.

A spokesman at the Local Government, Housing and Works department in Hillbrow said permits were being granted automatically in the area.

Group Areas prosecutions withdrawn

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MKWS 20/2/91

Political Staff

ALL pending prosecutions under the Group Areas Act are to be withdrawn in the light of President De Klerk's announcement that the legislation would be repealed during this parliamentary session, Minister of Justice Mr Kobie Coetsee said.

He said in parliament yesterday that public prosecutors had been instructed to withdraw all pending prosecutions.

Replying to a question by Mr Lester Fuchs (DP Hillbrow), Mr Coetsee said 67 people had been prosecuted for contraventions in 1989 and 10 last year.

Attorneys-General had indicated that there would be no further prosecutions under the Act.

The announcement was welcomed by Mr Dullah Omar, Western Cape chairman of the National Association of Democratic Lawyers.

Mr Omar said: "That's welcome news; it was to be expected. It was shocking that people should have been subjected to the anguish and indignity of being charged in the first place."

Mr Omar hoped "the Act will be scrapped in its entirety and not be replaced with a Group Areas Act under another label".

Mrs Patricia de Lille, Pan Africanist Congress secretary for foreign affairs, said there was nothing to rejoice about.

She said: "The law was not supposed to be there in any case. It's our basic right to live where we choose to."

"Our lands were stolen from us. De Klerk must be encouraged and not rewarded."

Ms Zohra Ebrahim, national civic co-ordinator of the United Democratic Front, welcomed the end of the "harassment of our people" and hoped that this would be evident in the action of police following Mr Coetsee's announcement.

"It's welcoming that after all these years of being forced to avoid unjust laws people now have the right to live where they choose. We demand that they must now be given the chance to afford decent housing with the assistance of the government," she said.

Group Areas Act is now effectively dead

By Shaun Johnson (80)

CAPE TOWN — The Group Areas Act effectively fell away yesterday with the announcement in Parliament by Minister of Justice Kobie Coetsee that all prosecutions under its provisions have ceased immediately.

Although the Act has yet to be repealed formally, South Africans can now live where they like without fear of legal action, Democratic Party leader Zach de Beer said in response to Mr Coetsee's statement.

The Minister said: "The various attorneys-general have indicated that, in the light of the State President's statement that the relevant legislation will be repealed during this session of Parliament, no further prosecutions will be instituted against persons contravening the Group Areas Act prior to the repeal thereof."

Dr de Beer said Mr Coetsee's

Star 20/2/91
announcement "means anybody can go and reside where they want to". It was a "great day for South Africa, as another pillar of apartheid has come crashing down. But our thoughts, at this time are with the millions of South Africans who have suffered bitterly as a result of the Act."

In his statement, Mr Coetsee said 67 people had been prosecuted in terms of the Act in 1989 and a further 10 last year.

DP MP for Gardens Keñ Andrew attacked the Government for spending "nearly R600 000 on proclaiming new group areas and administering existing ones after the announcement of the planned repeal".

Minister of Planning, Provincial Affairs and National Housing Hernus Kriel said earlier that 43 new group areas had been gazetted since President de Klerk announced on April 19 that the Act would be repealed.

- (2) Whether he has received a request for indemnity against prosecution from certain persons, whose names have been furnished to the Minister's Department for the purpose of his reply; if so, (a) what was the outcome of the request and (b) what are the names of the persons concerned;

(3) whether he will make a statement on the matter? ~~B91E~~ B91E

The MINISTER OF JUSTICE:

(1) Yes.

In terms of the Extradition Act, 1962 (Act 67 of 1962), the court must hold an enquiry to establish whether the persons referred to are extraditable or not. The enquiry has been postponed until 22 February 1991.

(2) Yes.

(a) The applications are currently being considered but no final decision has as yet been taken.

(b) Leonard Veenendaal, Darryl Stophorh and Arthur Archer.

(3) A statement is not necessary.

State lottery

*15. Mr M J ELLIS asked the Minister of Finance: ~~1912/91~~ 1912/91

- (1) Whether any investigation has been undertaken by his Department into the potential benefit of a state lottery or bonus bond system in finding additional funds for health, welfare, education or housing; if so, what were the findings of this investigation; if not,

(2) whether such an investigation is envisaged; if not, why not? B99E

The MINISTER OF FINANCE:

(1) No.

(2) No, since it is not policy to seek funds from state lotteries or bonus bond systems.

~~1912/91~~ ~~1912/91~~
New hospitals: moratorium
16. Mr M J ELLIS asked the Minister of National Health:

HOUSE OF ASSEMBLY

- (1) Whether a moratorium was placed on the building of new hospitals; if so, (a) when and (b) in respect of what categories of hospitals; ~~1912/91~~ 1912/91
- (2) whether the moratorium is to be lifted this year; if not, why not; if so, which new hospital projects are to be given priority? B100E

The MINISTER OF NATIONAL HEALTH:

(1) Yes.

(a) 6 December 1989 and

(b) community hospitals, regional hospitals and academic hospitals;

(2) The building, and commissioning of new hospitals are subjected to the availability of funds. The optimal utilization of existing facilities is first priority. The moratorium is applicable as long as funds are not available. Because determining of needs in respect of all hospitals deliver sufficient proof of the necessity that there is a need for these hospitals, it has been decided to proceed with the planning phase of the following hospitals:

Ermelo Hospital
Soweto Hospital
Red Cross Hospital
Durban Academic Hospital.

As soon as funds are available the projects can be proceeded with.

The planning phase of Garankuwa Hospital, Bothaville Hospital and Botshabelo Hospital has been completed. As soon as funds are available the projects can be proceeded with.

SAP: current strength

*17. Mr A J LEON asked the Minister of Law and Order: ~~1912/91~~ 1912/91

(a) What is the current strength of the South African Police Force, (b) how many persons have joined the Police Force for the first time since 1 June 1990 and (c) in respect of what date is this information furnished? B104E

The MINISTER OF LAW AND ORDER:

(a) 90 945 members, including members of the Municipal Police, Special Constables and National Servicemen.

- (b) 13 876. ~~1912/91~~ 1912/91
On the other hand the South African Police lost 4 060 members due to deaths, discharges, retirement or medical unfitness and completion of national service.
- (c) Until 12 February 1991.

FSAB: report

*18. Mr A J LEON asked the Minister of Planning, Provincial Affairs and National Housing: ~~1912/91~~ 1912/91

(1) Whether he has received a report from the Free Settlement Areas Board concerning its investigation in 1990 into the desirability of proclaiming certain Johannesburg suburbs, including portions of Houghton, Yeoville, Hillbrow and Joubert Park, as free settlement areas; if so,

(2) whether he will comment on the findings of this report; if not, why not; if so, what were the findings;

(3) whether the report will be published; if not, why not; if so, when? B105E

The MINISTER OF PLANNING, PROVINCIAL AFFAIRS AND NATIONAL HOUSING:

(1) Yes.

(2) No. The report is a confidential document which contains information to enable the State President to take a decision in terms of section 2 of the Free Settlement Areas Act, 1988.

(3) No, for the reason stated in (2) above.

Elizabeth Donkin Hospital: investigations

*19. Mr E W TRENT asked the Minister of National Health: ~~1912/91~~ 1912/91

(1) Whether investigations are in progress with a view to closing the Elizabeth Donkin Hospital in Port Elizabeth; if so, (a) when and (b) to which hospitals or institutions will the patients be moved;

(2) whether the hospital buildings will be taken over by another Government Department; if so, what are the relevant details; if not, what steps will be taken in

respect of these buildings? ~~1912/91~~ 1912/91 B107E

The MINISTER OF NATIONAL HEALTH:

(1) Yes.

(a) in order to rationalize and improve services and

(b) the Provincial Hospital in Port Elizabeth, the Dora Nginza Hospital, the Tower Hospital and any other psychiatric hospital that is considered suitable;

(2) the take-over or letting of the hospital buildings are still under consideration.

Group Areas: persons prosecuted

*20. Mr L FLUCHS asked the Minister of Justice:

(1) Whether any persons were prosecuted in terms of the Group Areas Act, No 36 of 1966, in 1989 and 1990; if so, how many;

(2) whether he will furnish the House with the names of the persons so prosecuted; if not, why not; if so, what are their names;

(3) whether he will give the assurance that, prior to the repeal of this Act, no further prosecutions will be instituted against persons contravening it? ~~80~~ 80 B146E

~~1912/91~~ 1912/91

The MINISTER OF JUSTICE:

(1) Yes.

1989	1990
67	10

(2) The required information in respect of 1989 is not readily available in the Department. To obtain the information, various records will have to be examined, which is not economically feasible.

In respect of 1990—yes. The names are as follows:

L N Ngema
V Manamela
O Skosana
A M Mhehtar
J Lubamba
D Comyn
M J da Silva
I A S Bernath
P Kahz
R R Weyer

HOUSE OF ASSEMBLY

(3) The various attorneys-general have indicated that, in the light of the State President's indication that the relevant legislation will be repealed during this session of Parliament, no further prosecutions will be instituted against persons contravening the Group Areas Act, 1966 (Act 36 of 1966), prior to the repeal thereof. The attorneys-general concerned have already issued instructions to the public prosecutors in their areas of jurisdiction to withdraw all the cases that are pending.

Humewood military base: acquisition

*21. Mr E W TRENT asked the Minister of Public Works and Land Affairs:

Whether, with reference to the reply by the Minister of Defence to Question No 7 on 6 March 1990, negotiations between his Department and the City Council of Port Elizabeth regarding the acquisition by the said city council of the Humewood military base are still in progress; if not, why not; if so, (a) what progress has been made to date and (b) when is it anticipated that a final decision will be taken regarding this matter?

THE MINISTER OF PUBLIC WORKS AND LAND AFFAIRS:

Negotiations between the Department of Public Works and Land Affairs and the City Council of Port Elizabeth regarding the acquisition by the said City Council of the Humewood Military Base are still in progress, but are dormant at present.

(a) After consensus was reached with the City Council of Port Elizabeth during 1989 that it would provide an alternative site at Forest Hill on which it would be expected to re-establish the existing facilities at the Algoa Training Base, in exchange for the SAS Algoa Training Base, the South African Defence Force's accommodation requirements for replacement on the alternative site by the City Council, could unfortunately only be concluded at the end of 1990 owing to investigations surrounding the rationalization of the South African Defence Force.

In terms of its mandate, the Department of Public Works and Land Affairs is busy

investigating the exact building requirements in order to further negotiate with the City Council of Port Elizabeth regarding its responsibilities for the supply of services to the site in question and the construction of the necessary infrastructure and buildings. The norms and standards of building construction required to meet the needs of the South African Defence Force, is also being investigated before negotiations with the City Council can be re-started in earnest.

(b) Whilst it is difficult to predict when a final decision will be taken in this regard, further negotiations with the City Council of Port Elizabeth are expected to be conducted towards the middle of this year and it is hoped that a final agreement can be reached by the end of the year.

Dr Joop de Loor: report

*22. Mr J J WALSH asked the Minister for Administration and Economic Co-ordination:

(1) Whether he has received a report from Dr Joop de Loor dealing with the total development assistance structure; if not, when does he expect to receive this report; if so, (a) what were the main findings and recommendations contained in the report and (b) what action does he intend taking as a result of these findings and recommendations;

(2) whether this report will be made public; if not, why not; if so, when?

THE MINISTER FOR ADMINISTRATION AND ECONOMIC CO-ORDINATION:

(1) Yes, I received the report during November 1990.

(a) The findings and recommendations are presently being studied. It would be premature to make a statement before the necessary deliberation and consultation have taken place and decisions in this regard have been made.

(b) In accordance with Government's policy regarding consultation the report will be submitted to the institutions concerned for analysis and comments. After comment has been

received, it will be processed and proposals for consideration will be submitted to the Cabinet.

(2) No, as stated consultation must take place before final recommendations can be considered by the Cabinet.

Immigrants

*23. Mr L F STOFBERG asked the Minister of Home Affairs:

How many (a) white and (b) non-white immigrants were allowed to enter South Africa in the 1990 calendar year?

THE MINISTER OF HOME AFFAIRS:

(a) 11 376

(b) 1 981

Information for January to November 1990 only. The information for December 1990 is not yet available.

Permanent residence in SA: applications

*24. Mr L F STOFBERG asked the Minister of Home Affairs:

How many (a) white and (b) non-white citizens of Namibia have applied for permanent residence in South Africa since 21 March 1990?

THE MINISTER OF HOME AFFAIRS:

Though statistics in this regard are not kept on the basis of population groups, it was in this instance, due to the limited number under discussion, possible to consult the individual files and to furnish a reply on the basis as required by the honourable member.

(a) 2

(b) none.

Group areas gazetted

*25. Mr K M ANDREW asked the Minister of Planning, Provincial Affairs and National Housing:

(1) Whether any group areas have been gazetted since the State President announced last year that the Group Areas Act, No 36 of 1966, was to be repealed; if so, (a) how many and (b) why;

(2) (a) how many persons in the employ of his Department have been involved in administering, investigating and enforcing group areas and free settlement areas during the past nine months and (b) what is the annualized direct and indirect cost of employing these persons?

THE MINISTER OF PLANNING, PROVINCIAL AFFAIRS AND NATIONAL HOUSING

(1) Yes.

(a) White	8
Coloured	24
Malay	1
Indian	10
Total	43

(b) Although the State President announced in Parliament on 19 April 1990 that the Government has committed itself to the replacement of the Group Areas Act, 1966, with an effective and generally acceptable measure based on a fair and just foundation without statutory discrimination, the Act has not yet been repealed and therefore the provisions of the Act must still be adhered to.

(2) (a) 22
(b) R786 611,43.

Certain person: threat to State security

*26. Mr P G SOAL asked the Minister of Defence:

Whether a certain person, whose name has been furnished to the South African Defence Force for the purpose of the Minister's reply, was identified by the Civil Co-operation Bureau as a potential threat to State security; if so, (a) when, (b) for what reasons and (c) what is the name of this person?

THE MINISTER OF DEFENCE:

The matter has been referred by the Harms Commission to the Attorney General for further investigation. It is therefore *sub-judice* as the Attorney General's findings cannot be anticipated. (a), (b) and (c) fall away.

up a fundamental viewpoint? Secondly, what is the Government's fundamental viewpoint in this connection? *Handwritten: 19/2/91*

†The MINISTER: Mr Speaker, since the establishment of the possibility of the additional models that have been added to the *status quo*, which is also a model, it has been my view that we should first obtain the advice of the statutorily recognized advisory bodies. [Interjections.] I think that the only honourable way is not to make my point of view known before the time and in so doing to inhibit the statutory advisory bodies. In respect of this it is exactly the same. I am awaiting the advice of the six statutory advisory bodies, after that I shall take my decision and then I shall give full particulars in this connection. [Interjections.]

†Mr H D K VAN DER MERWE: Mr Speaker, further arising out of the hon the Minister's reply, is it correct that he has just said in his reply that he does not know what "education based on national identity" means?

†The MINISTER: No, Mr Speaker. I wish to tell the hon young member that the terminology of the CP is so confused about so many concepts, that it is just not possible for us to understand what hon members mean in respect of people's education. What we believe is that there could, in fact, be a particular community that, for its particular reasons, establishes a particular school that upholds particular values that are of great value to them. I think that a community as such should, therefore, be able to establish a school that upholds its particular values, as one of my hon colleagues has said. These are educational values, such as Christian values, education in the mother tongue and so on. Then it would be the right of such a community to establish such a school. If this is people's education, I say that that is what I understand by "education based on national identity", and it is the right of a community to practise such education. [Interjections.]

Business interrupted in accordance with Rule 180C (3) of the Standing Rules of Parliament.

Homes for the aged: non-Whites (80)

Mr A GERBER asked the Minister of Welfare, Housing and Works:† *Handwritten: 19/2/91*

(1) Whether the homes for the aged under the control of his Department will be

open for use by non-Whites after the abolition of the Group Areas Act, No 36 of 1966; if not, why not; if so, *(80)*

(2) whether a restriction will be placed on the number of non-Whites that will be admitted to such homes;

(3) whether other conditions will apply to the admission of non-Whites to the said homes; if so, what conditions?

Handwritten: 19/2/91 B177E
The MINISTER OF WELFARE, HOUSING AND WORKS:

(1) The Department does not envisage a change in admission policy as a result specifically of the repeal of the Group Areas Act.

Of the 433 Homes for the Aged registered with the Department 429 are owned and managed by private organizations. Although these homes are subsidized by the Department they determine their own admission policy.

As far as the four departmental homes are concerned the Department will continue to render a service in line with the needs and wishes of the particular communities which have been served for many years and within the framework of the constitution.

- It is government policy to promote the concept of an own community. As the State President has spelled out in his opening address of Parliament an own community life has to be sustained by the inherent will and capabilities of communities themselves and not by statutory coercion;
- (2) Falls away;
- (3) Falls away.

Specialized schools: open to all races

*5. Mr K M ANDREW asked the Minister of Education and Culture: *Handwritten: 19/2/91*

- (1) Whether schools for specialized education are entitled to admit children of all races; if so, what procedures are to be followed; if not, why not;
- (2) whether any changes in admissions policies for these schools are being consid-

ered; if so, (a) what changes and (b) when will they be implemented; if not, why not? *Handwritten: 19/2/91* B182E
The MINISTER OF EDUCATION AND CULTURE:

(1) No, the present policy does not provide for this;

(2) yes,

- (a) devolution of power with regard to the admissions policy for specialized education is being considered,
- (b) after consultation with all parties concerned.

For written reply:
General Affairs:

Senior Certificate examinations: pupils

7. Mr K M ANDREW asked the Minister of Education and Training: *Handwritten: 19/2/91*

How many pupils at schools not falling under the control of his Department (a) wrote, (b) passed, (c) obtained matriculation exemption in, (d) failed, and (e) obtained (i) A, (ii) B, (iii) C, (iv) D and (v) E aggregates in, his Department's 1990 Senior Certificate examinations?

	(a)	(b)	(c)	(d)	(e)
(aa) Orange Free State	56 081	18 946	4 159	37 135	3
(bb) Cape	3 654	1 016	167	2 638	0
Natal	9 288	3 126	660	6 162	0
Northern Transvaal	4 114	1 630	526	2 484	3
Orange Vaal	8 127	3 601	895	4 526	0
Johannesburg	5 471	2 075	450	3 396	0
Highveld	9 505	2 478	460	7 027	0
Diamond fields	12 811	3 943	799	8 868	0
	3 111	1 077	202	2 034	0

Note

This information is as on 7 January 1991.

Standard 10 examinations: symbols

9. Mr K M ANDREW asked the Minister of Education and Training: *Handwritten: 19/2/91*

How many pupils at schools falling under the control of his Department (a) wrote, (b)

The MINISTER OF EDUCATION AND TRAINING:

- (a) 175 896
- (b) 65 368
- (c) 13 885
- (d) 110 528
- (e) (i) 5 (ii) 72 (iii) 674 (iv) 5 484 (v) 10 314

Note
This information is as on 7 January 1991.
Numbers mentioned in (e) also include some candidates who failed.

Senior Certificate examinations: pupils

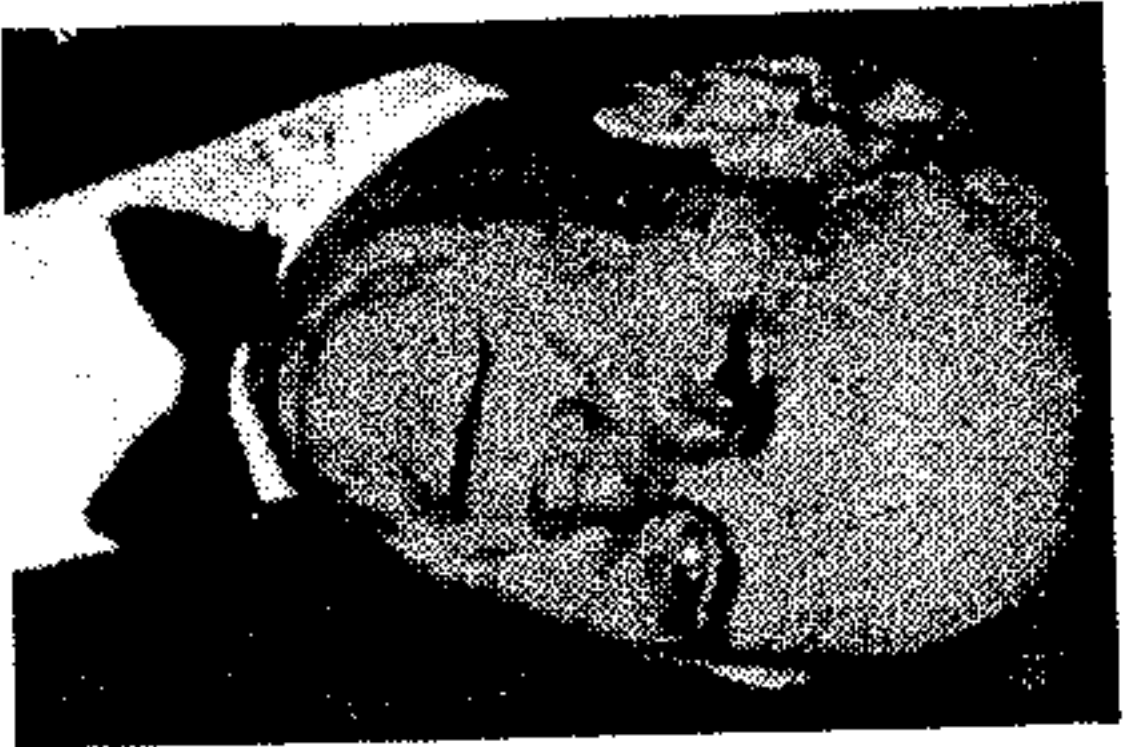
8. Mr K M ANDREW asked the Minister of Education and Training: *Handwritten: 19/2/91*

How many pupils at schools falling under the control of his Department (a) wrote, (b) passed, (c) obtained matriculation exemption in, (d) failed, and (e) obtained (i) A, (ii) B, (iii) C, (iv) D and (v) E aggregates in, his Department's 1990 Senior Certificate examinations (aa) in total and (bb) in respect of each Departmental region?

	(a)	(b)	(c)	(d)	(e)
(i) A	3	34	269	1 944	2 999
(ii) B	0	2	8	81	139
(iii) C	0	4	37	310	530
(iv) D	0	4	61	253	297
(v) E	0	11	61	253	297
(aa) Total	3	41	376	2 762	4 222
(bb) Regional					
Orange Free State	0	0	0	0	0
Cape	0	0	0	0	0
Natal	0	0	0	0	0
Northern Transvaal	0	0	0	0	0
Orange Vaal	0	0	0	0	0
Johannesburg	0	0	0	0	0
Highveld	0	0	0	0	0
Diamond fields	0	0	0	0	0

The MINISTER OF EDUCATION AND TRAINING:

obtained (i) A, (ii) B, (iii) C, (iv) D and (v) E symbols in, and (c) failed, their 1990 Standard 10 examinations in respect of (aa) Mathematics (Higher Grade), (bb) Mathematics (Standard Grade), (cc) Physical Science (Higher Grade) and (dd) Physical Science (Standard Grade)?



DE KLERK

Agents are out pricing houses

Source: 18/2/91

THE asking prices for properties had increased - "sometimes absurdly" - in the wake of President FW de Klerk's announcement that the Group Areas Act would soon be scrapped, estate agents have said.

Camdon Group's managing director, Mr Scott Mcrae, said while the scrapping of the Act was good for the market, sellers had to keep "a sense of perspective" on their asking prices, which had jumped in all main centres.

Mcrae said turnouts at show days countrywide were excellent since the De Klerk's speech, but sellers and buyers were on different levels.

"There is now a very real danger that sellers will price themselves out of the newly emerging market unless they are more realistic," McRae said.

Eskel Jawitz/JHI manager for sectional titles, Mr Bob Gould, said this was true of flats and townhouses.

But the scrapping of the Act had been expected for so long that it had already affected prices. Chairman of Aida Holdings, Ms Aida Gelfen, said there was a buyers' resistance to current asking prices. "A pessimism had already affected the market, and the dropping of interest rates would have a great effect on the market for all buyers," she said.

"The gap between the expectations of the seller and those of the buyer is enormous," Gould said. Buying of white properties by other races has been continuing for some time and Mcrae says he foresees the market easily absorbing the new buyers "without a short, sharp impact on prices".

"Nor will there be an immediate overwhelming influx into white areas as some politicians have suggested and which sellers are apparently gambling upon."

(80)

GROUP AREAS

THE INVISIBLE LINE

80

FM 15/2/91

The availability of education and other amenities is likely to have as much to do with determining the extent and direction of house purchasing patterns in a post-group areas SA as affordability.

ANC deputy president Nelson Mandela is not far off the mark. He notes that scrapping of the Group Areas Act and Land Acts will mean little to the average black on a low income.

Even so, the movement of even a small percentage of blacks to white areas could have a dramatic impact on the delicately poised "whites only" property market.

As Investec Properties' Marc Wainer points out: "The buoyancy of the residential property market, which is dictated by supply and demand, is finely balanced. A few hundred people looking for homes in a particular area will be sufficient to boost prices."

But, he adds, until there is a proper infrastructure available, such as nonracial schooling, the freedom afforded by the scrapping of group areas will be restricted.

No one disputes that group areas is already well and truly breached. However, Wainer notes: "The few families now leaving the townships are those who can afford R500 000-plus homes and private school education for their children. A more general exodus will be governed by when and where parents can send their children to school as well as the availability of other amenities."

Because of this, areas where white schools have voted to accept pupils of other races could be the first to see demand pushing up house prices. However, most of the schools which have elected the integration option are in affluent areas. Wainer says this will reduce the number of blacks able to afford to move.

"But there will be some movement," he predicts. "Obviously the extent of property buying by blacks will depend on the state of the economy, salary increases, wage parity, subsidies and interest rates."

That isn't to say that residential integration isn't already proceeding apace. Urban planning consultant Nigel Mandy points to the already high proportion of blacks living in "white" suburbs. "Some live in the houses but the great majority live in the backyard areas, many of which have been developed into proper flats. So the whole of greater Johannesburg, for example, is already integrated. What is not so integrated is property ownership."

By and large, the abolition of restrictive legislation on where people may live seems to have been reactive. Quite apart from those who have bought properties in free settlement areas, a widely used method of side-stepping the Group Areas Act has been for

blacks to buy property through fronts, trusts or close corporations.

A more direct legal route, and one widely used, involves simply applying for a permit for group areas exemption. As it has become increasingly clear that the Group Areas Act must eventually go, this has become almost a mere formality in places like Johannesburg. Council officials, however, are vague about just how extensive the practice has become.

Says senior deputy city secretary Gert Marais: "The person who would have those statistics has left the council. The only way of getting them would be to go through the files and count each application. However, I would say there has been a reasonably steady stream of requests over a long period."

Perhaps the first obvious official step towards abolishing group areas came nearly two years ago with the introduction of the Free Settlement Act. This allowed for the

establishment of specific areas in which colour was no bar to property ownership.

While the Act was widely criticised for creating racial pressure points, Free Settlement Board chairman Hein Kruger believes the concept was a success. He says 15 free settlement areas were proclaimed. However, he notes the Act will go when the Group Areas Act goes.

"I'm certainly satisfied with the free settlement process," he says. "A great deal of good was done and it helped to prepare a positive climate for the post-group areas SA. While it was limited, it allowed people some freedom of choice over where they could buy property without having to wait for group areas to go."

Kruger notes that "abolishing group areas means other areas becoming like free settlement areas rather than free settlement areas disappearing." *continue ->*

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However, people like Mandy doubt that free settlement areas did much to pave the way for open property ownership. He points out that they simply provided focal points for black buying. There was little interest from whites.

But Sage Schachat, which developed one of the first free settlement areas, Country View in Midrand, takes a different perspective. MD Rob Crocket claims it has been a "resounding success," exceeding all expectations. "While most of the residents are black or Asian, there are some whites. The mix is 40% black, Asians 45%, coloureds 3% and whites 2%, with the balance made up of mixed couples. We have a delightful suburb with happy clients and happy people. The atmosphere is tremendous."

Of the 350 stands released for sale in the past year 250 have been sold. Property packages involving a home and land have averaged R150 000.

Perhaps the most poignant reminder of the failure of restrictive legislation like the Group Areas Act is the black occupation of Hillbrow, which went ahead even though it was never declared a free settlement area or any other kind of open area. Market forces, the demand for accommodation, and the need for employees to be close to work, set the pace. ■

Property boom leads to false expectations

Swefen 14/2/91

(80)

SCRAPPING the Group Areas Act is positive for the property market but sellers must keep a sense of perspective on

their asking prices says Scott McRae, Group MD of Camdon's.

McRae says asking prices for properties in all

the main centres jumped "sometimes absurdly" in the wake of the announcement that the Group Areas Act will be scrapped.

"Turnouts at our showdays countrywide were excellent in the wake of Mr De Klerk's speech but sellers were often on one level and buyers on another even in areas which are not likely to be in demand from buyers of other races.

"Sellers are in fact deluding themselves as prices in areas where there is likely to be buying from Indians, coloureds or blacks have to a large extent already risen in anticipation of the Act being scrapped.

Danger

"There is now a very real danger that sellers will price themselves out of the newly emerging market unless they are more realistic.

"It's our experience that Black, Coloured and Indian buyers are perfectly well informed when it comes to property purchases and they are unlikely to overpay for a given property, particularly now that they will have complete freedom of choice.

"In some areas where sales via the permit system or other methods have been at a premium, there could actually be a temporary softening of prices as buyers look further afield for likely properties.

"We are therefore likely to see something of a see-saw in property prices and a very fluid situation for a while, with areas close to Coloured, Indian or Black areas benefitting the most.

Buyers

"Indians and to a lesser extent the emerging black middle class are likely to be the biggest buyers in white areas in the immediate term and they will in time, become a significant new factor in the market.

"But buying of white properties by individuals of other races has been

going on for some time via the permit system and I foresee the market easily absorbing the new buyers without a short, sharp, impact on prices.

"Nor will there be an immediate overwhelming influx into white areas as some politicians have suggested and which some sellers are apparently gambling on.

"Scrapping of the Group Areas Act will turn a *de facto* situation into a *de jure* one which reflects the New South Africa and as such it is positive for the property market in the long term.

"Removal of the Act will also instil confidence in overseas buyers who have been waiting for a clear indication of which way the political wind is blowing in South Africa.

"This combination of factors will ensure that prices will rise but at a steady, not spectacular pace and sellers who believe they are in for a quick killing are going to be sadly disappointed.

"For the short term therefore sellers would be wise not to overprice their properties in anticipation of a flood of demand and they should not be misled into giving estate agents mandates on the strength of unrealistic promises of high selling prices." - Sapa



FW DE KLERK

Stop harassing Group Areas offenders - DP

Political Staff

80

Government inspectors visited more than 1500 alleged Group Areas Act offenders last year in what the Democratic Party describes as wasteful harassment.

Of the 1546 people visited by inspectors, 41 moved out "on their own accord", Minister of Welfare, Housing and Works Sam de Beer told the House of Assembly yes-

terday in answer to a question from Democratic Party MP for Green Point Tian van der Merwe.

Mr van der Merwe said: "This is hardly the way to prepare either the public or the civil service for the new South Africa."

It was ridiculous that for almost a full year after President de Klerk had announced the in-

tended repeal of the Act that inspectors "should continue harassing people who contravene the Act in order to find suitable accommodation".

Mr van der Merwe added: "It would be interesting to know how many man-hours of work were wasted in the process of identifying, visiting and pursuing people in the course of this pointless exercise."

41 moved *CML*
after group *TWP*
areas check *B/2/91*
on 1 546 *80*

Political Staff

INSPECTORS visited 1 546 people last year to investigate alleged contraventions of the Group Areas Act, which is to be scrapped soon.

As a result of their visits, 41 people vacated their premises "of their own accord".

This was disclosed yesterday by the Minister of Welfare, Housing and Works in the House of Assembly, Mr Sam de Beer, replying to a question tabled by Mr Tian van der Merwe, DP Green Point.

Mr Van der Merwe said it was ridiculous that almost a year after the intended repeal of the Group Areas Act was announced, government inspectors should continue to harass people who contravened it.

He asked President F W de Klerk and Mr De Beer "to terminate this crazy practice and employ inspectors in some constructive activity".

Group Areas: inspectors *50*
 *2. Mr S S VAN DER MERWE asked the Minister of Welfare, Housing and Works:

Whether any inspectors or other officials of his Department paid any visits in 1990 to persons allegedly occupying premises in contravention of the provisions of the Group Areas Act, No 36 of 1966; if so, (a) how many persons were paid such visits and (b) in how many of these instances did occupants vacate the premises concerned?

Answered 12/2/91

B26E

The MINISTER OF EDUCATION AND CULTURE (for the Minister of Welfare, Housing and Works):

Yes

(a) 1 546;

(b) 41 vacated on own accord.

Schools/colleges of education: rationalization

*3. Mr R M BURROWS asked the Minister of Education and Culture:

- (1) Whether any component executive departments of his Department have closed any schools or colleges of education in 1990; if so, (a) for what reasons and (b) what total number was closed;
- (2) whether the closing of schools or colleges in terms of a policy of rationalization will continue in 1991; if so, for what reasons;
- (3) whether he will make a statement on the matter?

Answered 12/2/91

B31E

The MINISTER OF EDUCATION AND CULTURE:

It is accepted that "component executive departments" refers to the four executive departments of education

- (1) Yes,
 - (a) to ensure cost-effective use of facilities,
 - (b) 46 schools and 1 college of education;
- (2) yes, to ensure further cost-effective use of facilities;
- (3) no.

Mr R M BURROWS: Mr Speaker, arising from the hon the Minister's reply and the statement

HOUSE OF ASSEMBLY

which he issued last Friday concerning colleges of education, can he give us a guarantee that no further rationalization of colleges will occur until such time as the decision on college councils' right of admission has been settled?

†The MINISTER: Mr Speaker, actually, as I mentioned in my statement, both of these matters have now been referred to the six statutory bodies. Naturally I will do nothing in either case prior to having first received the advice from the statutory bodies. Subsequently a decision will be taken if we are to rationalize further and, if so, to what extent. *Answered 12/2/91*

As regards the rendering of service the same principle will apply, namely that we are now awaiting this. In reply to the hon member's question, I want to say that in this respect we are in a great hurry, and that I am addressing a request to the six advisory bodies to deal very swiftly with this matter. With that I mean that within a single month—maybe two or three—the matter will be resolved.

Model B schools: additional staff

*4. Mr R M BURROWS asked the Minister of Education and Culture: *Answered 12/2/91*

- (1) Whether he or his Department has agreed to supply additional staff, according to existing staffing quotas, to those schools which voted for Model B and whose 1991 enrolment is greater than that of 1990, if not, why not; if so, how many additional teachers were made available;
- (2) whether any component of his Department has given notice that any school voting for Model B in 1991 and admitting additional pupils would not receive additional staff; if so, why was such notice given;
- (3) whether any school voting for Model B may, under normal appointment practices, appoint teachers of any population group to its staff;
- (4) whether he will make a statement on the matter?

B32E

†The MINISTER OF EDUCATION AND CULTURE:

- (1) Yes, 106;

- (2) yes, in the sense that it was explained that staff are allocated within the limits of a particular budget and the same financial constraints that apply to all other state schools apply to model B schools;
- (3) yes;
- (4) no.

Mr R M BURROWS: Mr Speaker, arising from the hon the Minister's reply to part (2) of the question, is he aware that certain directors of departments have indicated to school principals that, irrespective of the number of additional pupils of colour they take in this year, they will get no additional teachers?

†The MINISTER: Mr Speaker, I am aware that such an impression might arise. The fact, as the hon member knows, is that the education-formula generates two years ahead. In other words, we are receiving at present—say for the coming year—a subsidy based on numbers of two years ago. Naturally with such numbers there could not be kept account of, for example, the rendering of services. However, the viewpoint of the department is that we try as far as possible within the available funds to provide for additional staff to give the necessary education where services are rendered. It is naturally so that, if additional services are rendered, it also may mean that the number of White pupils in such a school will be decreased so that the number is once again exactly the same.

The fact I want to emphasize is that the provision of education is not just about to whom service is now being rendered. It is treated as a total packet.

The fact is, should specified directors of education or education spokespersons give the impression that no additional provision for staff will be made, is it clear, in the light of the facts I have just made available, that all education departments will create as far as possible within the available funding, additional staff so as not to negatively affect the pupil to teacher ratio.

†Dr W J SNYMAN: Mr Speaker, arising from the hon Minister's reply to part (3) of the question, it would also be possible that a teacher from another race group may be appointed as head of a school that chose Model B?

†The MINISTER: Mr Speaker, it is surely obvious. I made it very clear when we explained

the models that there can be no such thing as second-class pupils or parents, should a school decide to choose a specific model. For that reason too, may White, Coloured, Indian and Black teachers apply according to the normal procedures, but then again the basic principle of what the parents want counts. Such applications will be addressed to the managing board of the school. Should the managing board decide to give a Black, Coloured or Indian teacher the first choice, the department will appoint such a teacher, naturally he or she must comply with the same requirements a White Teacher must comply with. Linked to that is the fact that he or she must be a member of a professional teachers' union. It applies to Whites and will also apply to all other groups. It is now only logical that should there be a promotion post, the managing board of the school will indicate their opinion in respect of such a post. It will then be handled in the normal way.

Business interrupted in accordance with Rule 180C (3) of the Standing Rules of Parliament.

New models: permission refused

*5. Mr K M ANDREW asked the Minister of Education and Culture:

Whether any schools that have voted on one of the new models and have subsequently requested permission to adopt a new model, have been refused permission to do so; if so, (a) which schools, (b) why and (c) when?

Answered 12/2/91

B38E

The MINISTER OF EDUCATION AND CULTURE:

Yes,

- (a) (i) Observatory Girls' Primary School
- (ii) Houghton Primary School
- (iii) Stutterheim High School
- (iv) Sydenham Primary School
- (b) the required minimum percentage vote was not attained

- (c) (i) 1990-12-05
- (ii) 1990-12-02
- (iii) 1991-01-07
- (iv) 1990-12-07

HOUSE OF ASSEMBLY

Compensate us ⁸⁰

for loss of houses,
property, says LP

By Esmaré van der Merwe
Political Reporter

CAPE TOWN — The Government's flat refusal to consider the demand for compensation of people who had been "robbed" of their land and property would certainly harm the good working relations between the NP and the Labour Party, the chairman of the Ministers' Council in the House of Representatives, the Rev Allan Hendrickse, said yesterday.

The LP leader said the Government's rejection of this demand for reparation, in view of the pending scrapping of the Group Areas Act and Land Acts, reflected negatively on its bona fides.

"The Government must find the money which they obtained when they robbed us of our houses," he said.

Another aspect of compensation would be for the Government to foot the bill for the transfer of houses which blacks had already bought in so-called white areas through close corporations or nominees.

Mr Hendrickse rejected Nationalist proposals for measures to maintain standards and norms after the repeal of the Group Areas Act, saying such plans were an attempt to satisfy conservative whites.

Group Areas legislation should not be replaced with any regulations that would hamper freedom of association.

Group Areas Act on way out, but permits are still necessary

By JACQUELYN SWARTZ
Staff Reporter 80 1/2/19

THE Group Areas Act may be going but buyers of colour still have to go through the agony of applying for permits to move into white areas.

The permit system will be enforced until parliament repeals the Act, estate agents say.

Government officials have not yet said when the Act will be scrapped but one suggested that it could be "in a few months".

In his speech at the opening of parliament on Friday, President De Klerk said that legislation re-

pealing the Group Areas Act and the Land Acts would be "tabled shortly".

Officials are fine-combing a host of other Acts for clauses that will be affected in one way or another by the repeal of the Group Areas Act.

Estate agents say the continuation of the permit system, in the meantime, is keeping some potential buyers at bay because it is "be-littling".

Mrs Ronel Preston, chairman of the Institute of Estate Agents, said that the permit system could not be circumvented until the Act was repealed.

Mrs Preston said that although the permit system was bad for business only a small percentage of people were offended.

She said as far as estate agents were concerned, Mr De Klerk's announcement had been well-received by the majority of whites. There was no panic.

She did not expect the new laws to affect property values.

Mrs Cecile van den Broek, managing director of an estate agency, said the continuation of the permit system was belittling. "If people could just go and buy, it would be easier."

"We have not seen any immediate rush at our showhouses because of the speech," she said. "It has been very much like the last couple of months where people have been slowly buying in white areas. Whites have also started buying in 'coloured' areas such as Hout Bay Heights and Strandfontein."

Mrs Van den Broek said she had also heard of whites buying in areas such as Mitchell's Plain.

Bellville agent Mrs Annetjie Verster said the speech might affect prices for a while. "But it will ease off. I don't think

they will keep on soaring," she said.

She said buyers from other race groups had approached her agency for houses in white areas, but she doubted there would be an influx. The novelty would wear off after a while, she said.

Fish Hoek agent Mrs Pam Keet said the speech would not make much of a difference.

"I think a lot will depend on the prices of houses. A lot of white people are buying in the 'coloured' part of Hout Bay."

She said she also expected interest in "coloured" areas such as Elandale.

Land reform must redress apartheid's distortions

THE National Land Committee says any resolution to the land question must have popular legitimacy and support for it to work.

In a statement reacting to President FW de Klerk's announcement last Friday of the scrapping of the Land Acts, the Johannesburg-based committee said it welcomed the news that the government would produce a white paper on land reform. *South 7/2-13/2/91*

"Until now, the government has formulated its plans in secret," the Committee said.

"We have always believed that any resolution to the land question must have popular legitimacy and support for it to be workable. In particular it would have to recognise and be able to redress the wrongs and distortions that apartheid has meant for black South Africans and society as a whole."

Aspirations

"Such a lasting solution which meets the needs and aspirations of South Africans can only be found through a representative and consultative process," the Committee said.

It reiterated demands of many communities for a new system of land ownership. These included:

- Land lost by black people as a result of forced removals be restored immediately;
- The government must ensure that legislative reform does not deprive black people of existing rights to land; and
- The government must commit itself to a programme of affirmative action that would make land and resources available for blacks, particularly for the landless and women who constitute the bulk of the farming population in the homelands.

Property boom takes grip after De Klerk scraps Group Areas

Southern 7/21/91

80
 (25)
 (15)

Living
offered
skills
to sell
homes

THE whole spectrum of South African property will soon be available to all races, especially the growing band of black entrepreneurs.

This will mark the beginning of a boom in the industry, according to leading estate agencies.

The Government has introduced far-reaching legislation, outlawing racial discrimination in the ownership and letting of land and property.

The legislation, known as the General Law Amendment Bill of 1991, cancels racial restrictions in the title deeds of immovable property.

The Bill is likely to herald the long-awaited opening up of the property market which has been white-dominated resulting in many rip-offs and complaints from black builders and the black community.

The Bill has been welcomed by the Foundation of African Business and

By JOSHUA RABOROKO

Consumer Services, (Fabcos) and the National African Federated Chamber of Commerce (Nafcoc).

The managing director of Camdon's group, Mr Scott McRae, said:

"There is no doubt that Government will repeal Group Areas when Parliament convenes, but without this new Bill, people could still write racial restrictions into the title deed of any property. He adds: "This important legislation prevents people from forming their own 'group areas'."

"This is particularly important in respect of cluster housing and sectional title developments, which have become a very popular way of living."

McRae said for a long time he had advocated the repeal of Group Areas and firmly believed that

once the pressure valve was removed, there would be a positive effect on home values.

"Prices could rise rapidly in certain areas, with spin-off benefits in other areas," he says, adding, "when property becomes available to every single one of us, we can look forward to a much more active market."

Already the managing director of Apex Real Estate Academy, Mr John Rieb, is offering lessons to blacks who wish to become top achievers by helping their own people.

Growth

The demand for qualified estate agents would grow tremendously over the next few years and "we need to train more people in the job," he said.

His company was offering lessons to assist people pass the estate agents board examinations.

In this way, the company would create jobs as well as offer opportunities to blacks to compete with their white counterparts who have dominated the market in the past.

He said blacks were debarred by legislation

from owning or living in property situated in an area previously set aside for other racial groups.

"Therefore, this not only means that members of the black group may now buy and own property in any area in their own right, but by implication

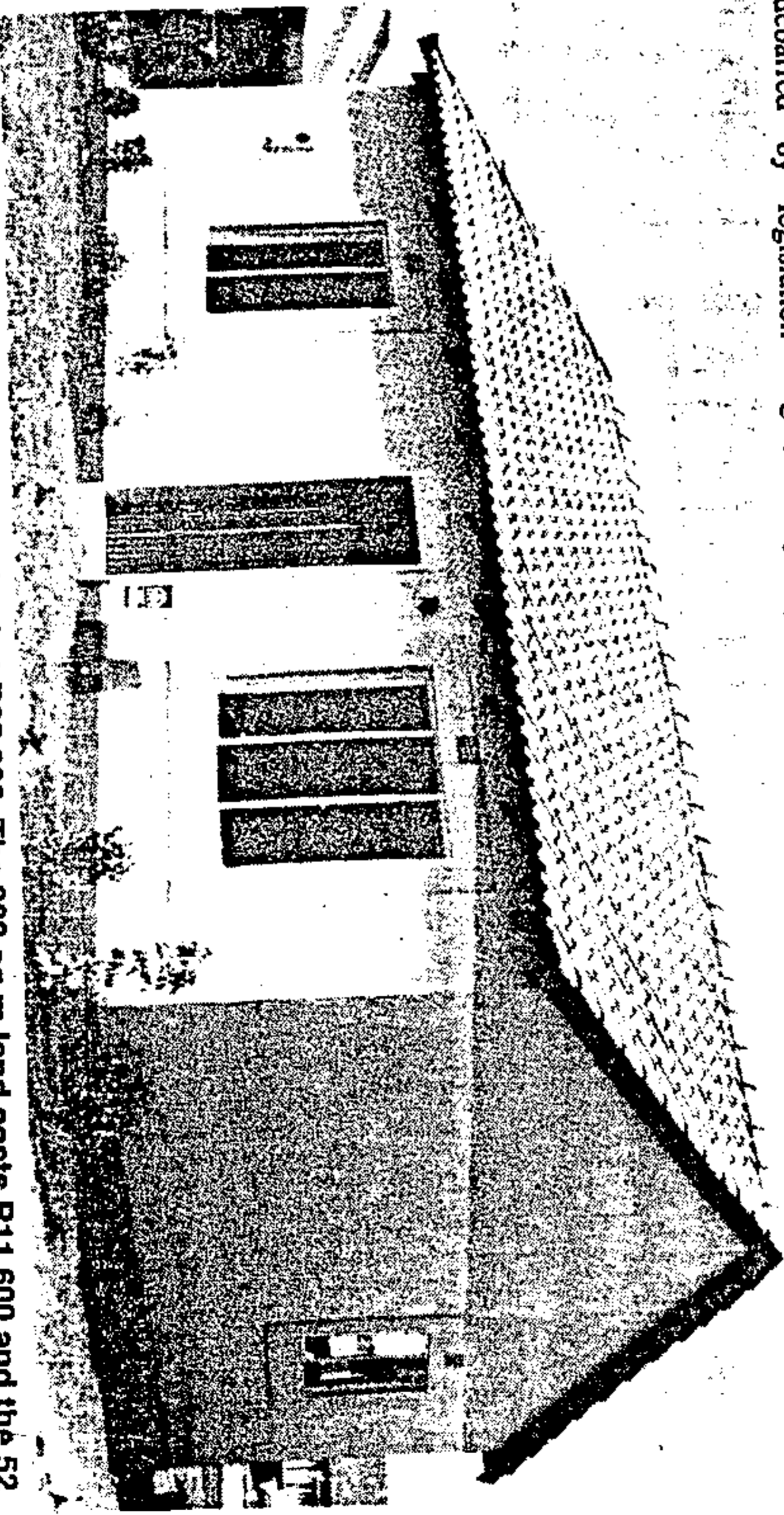
they may now deal in property.

"This opens up an entirely new avenue of employment for them."

Up to now the estate agency industry has been predominantly white.

There are over 7 000 estate agencies serving

five million whites, whereas with the abolition of the restrictions imposed on blacks, the potential of people who will use the industry has grown to more than 30 million people. Rieb can be contacted at (011) 764-4513.



This starter housing package is priced at R35 000. The 300 sq m land costs R11 600 and the 52 sq m house costs R23 400.

New 'face' for urban areas

Political Staff

Informal housing would change the face of urban South Africa, the Minister of Planning, Provincial Affairs and Housing, Hernus Kriel, said yesterday.

This would happen "because we will have many more informal houses or shacks around metropolitan areas", he said.

"We haven't got the money to make formal housing available to these people."

The Government was still spending R750 million allocated

in the current financial year to alleviate the problem, and hoped it would go a long way towards solving it.

The Government believed market forces would determine the process of the scrapping of the Group Areas Act and intended introducing firm standards, which would differ from one neighbourhood to the other.

In addition, the Government had no plans regarding compensation for people deprived of their homes and property by the Group Areas Act, Mr Kriel said.

1/12/91
SKV

Right join forces for Pretoria march

JOHANNESBURG. — The Afrikaner Weerstandsbeweging and the Herstigte Nasionale Party are planning a joint march in Pretoria later today to protest against the government's planned repeal of the Group Areas Act.

The chief magistrate of Pretoria, Mr Willem Burger, has granted permis-

CALL TALKS 6/2/91 (80)
sion for the march.

The city council has stipulated that not more than 2 000 people may participate and measures must be taken to ensure that the march will be "peaceful and orderly".

It also stipulated that no speeches may be made before or during the march. — Sapa

Acts' demise will create real estate opportunities

B1004 5/2/91 PETER GALLI

THE scrapping of the Group Areas Act and the Land Acts, announced on Friday, would result in the creation of considerable economic opportunities in the real estate field, JH Isaacs CE Les Weil said at the weekend.

This followed the repeal last year of the Physical Planning Act which limited the number of black workers in urban areas and artificially created decentralised development areas, he said in a statement. (80)

When the economy turned up in a year or so, the elimination of those barriers would effectively enhance demand for commercial and industrial properties.

High interest rates, perceptions of violence and the adverse effects of overcrowding would temper price escalations in the residential market. The greatest problem lay in low-cost housing: about 60% of urban blacks could afford only R12 500 for a house, he said.

Basil Elk chairman Basil Elk said the repealing of the Group Areas Act would simply legalise an existing position in terms of occupation in certain areas.

The question of overcrowding would now arise, since it had been proved that where there was economic deprivation there was often overcrowding. "The US and UK have found that highrise, high-density living is disastrous."

Reuters reports that the SA Institute of Estate Agents lauded President de Klerk's reform moves. Its president, Viv Morris, said the repeals cleared the way for government to help make funds available, either from local or foreign sources, to assist with the development of raw land to address the critical housing shortage.

Property

8 Feb 2/2/91
market



'relieved'

FINANCE STAFF

The planned lifting of the Group Areas Act should help alleviate some of the uncertainty in the property market, says Ronald Ennik, director of Pam Golding Properties.

Reacting to the State President's speech, he said that while he was expecting the move to bring some relief from the negative trends characterising the property market at present, he believed prices would hold steady at their current levels rather than increase dramatically.

"However, the pace at which properties change hands should quicken and the trends that have been set over the past few months should continue.

"For instance, I expect the interest shown by non-white buyers in properties in affluent white areas, such as Houghton and Bryanston, to increase", he said.

Anglo American and De Beers chairman, Julian Ogilvie Thompson, warmly welcomed the President's intentions, especially the proposed framework of "Inclusive values and ideals and constructive actions which could serve to bring together all South Africans" and the proposed social reconstruction.

Businessmen generally also welcomed Mr de Klerk's declaration that the war against inflation would be "South Africa's top priority for 1991".

Mr de Klerk stressed that economic restructuring was the only way to return to a high growth path and meet peoples' reasonable aspirations.

The government's moves towards land reforms, if not handled carefully, could erupt into a storm that would overshadow some of the major political crises of past decades. Weekend Argus Political Correspondent, FRANS ESTERHUYSE, looks at the looming clash between long-established white privilege and black demands for a fair deal in land distribution and ownership rights.

SOUTH Africa's hidden political volcano is beginning to rumble. It threatens to be activated by government moves towards land reform.

The potentially explosive issue arises from the tragic legacy of apartheid in land ownership and the dispossession of millions of people through forced removals. If not handled carefully, this emotive issue could erupt into a storm that would overshadow some of the major political crises of past decades.

In essence the looming clash is between long-established white privilege and black demands for a fair deal in land distribution and ownership rights.

White fears were echoed once again this week during the "siege of Pretoria" by protesting rightwing farmers. And among black organisations fears are expressed that rightwing pressures will prevent the government from fully undoing the legacy of the Land Acts and grand apartheid.

Ironically the spark that could set off an eruption is the long-awaited repeal of the Land Acts and the Group Areas Act.

SPECIALISTS in land reform have warned that the promised abolition of the Land Acts, if not done carefully, may lead to dispossession on a far worse scale than that caused by the apartheid policy of forced removals.

Even at a time — until now — when the government has been silent about its intentions for handling land reform, demands have been building up for a fair distribution of land and removal of restrictions on ownership. The issue is being studied by various land reform bodies that have sprung up in recent years.

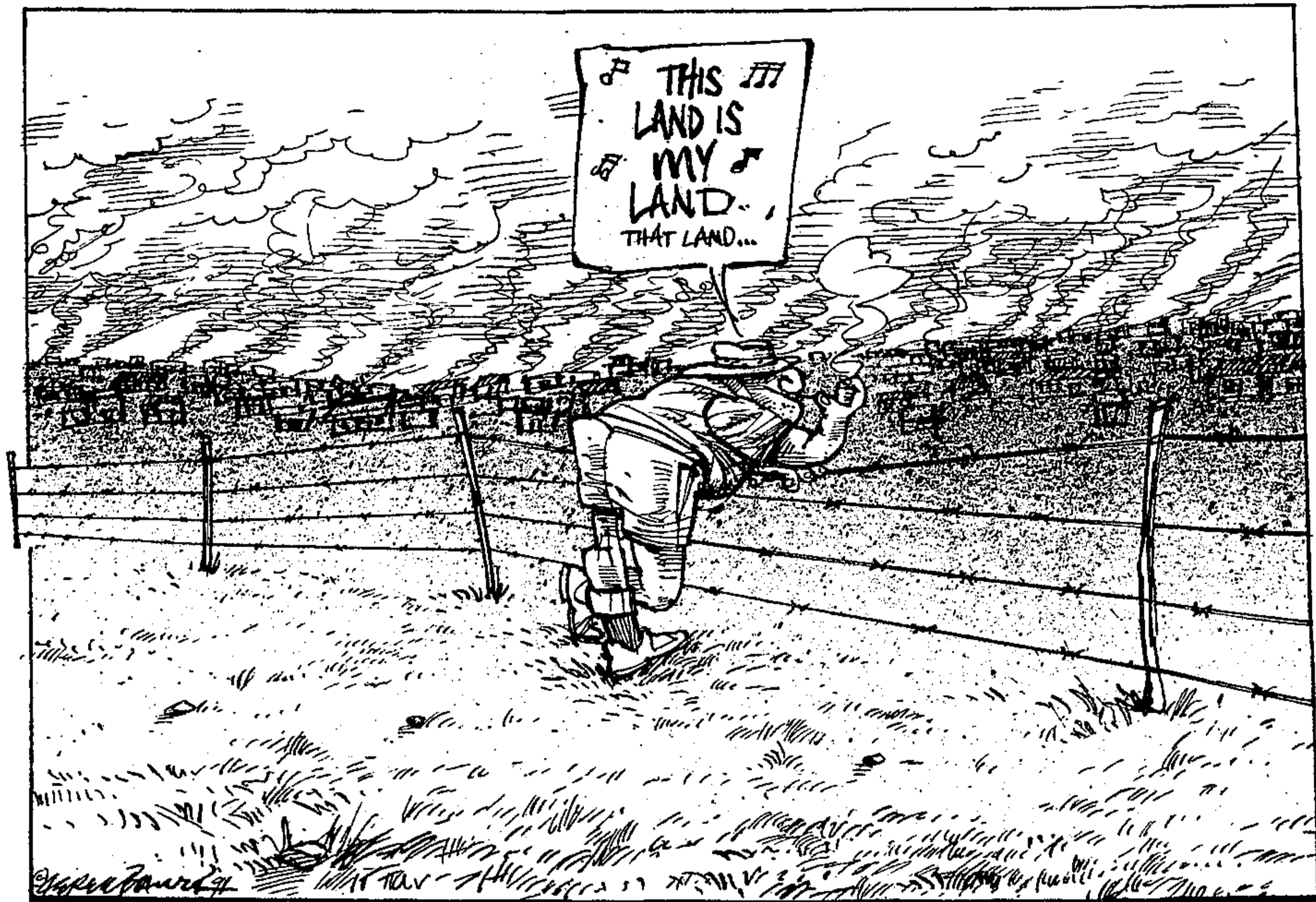
On all sides it has been claimed that the removal of the apartheid laws will not remove the awesome legacy of apartheid. The unequal distribution of land will remain, and so will the effects of injustices suffered by millions of people who were dispossessed under the system. Among them are 3,5 million people forcibly removed under apartheid legislation over four decades.

SENIOR research officer Miss Aninka Claassens, of the Centre for Applied Legal Studies at the University of the Witwatersrand, has described the consequences of such dispossession for black South Africans as "devastating". The Land Acts, she says, created the situation where Africans may own land only in the Bantustans, while whites own 87 percent of the country.

"The Land Acts have played their role — they have destroyed black property rights and they have entrenched white privilege. To drop them now will have only a minimal effect on the racial distribution of land. Only a tiny proportion of blacks have the necessary capital to buy land at its current price."

Miss Claassens warns there could be potential disaster for many people if the Land Acts were to be repealed "in a vacuum" without special measures to protect and restore the rights of black people.

She explains that in most instances property rights are not reflected in legal documents like title deeds. This does not mean blacks have no property rights; it means the State prohibited them from having such documents.



W/L ARGUS 2/2/91

Land: SA's hidden political volcano

LEGAL restrictions on black ownership of land are not limited to the white areas. There are restrictions in the homelands as well. While the land in these areas may be nominally owned by the SA Development Trust, or a homeland government, or a chief, it is in fact occupied by millions of individual families and communities, whose rights are not registered on the title deeds.

If these areas are simply opened up to the "free market", many people who have owned and occupied land for generations may find their land sold from underneath them by the nominal owners of the land.

"Rural people have suffered terrible and irretrievable losses through the implementation of these policies. Now, having put these policies behind it, the State is introducing a reform. It would be bitterly ironic if this 'reform' finally dispossesses people of their real rights to land in the name of 'private property' and the 'free market'."

According to the National Land Committee (NLC), the critical questions are: What reform measures will be legislated to replace these Acts? And what mechanisms will be introduced to redress the history of dispossession in South Africa?

The government's present approach to these questions is regarded by the committee as a matter of "grave concern".

It accuses the government of having planned its reforms on this complex and politically sensitive issue behind closed doors.

WHY don't the policy-makers open up the debate and consult widely, the

committee asks. "Reforms don't work if they don't have support from the people affected by them. The government must surely know this by now."

Ominous signs of a looming showdown over the land issue emerge from a clash of opinion between Minister Gerrit Viljoen and members of land reform bodies. The NLC, for example, says Dr Viljoen's dogmatic refusal to consider ways of restoring land to its former black freehold owners is unacceptable.

The Minister argues that such a step would "lead to a revolution" and that the same would happen if land ownership patterns were changed thus in countries like the US and Australia.

To this the NLC replies that the Minister ignores the fact that "we are not talking about dispossession in the dim and distant past, but about government policy which has robbed people of their land as recently as the 1980s".

"For more than 40 years black landowners were systematically deprived of their ownership and rights to land. They were forcibly removed, wholly inadequately compensated, and abandoned to barren, unproductive resettlement camps. Now they are expected to buy back land, and if they don't have ready cash they will lose their ancestral lands forever to the highest bidder."

THE committee then poses this question: "President De Klerk has assured white farmers that their title deeds are safe. What about the title which people held in the past? Does this count for nothing now?"

One of the committee's key conclusions is that the credibility of a programme of land reform will rest on the extent to which it is seen to be an honest and fair attempt to both redress the historical wrongs of apartheid as well as improve rural black access to land and resources.

"Removing apartheid legislation is not enough. The apartheid legacy, too, must be redressed."

Warnings about the depth and magnitude of the land problem have also come from the African National Congress. A member of the ANC's land commission, Miss Bonqiwe Njobe, says the removal of apartheid laws will not, on its own, bring about any structural change to the existing inequitable distribution of land ownership and agricultural production.

THE thinking behind some of the rumblings over the land issue is reflected in a resolution passed at a recent conference in Soweto of representatives of 18 Transvaal rural communities. The conference rejected a government plan to make individual private ownership the only legal basis on which land can be held when the Land and Group Areas Acts are abolished.

The resolution says among other things: "The Land Acts took away our land, and we are happy they are going. But just removing them will not give us back our land. Mr De Klerk says we should have a free market, that we have to buy the land. Why should we buy the land which was stolen from us in the first place? Apartheid has made us poor and we cannot afford to buy the land. The government must give us back the land."

CAPL Trick 30/1/91

(810)

Big changes in land usage seen

Political Correspondent

FAR-REACHING changes to the South Africa's systems of land tenure and control of land usage would flow from the scrapping of the 1913 and 1936 Land Acts, the Minister of Agriculture and Development Aid, Mr Jakob de Villiers, said last night.

President F W de Klerk is widely expected to announce the repeal of the Land Acts and spell out the policy implications of such a move when he opens the next session of Parliament on Friday.

Speaking at the University of Cape Town's Summer School, Mr De Villiers said that President De Klerk's stated commitment to "deal with" the Land Acts and the Group Areas Act would entail more than the mere repeal of discriminatory legislation.

However, he emphasised that land reform, with all its ramifications, was an evolutionary process which could not simply be concluded by a stroke of a pen.

"It will require a learning pro-

cess and changes in values and perceptions amongst all individuals and communities involved. What we must certainly aim at is to ensure that land is put to its most productive use."

Mr De Villiers noted that it was argued that the dismantling of discriminatory legislation and race-based restrictions on the use of land would help create wealth, economic growth and greater equity.

Productive

However, many people were unable to afford the cost of obtaining access to land or title to land and development support would be essential to assist these people to gain access to land.

"Land ownership is not only a right, it also carries certain responsibilities to ensure it is put to best use. Land which is not productively used is a liability to both its owner and to the community," he said.

"If people do not possess the technical skills and ability to develop and utilise land to its optimal potential, ownership itself would not necessarily contribute

towards improving their quality of life.

"It is against this background that land ownership must be supplemented with managerial skills to enable people to identify market opportunities, use appropriate techniques to work the land and utilise the available support infrastructure.

Mr De Villiers said it was also important that government should ensure the accessibility of its development support structures and programmes to all.

"Only then will land reform become a rational step in support of the development process."

Mr De Villiers said that in view of the increasingly dominant role that urban areas were expected to play in the new SA, the rural areas ran the risk of becoming further marginalised relative to the mainstream of socio-economic and political development of the country.

"These areas will therefore have to become the subject of special strategies and programmes to ensure that their residents will have equitable access to development resources."

Control of land use central to reforms

CAPE TOWN — President F W de Klerk would on Friday unveil far-reaching changes to the system of land tenure and the control of land usage, Agriculture Minister Jacob de Villiers said last night.

This was in addition to the repeal of the Land Acts and the Group Areas Act.

Speaking at the UCT Summer School, he also gave a veiled warning to absentee farmers/landowners, saying: "Land ownership is not only a right, it also carries certain responsibilities.

"One such responsibility is to ensure that land is put to its best use. Land which is not productively used is a liability both to its owner and to the community," he said.

De Villiers said government had committed itself to abolishing the Land Acts and the Group Areas Act.

"It is important to point out that dealing with these Acts entails more than the mere repeal of discriminatory legislation.

"It also implies far-reaching changes in our systems of land tenure and the control of land usage."

In view of pending policy announcements during the coming parliamentary session, he could not go into details.

Land reform would require a change in values and the aim was to ensure land was put to its most productive use to support sustained improvement in the quality of life of all South Africans.

There was a need to promote economic growth and maintain an effective market economy, as well as address the problems of poverty, unemployment and underdevelopment in order to achieve equality

in opportunities for development.

Without a concerted effort to improve the socio-economic conditions of poor black and rural communities, growth and a broadening of the economic base for development could not be achieved, he said.

People without the technical skills and ability to develop land could not randomly be allocated land because ownership itself would not necessarily contribute towards improving their quality of life, he said.

Development had less to do with how much one had than with how much was done with it, and ownership had to be supplemented with managerial skills.

Government had to ensure the accessibility of its development support structures and programmes, such as extension officers, to all.

Participation was the key to development and government could facilitate this by removing obstacles inhibiting self-help initiatives, such as high rates of inflation, discriminatory restrictions, social insecurity and exclusion from the decision-making process.

The process could also be facilitated by providing minimum conditions, such as access to water, energy, adequate health services and education facilities.

Various policy options existed to improve employment creation in rural areas. These were small farmer systems, tenant farming and part-time farming, De Villiers said.

However, the greatest employment and growth potential existed in the urban areas.

Billy Paddock

Intimidation: town councillors

24. Mr J CHIOLÉ asked the Minister of Planning, Provincial Affairs and National Housing:

- (1) (a) How many (i) Whites, (ii) Indians, (iii) Coloureds and (iv) Blacks have since 2 February 1990 resigned as town councillors as a result of intimidation and (b) how many town councillors of each race group have been (i) murdered and (ii) injured since that date as a result of actions that can be attributed to intimidation;

(2) whether the Government took any steps to try to prevent the above-mentioned resignations, murders and injuries; if so, what steps;

(3) whether the Government has been informed of alleged threats by a support organisation of the ANC that an intimidation campaign is to be initiated against White town councillors to cause them to resign; if so, what steps are envisaged in this regard?

B69E

The MINISTER OF PLANNING, PROVINCIAL AFFAIRS AND NATIONAL HOUSING:

(1) (a) (i) None

(ii) 6

(iii) 8

(iv) 404

(b) (i) Whites

Indians

Coloureds

Blacks

(ii) Whites

Indians

Coloureds

Blacks

None

None

None

6

None

None

None

None

2

(2) Yes. Consultations with councillors take place on a regular basis on which occasions they are encouraged and morally supported by the provincial administrations to remain in office. During personal contact the councillors are encouraged not to resign, and the preservation of local authorities, until such time as a new system has been established, is put to them as a fact and promoted. Support is also given to councillors during their

HOUSE OF ASSEMBLY

negotiations with residents' associations and concerned citizen groups in their areas, to air grievances and to remedy shortcomings in both administrative systems as well as the provision of infrastructure and essential services, before township residents become frustrated and resolve to violence as a solution to problems.

Specific arrangements have been made with the security forces to protect the lives and property of councillors and members of Coloured and Indian Management Committees.

(3) Yes. The fact has already been brought to the attention of the security forces. If the threat is carried out, most of the White local authorities have protection services to protect their council members and if these services should not be adequate, the SA Police can be requested to provide the necessary assistance.

The Government has also recently indicated that steps will be taken to combat intimidation.

Black social pensions

44. Mr J J WALSH asked the Minister of Planning, Provincial Affairs and National Housing:

(1) (a) What are the current levels of Black social pensions and disability grants and (b) from what date have these levels applied;

(2) what percentage of Black social pensions was paid directly into bank or savings accounts in each province as at the latest specified date for which information is available;

(3) whether improved methods of payment are under consideration; if so, (a) what methods and (b) when are they likely to be implemented?

B163E

The MINISTER OF PLANNING, PROVINCIAL AFFAIRS AND NATIONAL HOUSING:

(1) (a) Old age pension — R175 per month
War veteran pension — R276 + R15 allowance

Disability grant	per month	— R175 per month
Pension for the blind	— R175 per month	
Maintenance grant	— R175 per month	
Foster care allowance	— R120 per month per child	
Child allowance	— R49 per month	

(b) Levels are applicable as from 1 April 1990.

(2) Transvaal 12%, Cape 22%, Orange Free State 16%, Natal 12% on 31 December 1990.

(3) Yes.

(a) Improved methods are already applied in some areas whilst other methods are being investigated. The position in each province is elucidated briefly.

Natal

Pay-outs are so programmed that a maximum of 500 beneficiaries are paid daily. They no longer stand in queues for long hours and payments are completed by 12:00. The method of payment is being investigated to streamline the payment of pensions.

Orange Free State

Additional paying centres have been established to reduce the number of beneficiaries at certain centres. Thus long queues and waiting hours are avoided. An investigation for the mechanisation of payments has been completed.

Cape

In order to safe guard payments, motor vehicles are being safe guarded. Manual pay-outs are made, but will be mechanised in due course. Pay-outs will be expedited and beneficiaries will suffer less hardship.

Transvaal

The number of paying teams at paying-centres has been increased and

pay-outs are spread over a number of days. Each paying centre is computerised, but manual pay-outs are still being done.

General

The pay-out system under consideration is based on the auto-cashier principle from which a beneficiary will receive his/her pension or allowance.

(b) Some of the interim improved methods will be introduced during the 1991/92 financial year. It is expected that the auto-cashier method will be introduced on a pilot basis in specific areas by December 1991.

Land: Black community development

61. Mr C B SCHOEMAN asked the Minister of Planning, Provincial Affairs and National Housing:

Whether the State or private developers have purchased portions 10 and 12 of the farm Rietvallei 172-IR (Transvaal) for Black community development; if so, (a) who was the previous owner or owners, (b) what was the purchase price and (c) what is the size of each of the two portions?

B173E

The MINISTER OF PLANNING, PROVINCIAL AFFAIRS AND NATIONAL HOUSING:

The State did not purchase portions 10 and 12 of the farm Rietvallei 172-IR (Transvaal). The land transactions of the private sector are unknown.

(a), (b) and (c) fall away.

Free Settlement Areas Board: members

80. Mr L FUCHS asked the Minister of Planning, Provincial Affairs and National Housing:

(1) (a) How many persons have been appointed to the Free Settlement Areas Board and (b) how many meetings of this board have taken place;

(2) (a) what total amount has been paid by the State to each member of this board since its inception and (b) what is the name of each such member;

HOUSE OF ASSEMBLY

(3) what total amount has been or is to be paid out by the State in respect of expenses peculiar to the formation, functioning and hearings of this board;

(4) in respect of what date is this information furnished?

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~~80~~

B224E

The MINISTER OF PLANNING, PROVINCIAL AFFAIRS AND NATIONAL HOUSING: *Haussard 1/3/91*

(1) (a) 8

(b) 111

(2) (a) and (b)

Mr H Kruger (Chairman) R243 671,72
Mr J H du Raan R22 048,28
Mr A S Cassim R21 229,67
Mr A F Fouché R23 817,03
Mr M J Khumalo R19 772,18
Mr E A Fichardt R20 411,33
Mr J W A E Walters R22 635,18
Mr R W Whiteley R21 854,28

(3) R739 541,44
(4) 12 February 1991.

Indian housing: statistics

81. Mr J CHIOLE asked the Minister of Planning, Provincial Affairs and National Housing:

- (1) Whether his Department has any statistics with regard to Indian housing and numbers in Laudium and Claudius; if not, why not; if so, (a) what is the total backlog in respect of housing units for Indians in (i) Laudium and (ii) Claudius and (b) what is the estimated rate at which the Indian population in Pretoria is increasing; *Haussard 1/3/91*
- (2) whether a Black squatter problem is being experienced in Lotus Gardens; if so, what

(a) is the (i) nature and (ii) extent thereof and (b) steps does the Government envisage to eliminate the said problem? *Haussard 1/3/91* B256E

The MINISTER OF PLANNING, PROVINCIAL AFFAIRS AND NATIONAL HOUSING:

(1) No. This is an own affairs matter which is the responsibility of the Minister of Local Government, Housing and Agriculture in the House of Delegates.

(2) No.

(a)(i), (ii) and (b) fall away.

Lotus Gardens: services

88. Mr J CHIOLE asked the Minister of Planning, Provincial Affairs and National Housing:

- (1) What total amount has been spent to date on the development of services for Lotus Gardens, a new Indian residential area west of Pretoria;
- (2) (a) how many building plots will there be in total in this residential area, (b) in how many phases is the residential area being developed and (c) how many plots are at present ready to be built upon;
- (3) how many residential units is it estimated can be erected in Lotus Gardens;
- (4) in respect of what date is this information furnished? *Haussard 1/3/91* B255E
- The MINISTER OF PLANNING, PROVINCIAL AFFAIRS AND NATIONAL HOUSING:
- This is an own affairs matter and is the responsibility of the Minister of Local Government, Housing and Agriculture in the House of Delegates.

INTERPELLATIONS UNDER NAME OF MEMBER

Carlisle, Mr R V—

General Affairs:

Home Affairs, 10

Gerber, Mr A—

Own Affairs:

Education and Culture, 36

Haswell, Mr R F—

General Affairs:

Planning, Provincial Affairs and National Housing, 65

Herandien, Mr C B—

Own Affairs:

Housing, 125

Landers, Mr L T—

General Affairs:

Justice, 251

Leon, Mr A J—

Own Affairs:

Education and Culture, 109

Panday, Mr K—

General Affairs:

National Health, 231

Own Affairs:

Education and Culture, 56

Pienaar, Mr C H—

General Affairs:

Law and Order, 3

Rajah, Mr M—

General Affairs:

Law and Order, 49

National Health, 133

Own Affairs:

Housing, 138

Snyman, Dr W J—

General Affairs:

National Health, 169

Stofberg, Mr L F—

Own Affairs:

Welfare, Housing and Works, 215

Van der Merwe, Mr H D K—

General Affairs:

Foreign Affairs, 72

Van der Merwe, Mr S S—

General Affairs:

Justice, 175

ANC proposes land redistribution

Call - Times
1/3/91
80

JOHANNESBURG. — The ANC yesterday released a document on land reform, which calls for the state to implement a radical programme of land redistribution.

The document, drawn up by the ANC's land commission, will be sent to the organisation's regions for debate.

"If radical reform does not take place, we can expect an outburst of uncontrollable political anger," said Mr Derek Hanekom, a member of the commission.

"Without state intervention, it will be economically impossible to carry out the land reform we need to create jobs, improve productivity and satisfy political demands," the document says.

On the issue of nationalisation of land, the commission said: "This is not the easy solution that we used to think it was".

Mr Hanekom called for "a strategy in which land is redistributed without too much disruption of production and which does not cost too much".

The commission proposed that a new constitution should accord the state powers for intervention in the land market, called for "flexible" ownership of land and stressed that

the process of land redistribution be carried out at a careful pace.

It called for a land tax and recommended that collective land ownership be encouraged rather than imposed.

Powers of intervention would allow the state to pass a Comprehensive Land Reform Act. The act would "allow the state to implement affirmative action programmes, to get land where it is needed, according to an economic formula based on productive value rather than speculative free market principles", the document said.

Such powers would also allow the state to establish a Land Claims Commission to "set up fair procedures and criteria for the adjudication of land claims".

On compensation for white farm-owners, the commission ruled out payment of foreign exchange.

"Our suggestion would be that compensation should be paid out in part immediately and the rest over a 10-year period."

The commission said redressing injustices in land distribution would be a long process.

"We need to sort out the confusion caused by centuries of dispossession. This may take some years," Mr Hanekom said. — Sapa

CAK
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2/3/91
MR
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M...

PAC: Land issue crucial

GRAHAMSTOWN. — The PAC would negotiate with the government only if the land issue was firmly placed on the agenda, PAC national organiser Mr Mpolose Mangongwana told a meeting at Rhodes University here on Thursday night.

"We will meet the government at a neutral venue with a neutral chairperson to discuss one issue — that Africans want their land."

● The ANC's "ill-considered demands and claims" over land distribution were unacceptable for organised agriculture, SA Agricultural Union president Mr Nico Kotze said in Pretoria yesterday.

He said the SAAU was opposed to artificial redistribution. — Sapa

Future of Free Areas Board still unsettled

CAPL 10-88 4/3/89

80

Political Staff

THE government has not spelled out the future of the Free Settlement Areas Board, but when the Group Areas Act is scrapped, there will be no need for its existence.

The Minister of Planning, Provincial Affairs and National Housing, Mr Hernus Kriel, said in Parliament that the chairman of the board, Mr Hein Kruger, had been paid R243 671 in the two years of its existence.

The eight-man board had held 111 meetings by February 12 this year and had cost a total of R739 541,44 for its expenses, he said.

The other seven members had been paid between R19 772 and R23 817, he said in reply to a question tabled by Mr Lester Fuchs (DP, Bezuidenhout).

The first four free settlement areas — the first residential areas where people of all races are officially entitled to occupy property without restriction — were proclaimed in November 1989.

The board investigated the possibility of 14 more free settlement areas last year.

Nafcoc wants halt to land deals

By Michael Chester

Black business leaders launched into the land controversy yesterday, with demands that the Government intervene with an immediate freeze on buying and selling deals by speculators until new rules on land policy have been ironed out. Star 7/3/91

The National African Federated Chamber of Commerce (Nafcoc) argued that the free market system was unable to guarantee an equitable redistribution of land between blacks and whites and that State intervention was crucial.

Nafcoc also pressed the Government to identify and acquire all un-

used or under-utilised urban and rural land and redistribute it to the landless to put to productive use.

A full package of recommendations proposed that "as an act of good faith" the Government should take immediate action to list all of the land seized in enforced black removals in recent years and ensure it was returned to the legitimate owners.

"The 87 percent or more of land currently under white control must be transferred for business and other productive use to the 84 percent or more of the population who are unable to productively use it," said a statement.

80
Economic research unit director Vincent Phaahla said: "That does not mean the expulsion of white landowners."

The official Nafcoc statement added that all so-called Trust Land must be transferred to landless communities, with consensus on proper allocations in rural areas.

Chiefs who had been rewarded with Trust Land farms "for co-operation with the racist apartheid regime" must be forced to share their land. Trust Land that had been allocated to homeland governments should be sub-divided into private farms and sold or leased to individual black farmers.

Brand 80

Farmers warned on land reform

Own Correspondent

PRETORIA. — South Africa had to take a more realistic approach to land reform or face the threat of nationalisation of farms, the chief executive of the Development Bank of Southern Africa, Dr Simon Brand, said in Potchefstroom this week.

He was speaking at the annual conference of the National Maize Producers' Organisation (Nampo), where delegates voted unanimously to oppose the scrapping of the 1913 and 1936 Land Acts.

Dr Brand said the lesson to be learnt from Zimbabwe was the need to develop a realistic attitude so that ideological solutions with serious consequences could be avoided.

The government there had become active in buying white farms and allocating them to blacks, he said.

The danger was that it would not be possible to supply adequate agricultural support ser-

vices to ensure efficient use of the land. It could mean a serious deterioration in productivity, he said.

The Nampo resolution on the Land Acts is in line with the tough stand taken by the Transvaal Agricultural Union (TAU) on the same issue. The Acts are to be repealed during the current parliamentary session.

Demands 'absurd'

The SA Agricultural Union, according to a spokesman, has taken a "neutral" stand.

However, there would be a detailed response after the tabling of the white paper on land reform in Parliament next week, a spokesman said yesterday.

Earlier this week, SAAU president Mr Nico Kotze said the ANC's ill-considered demands on land distribution were absurd and totally unacceptable to organised agriculture.

They conflicted directly with market economy principles.

Maize Board general manager Mr Hennie Davel told the confer-

ence that the maize industry hoped for some form of food aid programme or a government maize subsidy after the introduction of VAT.

He said the white maize market was still the most important for producers and the influence of VAT on this market could not be ignored.

Aid would be greatly welcomed because the phasing out of the government's R38m subsidy, and normal cost increases, had already put upward pressure on the selling prices of maize and maize meal.

The government's subsidy to the industry in the 1989/90 season would not be repeated. This emphasised the important role the market, market prices and marketing costs would play in future.

On shrinking maize production, Mr Davel said the planting of 4,3m hectares in 1981/82 and 3,5m ha in 1990/91 showed a decrease of 840 000 hectares, or 19%, over 10 years.

This season's plantings had decreased further to 3m hectares because of drought.

REPARATIONS FOR APARTHEID

OUT OF THE CONFESSIONAL FM 8/3/91

WHERE THERE HAS BEEN DISPOSSESSION, THE CLAIMS SHOULD BE HEARD

How seriously should we take the "confession" of apartheid? The avidity of Archbishop Tutu, for one, to receive such confessions in church is worrying — as if the significance of the issue is being embarrassed by an atmosphere of street-corner revivalism. But now politicians like Leon Wessels speak boldly and frankly in public of the "mistakes" of the past, and once you put it like that you have to think of making amends. That means reparations.

Reparations are usually imposed by the victors in a war on those they have defeated — the compensation demanded of the Germans after both world wars, for example, or by the Allies of Iraq today. In addition, after World War 2, the Nazi leadership was made to stand trial for war crimes. The issue of reparations in this country cannot be divorced from the question of whether those who carried out the policies of apartheid in their most brutal and extreme form should not, equally, be put on trial.

It must therefore be asked: was apartheid a crime against humanity, or a misguided attempt at social engineering?

In its purest form (enforced by law) apartheid involved the disruption of millions of lives. The total of those arrested in terms of influx control was 17m. A 1983 estimate put forced removals at 3,7m. And there were many deaths flowing from the effects of apartheid — people who died in detention under security laws designed to protect the white State, and an uncountable number who perished in remote and desolate areas to which they had been forcibly removed.

To make the Group Areas Act work required the destruction of entire communities such as Sophiatown and District Six; and "black spot" removals of rural settlements from white areas required the utmost use of force. One factor in preparing the ground for sanctions in the Eighties was the repeated assault of Bantu Administration police on squatters at Crossroads, generally in mid-winter and at night.

The effects of all this destruction cannot be quantified: the ramifications of rigidly imposed segregation in all aspects of our life are too broad for that. The cost to GDP, for example, of the forgone education of the million-odd black schoolchildren who have lost out since 1976 is unknowable. And from their ranks most probably come those responsible for the current wave of crime

which, like war, is purely destructive.

There is also the broader economic loss symbolised by the creation of apartheid cities with racially separate hospitals, schools and transport. Richard Tomlinson — who did research on urbanisation at the Massachusetts Institute of Technology — notes that planning for a future based on apartheid has been immensely costly in terms of decentralisation and the subsidisation of commuter bus services alone. By 1983-1984 (on the eve of the unrest which was to shatter the ideological framework of separate development) these primary costs of segregationist industrial policy came to R1,743 bn a year. In 1985 the travelling costs of a worker from KwaNdebele were subsidised by R1 600 a year — almost three times per capita homeland income.

All this money has been completely wasted. Partly because of that, we do not have adequate schooling, health or housing. Operation Hunger, a charity, feeds almost 2m people. Many of the people who were locked into the homelands by coercion have in any case come to the cities because of desperation, overburdening areas designed

for a far smaller number of people on the premise that by 1978 the flow of blacks from the bantustans would reverse itself.

These facts suggest that a more appropriate comparison for apartheid than Nazism is Stalinism. Stalin's attempts to collectivise agriculture in the Soviet Union — Lenin had been less successful before him — led to the deaths of millions of *kulaks*. Both Verwoerd and Stalin started out with a central impelling idea of how society should be structured, and proceeded to enforce it. It is true, however, that there has been no episode comparable to the Great Terror in SA.

This point relates to the fact that reparations are generally imposed by the victors in a war. Stalin's successors — while they, too, have come to the abyss of admitting that their social religion was a "mistake" — may succeed in their reforms, or they may be overthrown and there could be a return to autocracy. Whichever it is, there will be no going back to communism as it existed in the Twenties and Thirties; and because there is no question of one stratum of society having defeated another, and all might be said to be the losers, reparations are not an issue. Stalin's crimes become a horrible episode of history about which nothing can be done — except not to repeat them.

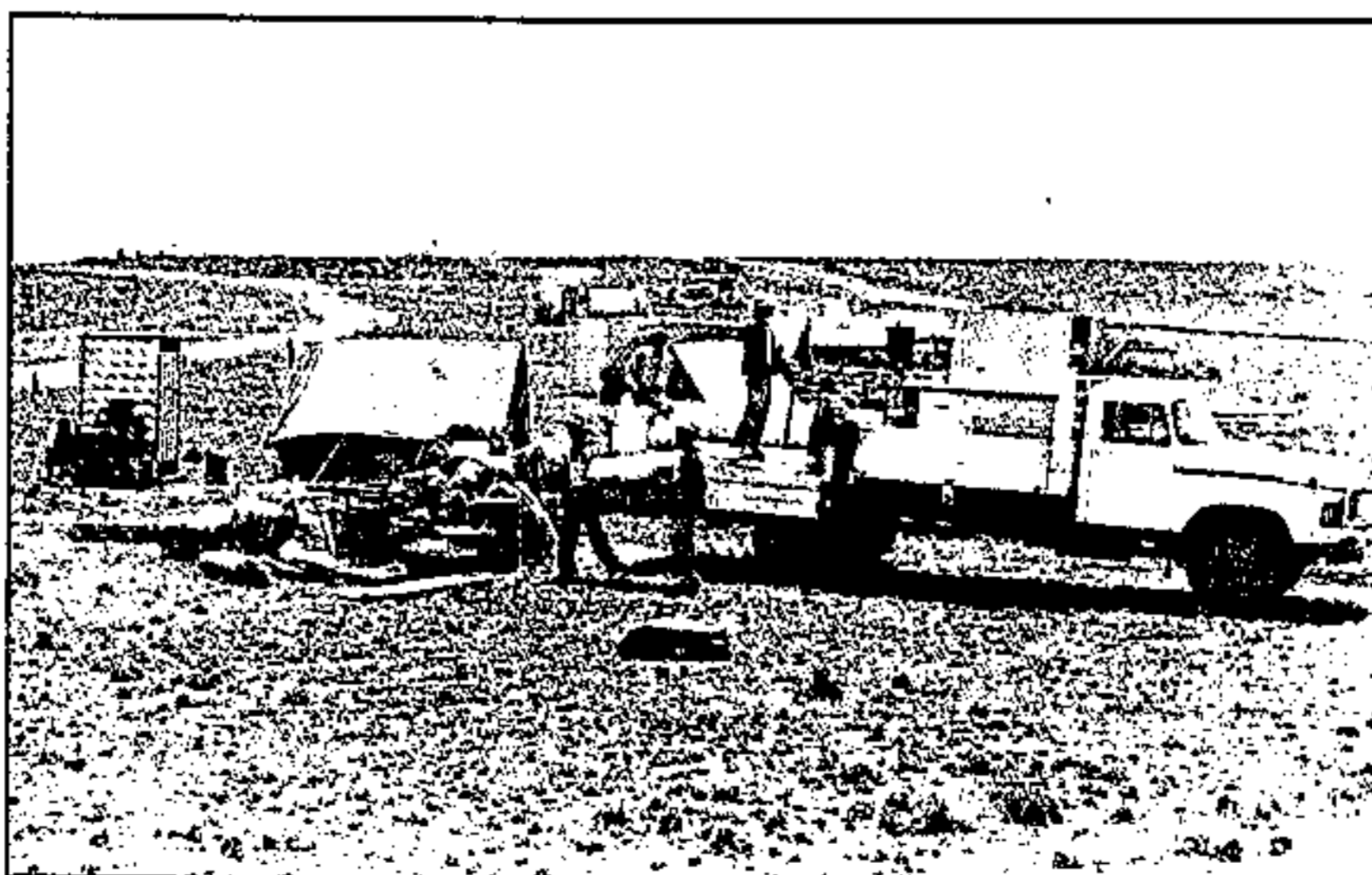
This is in some ways SA's situation today. It is unlikely that the many officials who presided over the millions of influx control arrests and forced removals will either be named — in relation to known excesses — or brought to account. For many years Piet Koornhof — as minister of co-operation and development — was a virtual czar of black affairs; he was called "Piet Promises" because he kept promising that things would improve, though they never really did — and the government with which he was associated was replaced by a more genuinely reformist one. But he has had a happy later career as ambassador to Washington, and his golden years are likely to be peaceful.

In fact, judging from his public statements, Koornhof — like President F W de Klerk — has outgrown apartheid. In church and in the press — everywhere, in fact, except in rightwing circles — Afrikaners indicate that they have had just such a conversion from the bad old ways. The English-speaking community can continue to keep its head down and claim that it never had anything to do with apartheid anyway.

In fact, judging from his public statements, Koornhof — like President F W de Klerk — has outgrown apartheid. In church and in the press — everywhere, in fact, except in rightwing circles — Afrikaners indicate that they have had just such a conversion from the bad old ways. The English-speaking community can continue to keep its head down and claim that it never had anything to do with apartheid anyway.



Forced removal ... brutal social engineering



Relocation camp ... millions were victims

Capl Trusts 8/3/91 *(Handwritten signatures and initials)*
80

Land reform buries race restrictions

Political Staff

THE government's long-awaited white paper on land reform is to be tabled in Parliament next Tuesday.

The white paper will outline the government's approach to land reform following the scrapping of the Land Acts and the Group Areas Act.

These measures will remove all racial restrictions on the ownership and occupation of land.

However, the government is expected to provide some protection for communally owned land in the rural areas, particularly that in the homelands.

It is also expected to pave the way for peasant occupation and farming in the 1,2 million hectares of land at present owned by the South African Development

Trust.

This land, originally bought in terms of the 1936 Development Land and Trust Act, was intended for transfer into the homelands, but with the gradual process towards the dismantling of the homeland system this transfer will no longer take place.

The Development Bank of Southern Africa has drawn up plans for the development of black farmers by making use of the SA Development Trust land.

The government is expected to give an effective green light to the Development Bank plan.

The SA Development Trust land includes one of the biggest citrus estates in the world, the 30 111ha Zebediela Estate in the Northern Transvaal.

The Minister of Development

Aid, Mr Jacob de Villiers, said in Parliament this week, in reply to a question tabled by Mr Mike Tarr (DP, Maritzburg), that the Trust controlled 647 854ha in the Transvaal, 400 106ha in Natal, 111 246ha in the Cape and 68 277ha in the Free State.

He added that arrangements for the disposal of this land would appear in the white paper.

President F W de Klerk said in Maitland on Monday that the government would ensure that rights to "own" community life and schools for those who wanted it would be protected, and existing property rights would not be threatened in the new order.

The white paper is expected to contain the government's proposals on how these rights will be protected in the wake of the scrapping of the Group Areas Act.

Process of deregulating building industry begins

8/10 Day 8/31/91

~~27/11/91~~

CAPE TOWN — Major deregulation has started in the building industry which could eventually remove the need for local authority approval of building plans.

The first stage of the process is the introduction of a newly rationalised, less prescriptive set of national building regulations, published in today's Government Gazette.

The rationalisation streamlines the regulations substantially, reducing the space they occupy in the gazette from 700 pages to 38.

The amended regulations will standardise the fragmented system of separate municipal regulations and ease formerly prescriptive building requirements without compromising safety and health standards, Trade and Industry Minister Kent Durr said in a statement issued yesterday.

They are aimed at allowing developers and their designers more freedom to introduce innovative building methods and alternative materials in

LESLEY LAMBERT

order to contain costs.

Further down the line is the possible introduction of a system of self-certification of building plans by architects and engineers. Durr said the matter was under consideration.

The SA Bureau of Standards would conduct an opinion survey among local authorities, the Institute of Architects, the Institute of Civil Engineers and the Association of Consulting Engineers before any system of self-certification was adopted.

Durr said the amended building regulations were universally applicable. Further guidelines for users were provided by SABS codes of practice.

He said special rules could be developed by the SABS to accommodate different building materials.

Special provision was made in the amended regulations for disabled people, who made up more than 12% of the population.

Land reform paper is ready for tabling

8/10 Day 8/31/91

Political Staff

CAPE TOWN — Government's White Paper on land reform is to be tabled in Parliament on Tuesday.

The paper will outline government's approach to land reform following the scrapping of the Land and Group Areas Acts.

Government is expected to provide protection for communally owned land in rural areas and to pave the way for peasant occupation of the 1,2-million hectares of land owned by the SA Development Trust.

This land, bought in terms of the 1936 Development Land and Trust Act, was originally intended for transfer into the homelands.

Government is expected to give a green light to plans drawn up for black farmers' development on this land by the Development Bank of Southern Africa.

Development Aid Minister Jacob de Villiers said arrangements for the disposal of this land would appear in the White Paper.

Settlement board 'a waste'

Political Staff

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CAPE TOWN — The DP has criticised government for the "grotesque waste of money" resulting from the formation and operation of the two-year-old Free Settlement Board.

Planning and Provincial Affairs Minister Hernus Kriel has disclosed board chairman Hein Kruger was paid R243 671, while the cost of the board's formation, functioning and hearings was R739 541. More than R150 000 was paid to other members of the board.

Lester Fuchs (DP Hillbrow) said yesterday that, even after President F W de Klerk's speech on February 2 last year, government "continues merrily to spend taxpayers' money on a process which is clearly on the way out".

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Answer set aside or alter such order or to issue another order which he may deem just. The procedure to be followed by such a member is set out explicitly in Prisons Regulation number 78. In terms hereof a member who wishes to appeal to the Minister against an order of dismissal or demotion in rank or seniority must within fourteen (14) days of written notification to him of the issue of such order, lodge a notice of appeal in writing to his commanding officer for transmission to the Commissioner. The member concerned must clearly and specifically set out the grounds on which the appeal is based and he may at the same time himself or through his legal representative submit written arguments or representations in support thereof. The Commissioner must then submit the notice of appeal and written arguments or representations together with the record of the proceedings of the inquiry and the findings and reasons of the commissioned officer who conducted the inquiry to the Minister for consideration.

Of the thirty six (36) members concerned six (6) have appealed against the decisions. These applications for appeal are being dealt with at present.

In conclusion I would like to mention that strikes by members of the Department of Correctional Services are seen in a very serious light, in as much that a Bill was passed by Parliament as recently as 1990 making provision for the summary dismissal of members who make themselves guilty of this practice.

Petrol: maximum price

*11. Mr W U NEL asked the Minister of Mineral and Energy Affairs and Public Enterprises:

- (1) Whether he envisages prescribing only a maximum price for petrol in all the fuel zones in the Republic; if not, why not; if so, when;
- (2) whether such maximum prices will be calculated on exactly the same basis as the present fixed prices; *Answer* 12/3/91
- (3) whether this arrangement in respect of a maximum price will also apply to the wholesale price of diesel;

HOUSE OF ASSEMBLY

(4) whether consideration is being given to reducing the price of paraffin; if not, why not? *Answer* 12/3/91 B417E

The MINISTER OF MINERAL AND ENERGY AFFAIRS AND PUBLIC ENTERPRISES:

- (1) In accordance with Government's policy on commercialisation and deregulation, an investigation into Government's involvement in the petroleum industry is also being conducted. The investigation is a comprehensive exercise and is still not fully finalised. The Competition Board was also approached for advice. Any possible change to the existing pricing policy can only be considered after the lifting of oil sanctions against South Africa.
- (2) Falls away.
- (3) The prices of petrol, diesel and illuminating paraffin have for many years been controlled on wholesale level only as maximum prices.
- (4) Yes, an announcement will be made in the not too distant future.

Independent Black states: reincorporation into RSA

*12. Mr A E DE WET asked the Minister of Foreign Affairs: *Answer* 12/3/91

- (1) Whether the South African Government has been approached by any of the four independent Black states with a view to reincorporation into the Republic; if so, (a) by which states, (b) when and (c) what was the response in each case; if not,
 - (2) whether the Government will take steps to facilitate the reincorporation of these states into the Republic at the earliest opportunity; if not, why not; if so, (a) what steps and (b) when;
 - (3) whether he will make a statement on the matter? B431E
- The MINISTER OF FOREIGN AFFAIRS:
- (1) and (2)
- I have already replied to these questions in my response today to question 1 of the interpellation.
- (3) No, not for the time being.

Group areas permits: abolishment

*13. Mr L FUCHS asked the Minister of Planning, Provincial Affairs and National Housing:

Whether, in view of the reply by the Minister of Justice to Question No 20 on 19 February 1991 in regard to prosecutions against persons contravening the Group Areas Act, No 36 of 1966, he will take steps to abolish the necessity to apply for group areas permits; if not, why not; if so, (a) what steps and (b) when?

SD B432E
The MINISTER OF PLANNING, PROVINCIAL AFFAIRS AND NATIONAL HOUSING: *Answer* 12/3/91

No.

In view of the announced repeal of the Group Areas Act, I have requested all institutions which are concerned with the administration of permits, to grant permits on a free basis. No further group areas or free settlement areas will be proclaimed.

- (a) and (b) Fall away.

Nurses: salary increase

*14. Mr B B GOODALL asked the Minister of National Health:

- (1) On what date did nurses receive their most recent salary increase;
- (2) whether radiographers were given a salary increase at the same time; if not, why not; *Answer* 12/3/91
- (3) whether it is the intention to increase radiographers' salaries in the near future;
- (4) whether she will make a statement on the radiography profession in South Africa? B441E

The MINISTER OF NATIONAL HEALTH:

- (1) 1 July 1990;
- (2) no, the occupational class Radiographer was not identified by the Cabinet for an occupational specific investigation during the 1990/91 financial year;
- (3) finally has not been reached yet about which occupational classes' salary structures will be improved during the 1991/92 financial year. An announcement in this respect will be made soon;

Single department of health

*15. Mr M J ELLIS asked the Minister of National Health:

- (1) Whether her Department has taken any steps to consider the administrative, financial and national health implications of a single department of health for South Africa; if so, what steps; if not, why not;
- (2) whether she will make a statement on the matter? *Answer* 12/3/91 B446E

The MINISTER OF NATIONAL HEALTH:

- (1) The Department of National Health and Population Development is at present in the process of considering various models for the restructuring of health services. Extensive deliberation and consultation by the Department with the relevant role players take place at high level on a continuous basis. In the consideration of the different models various factors, including the administrative, financial and health implications, are taken into account;
- (2) no.

*16. Mr P G SOAL — Home Affairs. [Withdrawn.]

Johannesburg: rapid rail transit system

*17. Mr P G SOAL asked the Minister of Transport:

Whether, with reference to his reply to Question No 106 on 2 March 1988, a decision has been taken on the introduction of a rapid rail transit system for Johannesburg; if not, why not; if so, what was the decision? B461E

The MINISTER OF TRANSPORT:

No. Upon recommendation of the then National Transport Commission (NTC), the former Minister of Transport approved, in September 1988, a full feasibility study to a mass transit system for the Greater Johannesburg Area. This comprehensive study, which is being conducted by the Masstran Consortium, will include an investigation into a rapid rail transit system as an alternative transport system and is expected to be completed by the end of June 1991. A report will then be

HOUSE OF ASSEMBLY

THE MINISTER OF WELFARE, HOUSING AND WORKS:

(1) On 31 December 1990 there were still 221 units, comprising of 102 dwellings and 119 flats, subject to rent control;

(2) (a) 133 units, comprising of 30 dwellings and 103 flats, were conditionally exempted from rent control subject to the granting of continued protection to the tenants thereof if and for as long as such tenants comply with the prescribed requirements for continued protection:

(b) (i) *Address of premises:*

(ii) *Situation of premises*

Flats 7-10, Le Rhone Mansions, Regent Road, Sea Point, Cape Town	Erf 260 Cape Town at Sea Point
3 + 4 Link Street, Camps Bay, Cape Town	Erf 137 Cape Town at Camps Bay
6 St Johns Road, Sea Point, Cape Town	Erf 366 Cape Town at Sea Point
1 Highworth Road, Sea Point, Cape Town	Erf 466 Cape Town at Sea Point
3 Highworth Road, Sea Point, Cape Town	Erf 467 Cape Town at Sea Point
7 Highworth Road, Sea Point, Cape Town	Erf 476 Cape Town at Sea Point
Flats 1-19 Rhona Court, Graham Road, Sea Point, Cape Town	Erf 531 Cape Town at Sea Point
Flats 1-3 Cintira Flats, Francaise Avenue, Sea Point, Cape Town	Erf 331 Cape Town at Sea Point
3 St Leon Avenue, Bantry Bay, Cape Town	Erven 6 + 7, Cape Town at Bantry Bay
Flats 1-4 Atlantis Court, 331 Beach Road, Sea Point, Cape Town	Erf 194 Cape Town at Sea Point
The Hague, 13 Bertram Road, Sea Point, Cape Town	Erf 540 Cape Town at Sea Point
1 + 3 Bickleley Road, Sea Point, Cape Town	Erf 356 Cape Town at Sea Point
19 + 21 Calais Road, Sea Point, Cape Town	Erf 284 Cape Town at Sea Point
Flats 1-4 Taunton Flats, Camps Bay Drive, Camps Bay, Cape Town	Erf 136 Cape Town at Camps Bay
Flats 1-18 Conifer Flats, 4 Conifer Road, Sea Point, Cape Town	Erf 1167 Cape Town at Sea Point
17 Central Drive, Camps Bay, Cape Town	Erf 542 Cape Town at Camps Bay
44 Duncan Road, Sea Point, Cape Town	Erf 1321 Cape Town at Sea Point
Portrush, 30 Rochester Road, Bantry Bay, Cape Town	Erf 337 Cape Town at Bantry Bay
Flat 2 Marselles Mansions, Marselles Avenue, Sea Point, Cape Town	Erf 1553 Cape Town at Sea Point
Flats 1-6 Holmfirth Flats, Holmfirth Road, Sea Point, Cape Town	Erf 814 Cape Town at Sea Point
Flats 1, 3, 6, 7, 9, 10, 14, 15, 17-22, 24, 25, 28, 29, 31, 33, 35, Dunrobin Flats 35A Kloof Road, Sea Point, Cape Town	Erf 1572 Cape Town at Sea Point
End House, Lincoln Road, Sea Point, Cape Town	Erf 547 Cape Town at Sea Point
Flats 1-6, 8-21 St Claire Court, 263 High Level Road, Sea Point, Cape Town	Erf 1539 Cape Town at Sea Point
Flats 1-3, Etheldene Flats, 373 Main Road, Sea Point, Cape Town	Erf 959 Cape Town at Sea Point
5 Milner Road, Sea Point, Cape Town	Erf 715 Cape Town at Sea Point
8 + 8A Marais Road, Sea Point, Cape Town	Erf 527 Cape Town at Sea Point
7 Milner Road, Sea Point, Cape Town	Erf 716 Cape Town at Sea Point
297 Ocean View Drive, Sea Point, Cape Town	Erf 899 Cape Town at Sea Point
27 + 29 Upper Rhine Road, Sea Point, Cape Town	Erf 1094 Cape Town at Sea Point
45 and 47 Upper Firmount Road, Sea Point, Cape Town	Erf 285 Cape Town at Sea Point

(i) *Address of premises:*

(ii) *Situation of premises*

38 Avenue Le Sueur, 19 Alexander Avenue, Fresnaye, Cape Town	Erf 97 Cape Town at Fresnaye
3 Mount Pleasant Steps, Clifton, Cape Town	Erf 123 Cape Town at Clifton
235 Beach Road, Bantry Bay, Cape Town	Erf 645 Cape Town at Bantry Bay
18 Albany Road, Sea Point, Cape Town	Erf 666 Cape Town at Sea Point
250 Ocean View Drive, Bantry Bay, Cape Town	Erf 1289 Cape Town at Bantry Bay

Group Areas: applications for permits

12. Mr A J LEON asked the Minister of Welfare, Housing and Works:

(1) (a) How many applications for permits in terms of the Group Areas Act, No 36 of 1966, in respect of residential premises did his Department receive in 1990 and

(2) (a) (i) Only the function regarding permit administration as far as White group areas are concerned has been entrusted to me with effect from 21 July 1989 and therefore (b)(ii), (iii) and (iv) fall away.

(b) how many persons from each race group applied for permission to occupy such premises in areas proclaimed for (i) Whites, (ii) Coloureds, (iii) Indians and (iv) Blacks in each province;

(i) granted and (ii) not granted and (b) what were the reasons for not granting them?	(ii) (a) (i)	(ii) (b)
	Cape	Coloured Indian Black
	Natal	1 553 296 132
	Transvaal	49 154 27
	OFS	145 917 821
	Cape	Coloured Indian Black
	Natal	57 16 1
	Transvaal	2 32 13
	OFS	1 — 5

The MINISTER OF WELFARE, HOUSING AND WORKS:

B106E

(1) (a) 4 605

(b) (i)

	Coloured Indian Black
Cape	1 610 312 133
Natal	78 434 123
Transvaal	146 933 836
OFS	— — —

(b) Each application is considered on merit in terms of the provisions of section 21(2)(a) of the Group Areas Act, 1966.
I might add that some of the applications received were for permits in free settlement areas or areas which were proclaimed as free settlement areas after application was made for a permit. Some applications were also withdrawn whilst some were still under consideration at the end of 1990.

Land apartheid on way out

10 Day 13/3/91
 LESLEY LAMBERT

CAPE TOWN — Government has introduced new legislation to remove all racial restrictions on land tenure and to underpin fundamental land reforms proposed in a White Paper released yesterday.

Five Bills, four of which were tabled in Parliament immediately after the release of the White Paper, replace land apartheid with a process of massive reform aimed at adjusting the uneven distribution of rural and urban land. Cabinet Ministers expect the Bills to be passed during the current parliamentary session.

The Abolition of Racially Based Land Measures Bill repeals the Group Areas Act, the Land Acts of 1913 and 1936 and the Black Communitaries Development Act. It also removes racial restrictions on land tenure from all other legislation governing SA and the self-governing territories and empowers the State President to amend racially restrictive proclamations. But, while a commitment is made to phase out grand apartheid, legislation underpinning it is not affected by the White Paper's proposed changes.

The Upgrading of Land Tenure Rights Bill, which will be tabled at a later stage, converts various forms of urban and rural black land tenure into full ownership. It is estimated that existing leasehold rights on one-million township dwellings will be converted immediately

after the Bill is passed. Rights on a further one-million units will be converted once registers are opened in the townships in which the homes exist, Planning and Provincial Affairs Minister Hermus Kriel said yesterday.

Black tribes will be granted ownership of state land they occupy in rural areas. Decisions on the transfer of ownership to individual tribe members will be made by tribal leaders, but, to avoid exploitation, they will have to have the permission of a court to lease or sell the land to outsiders. It is estimated that rights on up to 3-million rural allotments could be upgraded to full ownership.

Black farmers

Various land registration offices will be rationalised into the central deeds registration system governed by the Deeds Registries Act.

The Less Formal Township Establishment Bill proposes interim measures to speed up the establishment of informal housing settlements as urbanisation pressures grow. Informal housing developments will not be subject to the provisions of formal township development and procedures will be shortened to such an extent that, in cases where the need for housing is critical, provincial authorities will be empowered to expropriate land and provide living

space with basic infrastructure within days.

The Rural Development Bill facilitates a coordinated national strategy for rural development. It provides for the establishment of a National Rural Development Corporation to replace the SA Development Trust, and the supply of land and financial assistance to black farmers.

The Bill proposes the allocation of farming units on the basis of a probationary lease. Furthermore, it proposes that after three years leases should be entitled to buy the land.

Agriculture and Development Aid Minister Jacob de Villiers said 254 000ha of SA Development Trust land would immediately be made available to black farmers, while an additional 220 000ha would be freed in the future.

Finally, a Residential Environment Bill provides for the protection of cities and towns against physical deterioration, and the maintenance of norms and standards in residential environments. It also provides for the settlement of neighbourhood disputes and the establishment of an Urban Environment Board, to assist with the renewal of deteriorated areas.

Cabinet Ministers stressed yesterday that discriminatory provincial by-laws would not be tolerated, but they confirmed that there would be no anti-discriminatory legislation to prevent residential communities or landlords from maintaining apartheid restrictions.

Restitution issue sparks broadsides

Star 13/3/91.

80

THE Government's outright denial of special restitution for more than 3.5 million victims of forced population removals has drawn fire from political organisations and land rights groups.

It has also set the Government on a collision course with half a dozen communities in the Transvaal and Natal who have begun to reoccupy the land from which they were removed — or have advanced plans to do so.

The White Paper on land reform states explicitly: "The Government is of the opinion that a programme for the restoration of the land to individuals and communities who were forced to give up their land on

account of past policies or other historical reasons would not be feasible.

"Apart from the vast potential for conflict inherent in such a programme, overlapping and contradictory claims to such land as well as other practical problems would make its implementation extremely difficult, if not impossible.

"The Government believes it is in the interest of peace and progress that the present position should be accepted and that the opportunities afforded by the new land policy should be exploited to bring about a more equitable dispensation. An attempt to return to the previous order will only disrupt the country's pace of development to the detriment of all."

Joanne Yawitch of the National Land Committee commented: "We believe that until the Government deals with the question of land restoration and accepts the fact that injustices were committed, its land reform policy will lack legitimacy."

Aminka Claassens of Wits University's Centre for Applied Legal Studies said the situation of many black communities trapped in unresolved actions for restoration of their land was prejudiced by the new policy.

"This (White Paper) exacerbates the uncertainty of these people," she said.

A typical example was that of the Mfengu of the Tsitsikama.

JO-ANNE COLLINGE, PETER FABRICIUS and members of The Star's Political Staff examine the White Paper on land reforms, tabled yesterday in Parliament.

ma. White farmers who bought their farms (with 100 percent Government loans) after the removal are set to resell — apparently prompted by fears that the Government might bow to demands from the Mfengu for the return of their land. The Mfengu plan to take court action to halt the resale.

Ms Claassens said the Government had to make fundamental political choices. "The choice is whether to acknowledge the past and develop

terms which address it, or to pretend the past can be wished away," she said.

The immediate response of Pan Africanist Congress spokesman Patricia de Lille was: "Our people were dispossessed by force of arms. It is illogical and insensitive to expect us to buy the same land we were dispossessed of."

Between 1960 and 1983 alone, according to the Surplus People Project, at least 3.5 million persons were forced off their land.

The largest category of removed people were labourers and tenants on white farm-land (and their families), who accounted for about 1.13 million.

A further 860 000-odd removals took place during that time in terms of the Group Areas Act, and about 730 000 were forced out of black townships.

Another substantial category was constituted by the 614 000 people removed from "black spots" — farm land which they owned by virtue of freehold title or some form of historic land grant and which was "inconveniently" situated because it was amid white farm-land, rather than in a homeland.

It is the "black spot" communities who have been most vociferous in their claim for

the land to be restored to them. Many regard it as flagrant double-speak for the Government to promise white farmers that the deeds will be held sacred, when titles held by blacks provided no protection against removal.

In terms of the land White Paper, all that victims of forced removal can hope for is: ● In the case of rural removals, consideration for inclusion in an agricultural settlement scheme planned by the Rural Development Bill. The legislation envisages that units for small farmers will be established on some 474 000 ha of land currently belonging to the South African Development Trust and such other land as the State may eventually buy

for agricultural settlement. The landless will have to compete for allocation of this limited land on a nonracial basis.

● Upgrading of title to the land to which they were removed, most often located in one of the self-governing homelands which are to be included in the land reform programme.

● Greater freedom to move from the rural areas to the urban areas in terms of a policy of positive urbanisation, which includes speedier acquisition of well-located urban land for housing, quicker establishment of settlements — and, hopefully, a corresponding reduction of virtually enforced squatting/trespass on land not intended for housing. □

CAPE TOWN — Millions of urban blacks will be housed and granted full ownership of their homes, while black farmers will be settled on thousands of hectares of agricultural land freed up by new land reforms.

Cabinet Ministers told the Press yesterday that the new land policy, proposed in a White Paper on Land Reform, would remove restrictions to land ownership and allow wider ownership through the provision of state land and financial assistance, and the conversion of land tenure into full ownership.

Agriculture and Development Aid Minister Jacob de Villiers said 254 000ha of SA Development Trust farmland had been made available for black farmers in terms of the new policy. Another 220 000ha would soon be made available.

De Villiers said government would extend to black farmers all assistance programmes available to white farmers, including Land Bank loans, agricultural credit loans and advi-

Millions of urban blacks get new deal

B/Pay 13/3/91

LESLEY LAMBERT

sory services.

Assistance would also be sought from the private and foreign sectors. He said they wanted to produce a situation where food production and employment opportunities abounded.

Planning and Provincial Affairs Minister Hernus Kriel said government hoped to fund new home ownership for 250 000 families this year. Another 80 000 plots would be made available by the Independent Development Trust's allocation of R600m for the provision of land and basic shelter.

Kriel said government had already allocated R390m for the purchase of residential property in urban areas, while an additional R450m had been allocated for the servicing of

this property.

Financial assistance in the form of one-off state subsidies for first-time homeowners had been approved in principle and would be introduced in the Budget, Kriel said. "We are opening up all opportunities available to help urbanised people become homeowners," he said.

New legislation underpinning proposals contained in the White Paper would upgrade land tenure on a million township properties from leasehold into full ownership with immediate effect. Rights on an additional million properties would be converted into full ownership once the properties had been surveyed, Kriel said.

Provision would also be made for the rapid development of informal housing settlements.

By stressing that access to land will in future be based on human need, private enterprise and private ownership, government's White Paper on land reform, tabled in Parliament yesterday, represents a turning point in SA history.

Government's intentions are stated in the White Paper and the five Bills that will turn its intentions into law. There should be no discrimination on the basis of race, sex or creed; there will be equal opportunities to acquire land; there will be security of title; provision will be made for development aid to the needy; and training for conserving and effecting maximum productivity of land should be available to all.

In endeavouring to achieve these goals, government has devised a three-point policy which appears practical and workable, though dependent to a large extent on funds allocated for its implementation.

The plan is comprehensive; it starts the highly emotional process of land reform, acknowledging the wrongs of the past and trying to set them right with minimum disruption to development, while unleashing potential for growth and job creation.

Firstly, the paper's proposals aim at encouraging wider land ownership on the part of the black population by abolishing all racially based restrictions on land rights and by providing assistance, including financial assistance, to promote access to these rights.

Secondly, to upgrade the quality of land tenure and security of title, the plan is to upgrade land rights and rationalise registration systems; accommodate tribal land systems with an evolutionary conversion to a system of individual ownership and the "protection of the integrity of the title in land".

The third prong of the policy is to encourage land use as a national asset. This is to be done by maintaining the commercial production capacity of agricultural land, accompanied by open access to agricultural assistance; by active promotion of rural development; by accelerating the provision of land for urbanisation;

As land apartheid goes, finance and help are open to all

Billy Paddock in Cape Town

and by conserving the land for future generations.

Throughout the White Paper there is a cautious sensitivity to retention of existing land rights.

"Every person has certain basic needs with regard to land, access to it and the use of it. The need for land must, however, be met within the bounds of reality... The new policy has the definite objective of ensuring that the existing security and existing patterns of community order will be maintained."

The guidelines reject out of hand the ANC's demand for reparations to "the thousands of people who were wronged... removed from their land or forced to sell it against their will because of apartheid laws".

The ANC land document said if there was no reparation "we can expect an outburst of uncontrollable political anger".

The report says government "is of the opinion that a programme for the restoration of land to individuals and communities who were forced to give up their land on account of past policies or other historical reasons would not be feasible."

"Apart from the vast potential for conflict inherent in such a programme, overlapping and contradictory claims to such land as well as other practical problems would

make its implementation extremely difficult, if not impossible."

Education and Training Minister Stoffel van der Merwe made a point at a media briefing yesterday that more land was expropriated from whites than blacks during the social engineering of the apartheid years. The intention now was to look forward and write off the past.

While the paper offers strong argument for productivity of land and its conservation, it is silent on the question of absentee owners and the unproductive use of land. Some land policies, including that of the ANC, proposed punitive taxes on such land so as to encourage its productive use.

Government differs from the ANC's latest land policy document in its emphasis on private enterprise and private ownership while acknowledging the existence of communal land patterns. In contrast, the ANC emphasises communal ownership with an acceptance of private ownership.

Another area of potential conflict is that the White Paper does not criminalise racial discrimination. Its proposals would, implicitly, allow

private individuals to practise racial discrimination in the sale or rental of property or land.

Government's sensitivity to its own constituency, and its efforts to calm the rightwing, come through very strongly in the paper's comments on reform in the urban areas.

It argues that "communities set the norms and standards by which members of that residential area can protect their lifestyle and maintain a certain level of norms and standards relevant to various environments".

Putting the argument in these terms, which can only raise suspicions of a move back to a "group rights" regime, is evidence of a verbal sop to the right.

The White Paper recognises that rural development was the one sphere in which co-ordinated planning and action on a national basis has been lacking, both within and outside the homelands.

It acknowledges the serious problems of land use and the socio-economic backlogs which are widespread in the rural areas.

These areas lack development, have suffered widespread ecological deterioration which have contributed to conditions of poverty, unemployment, landlessness and a diminishing capacity of communities to satisfy their basic needs.

The White Paper says it is therefore necessary to promote socio-economic upliftment of the rural communities and the creation of opportunities to participate in the development process.

"It is necessary to ensure that rural development takes its rightful place alongside urbanisation. Rural development must be undertaken on an integrated basis and for this purpose a national rural development strategy is necessary," the White Paper recommends.

It suggests that existing rural development programmes and structures be rationalised to achieve a more purposeful and co-ordinated action.

The Bill to accompany this policy makes provision for the establishment of a National Rural Development Corporation; agricultural settlement schemes; and the communal use of land for agricultural settlement.

Government states that this commitment means adjustments have to be made to increase food production and generate job opportunities.

In terms of its proposals for providing financial assistance and other support such as agricultural extension services to the whole population, the White Paper is in close agreement with the proposals put forward by the ANC.

Other areas of agreement are:
 Abolition of all racial restrictions on ownership and use of land;
 The use of certain types of affirmative action programmes as part of the implementation of land reform;

Agricultural reform offering more jobs and self-employment; and
 Security for those whose access to land is through communal tenure.

Overall the policy of land reform envisaged by government is innovative, attainable and bears evidence of widespread consultation, deliberation and negotiation.

It also shows that politicians and officials are willing to be flexible in an attempt to create an end-product that, with very few shortcomings, must be acceptable to the majority of South Africans.

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BILLY PADDOCK in Cape Town

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Overall the policy of land reform envisaged by government is innovative, attainable and bears evidence of widespread consultation, deliberation and negotiation.

It also shows that politicians and officials are willing to be flexible in an attempt to create an end-product that, with very few shortcomings, must be acceptable to the majority of South Africans.

Govt rules out payment for dispossessed people

80 LESLEY LAMBERT

CAPE TOWN — Government has rejected ANC demands for compensation to black South Africans dispossessed of their land. *Bl Day 13/3/91*

The White Paper on land reform, released weeks after the ANC's land policy document which demanded reparations, stated that the restoration of land to those dispossessed by apartheid would not be feasible.

The ANC warned government that failure to address the matter would result in an outburst of "uncontrollable political anger" from the thousands of people removed from their land or forced to sell it.

But, government argues, "apart from the vast potential for conflict inherent in such a programme, overlapping and contradictory claims to such land, and other practical problems, would make its implementation extremely difficult, if not impossible.

"The government believes that it is in the interest of peace and progress that the present position be accepted and that the opportunities afforded by the new land policy should be exploited to bring about a more equitable dispensation."

It says an attempt to return to the "previous order" would disrupt the country's pace of development.

Government also takes a firm stand on private land, reiterating its opposition to "any form of redistribution of agricultural land, whether by confiscation, nationalisation or expropriation."

"Private ownership of land, including agricultural land, is a cornerstone of the government's land policy," it states.

Govt 'is playing with fire'

CAPE TOWN — Government was playing with fire in its proposals on land reform, CP leader Andries Treurnicht said yesterday. ~~80~~ (80)

The CP found it inexplicable that government was turning white SA into "everyman's land" before talks for a new constitution had begun, he said.

What made these proposals worse was that black people kept their land in the independent states and self-governing territories while whites did not have this right.

NP study group on planning chairman Paul Farrell said the paper succeeded in addressing the importance of land as a basis for peace, stability and economic progress. b 10m 13/3/91

DP land affairs spokesman Peter Soal said the paper was the final death blow to the Verwoerdian dream of grand apartheid.

In a statement issued in Parliament, he said it represented a great step forward by deracialising land ownership and tenure. — Sapa.

Sacob enthusiastic, but

AHI issues a warning

b 10m 13/3/91
THE SA Chamber of Business (Sacob) yesterday hailed the release of government's White Paper on Land Reform as "probably the most significant event in the process of normalising socio-economic relationships in SA".

Sacob said in a statement that implementing the paper's provisions would open economic opportunities for all and promote the development of a stable black middle class.

"Sacob endorses the view that, in addition to the eventual removal of racially based restrictions on land ownership, support measures designed to facilitate acquisition of land be made accessible to all," the statement said.

~~80~~ (80)
PETER DELMAR

It would also improve SA's international standing.

GERALD REILLY reports that the Afrikaanse Handelsinstituut (AHI) said yesterday its membership would be divided on the merits of the policies spelt out in the White Paper.

Director Martin van der Berg cautioned that care would have to be taken to ensure that SA's economic growth potential was not inhibited.

He said the AHI recognised the need for land ownership and development in SA and welcomed the fact that high-level attention was being focused on the issue.

CAK TWA
13/3/91 80

From page 1

be divided on the merits of the policies spelt out in the White Paper.

AHI director Mr Martin van der Berg cautioned that care would have to be taken to ensure that South Africa's economic growth potential was not inhibited.

The land reforms will lead to the scrapping of the Group Areas Act and the 1913 and 1936 Land Acts. A total of 189 laws that enforced various aspects of racial discrimination will be repealed wholly or in part, and at least 15 000 other proclamations instituted in terms of the various laws since 1913 will be scrapped.

● The government has ruled out making reparations or returning the land to the roughly 3,5 million blacks forcibly removed as a result of social engineering in the name of apartheid.

One of key architects of the government's reforms, Minister of Education and Training Dr Stoffel van der Merwe, said any moves towards compensation and restitution would "open up a quagmire".

He said that both whites and blacks had been dispossessed in the name of apartheid and land had been more white than black land.

Neither does the government plan to introduce an anti-discrimination act to outlaw racist practices, and private property owners will still be able to rent and sell to members of a particular race group — as long as they do not explicitly make this a condition of a transaction.

Under the new dispensation, local authorities will be empowered to promulgate by-laws to control over-occupation and appropriate use of residential premises and the maintenance of "tidy and hygienic" conditions.

At a press conference yesterday, Dr Van der Merwe said the changes were of far-reaching and historical dimensions. "When these laws come into affect, South Africa will be a vastly different place," he added.

The government is investigating a capital subsidy for black first-time buyers which should assist a further 250 000 prospective home-owners. In addition, the Independent Development Trust will make about R600 million available for first-time home buyers which would bring about 80 000 additional plots on to the market.

ANC reacts with 'outrage and deep disappointment'

THE ANC responded with "outrage and deep disappointment" to government's White Paper on land reform tabled in Parliament yesterday.

The organisation said in a statement neither it nor dispossessed rural communities had been consulted on the document.

Land reform, it said, meant land redistribution. "This document explicitly rejects land redistribution."

The statement said the paper was not a land reform document, as it claimed.

"Its effect is to codify the present state of dispossession under the cover of free market proposals. All this emphasises the need for speedy progress in negotiations for a constitution that will be democratic and serves the interests of all the people."

Its attempts to provide ownership rights to blacks who were tenants now would normally be seen as a positive move.

"For the ANC, the restoration of land to the victims of forced removal must form the underpinning of any credible land policy.

The statement said the ANC be-

PETER DELMAR

lieved that to rectify the "gross imbalances" in land ownership, redistribution could not be left simply to the market.

It charged that references to the protection of standards after the abolition of the Group Areas Act was a "thinly veiled protection of white privilege".

Procedures

"The approach to communal tenure also worries us deeply. The government maintains it will allow the system to continue to exist, but has also constrained it by a high level of administrative intervention which will make it very difficult for communities to maintain this system.

"Yet nowhere is there any suggestion that white farmers be subject to similar state control procedures to ensure that they farm within the carrying capacity of the land and do not build their houses on high-potential land."

The ANC criticised the paper for not dealing with the need to restruc-

ture the commercial agricultural sector. Land reform, it said, had to address the challenges of one agricultural system.

The PAC welcomed the paper but said it was not enough.

In a preliminary comment, foreign secretary Patricia de Lille said while it was consistent with the abolition of the Land Acts, it was "not enough".

"The PAC stands for redistribution of the land. Much land is held by the government.

"Provincial and tribal land must be available free of charge.

"Our people were dispossessed by force of arms. It is illogical and insensitive to expect us to buy the land of which we were dispossessed."

The Transvaal Rural Action Committee (Trac) said the new legislation did not address economic inequalities and the free market system advocated would only entrench whites' privileged position.

One of the most glaring omissions, a Trac statement said, was that land would not be restored to people dispossessed or the subject of forced removals.

White Paper lauded, slated

Star 13/3/91 80
By Jo-Anne Collinge

Reaction to the Government's land reform proposals took the pattern of sharp rebuke from organisations representing the homeless and the Right — and a warm welcome from most bodies speaking for those who own property.

Heading the critics were the African National Congress and the Conservative Party. Those adding their praise included the SA Agricultural Union (SAAU), the Democratic Party and the South African Chamber of Business (Sacob).

The ANC — stressing that the Government had not consulted it or any of the communities subjected to forced removal under apartheid —



Playing with fire . . . Andries Treurnicht.

said the White Paper presented a view of land ownership "that absolves the white population of all responsibility for the existing unequal land dispensation".

It added: "The Government takes the geography of apartheid as its starting point and explicitly refuses to deal with the landlessness

and dispossession that is the direct legacy of apartheid's policy of forced removal and bantustan consolidation."

The ANC condemned the Government's refusal to restore land to the victims of forced removal.

Dr Andries Treurnicht said the Government was "playing with fire".

He said the CP found it inexplicable that the Government was turning white South Africa into everyman's land before negotiations on a new constitution had begun.

What made these proposals even more drastic was that black people retained their land in the independent states and self-governing territories while whites did not have this right.

● To Page 2 ■

White Paper Star 13/3/91 both lauded and criticised

From Page 1 80

It appeared that the Government had given in to most of the ANC's land demands. The so-called guarantee of private land ownership was no long-term assurance for anyone against the ANC's final claims to land.

SAAU president Nico Kotze welcomed the support expressed in the White Paper for the retention of an overwhelmingly commercial form of agriculture.

"Private ownership of agricultural land, and the utilisation thereof by free entrepreneurs, forms the basis for a sound agricultural industry," he said.

The Transvaal Rural Action Committee (Trac), which campaigned tirelessly against forced removals, said the policy "does not address the grave property inequities in our society".

Trac added: "A free-market system as advocated will only entrench the privileged position of whites."

The White Paper was the final death-blow to the Verwoerdian dream of grand apartheid, DP land affairs spokesman Peter Soal said.

Stable

It represented a great step forward inasmuch as it totally de-racialised the question of land ownership.

Sacob said the planned land reform would open economic opportunities for everyone and further promote the development of a stable black middle class.

Mohamed Dangor, chairman of Actstop, which spearheaded the campaign against the Group Areas Act in Johannesburg, said he feared the policy would lead to "economic apartheid instead of racial apartheid".

The Labour Party welcomed the fact that all racially based restrictions on land ownership were going to be abolished.

Gerald Morkel, spokesman on land affairs, said the White Paper gave expression to what the party had been working for — the right of anyone to buy land.

THE scrapping of the Group Areas Act removes the restrictions on white-owned businesses from trading in the townships. Do the opportunities provided by this change outweigh the costs? Nafcoc for one believes they do not.

The Nafcoc argument reported in last Monday's Business Day, that supermarkets should be kept out of black townships in order to protect black retailers is, however, simplistic. Why should black retailers be protected at the cost of black consumers? It is more realistic, as Achib suggests, to promote specialist outlets which have natural, consumer-oriented advantages over chain stores. Such an advantage need not be any more costly or complex than the extended trading hours of a spaza shop, or the ability to sell goods in small quantities (for example, single cigarettes or sweets) to the very poor.

The issue runs much deeper than a simple consumer/retailer clash of interests. The question is whether the townships can ever be transformed into suburbs, with the usual suburban amenities. Urban townships in SA were cre-

Transforming townships

Blowan 14/3/91 80

IAN CLARK

ated as worker dormitories. Business was limited to convenience stores located, designed and built by the local administration boards. Products which could be sold were limited to grocery items, with everything else being bought in the "real" business areas in white towns.

These stores were rented, and licences issued, at the discretion of the township manager. Often licences and leases were "sold" for a monthly fee. This fee was increased if profits went up, actively discouraging improvement to the business. Alterations to buildings ran the risk of incurring the disapproval of the owner of the building, and the original licence holder taking possession of the business before the investment could be recovered.

Today with chain stores on the periphery of the townships, and spaza shops in the centre, the retailer is being squeezed out of existence. Businessman Joe Hlongwane believes township retailers are "on the

edge of a precipice" with no hope of an internal solution.

Everyone is losing. Residents have to travel long distances to buy products not available in the townships and pay high prices for those that are. The low level of local business activity provides few opportunities for would-be formal business.

The business activity centring on a township chain store would create business opportunities for local entrepreneurs, as well as lower prices for shoppers. Niches will open up for specialist satellite stores, and shoppers will be attracted back to the areas in which they live.

The opportunities created would initially be for businesses providing consumer products and services, such as pharmacists, bookstores, greengrocers, educational suppliers,

electronic equipment suppliers, clothes stores, toy shops, estate agents, medical services, florists, insurance brokers and tutors.

In time, these businesses would generate further opportunities for suppliers of business products and services.

Is it realistic to expect the chains to move into the townships? No, not as things stand.

Not only is there the obvious and vexed issue of security, but other perhaps subtler issues need to be addressed. Electricity is a good example of these issues. Even where township electricity is supplied intermittently. This is bad enough for a family, or any small business requiring refrigeration facilities. For a hydropowerstore it is simply not viable. Nor is the alternative of an independent supply of electricity acceptable. A lit-up supermarket blazing out in solitary glory while everyone else in

the area fumbles for candles and paraffin lamps is asking for swift retribution. The same goes for other township services.

It is inevitable that townships will remain ghettos unless they become the focus of significant formal economic development.

Innovative ways will need to be found of making both residents and retailers with a high level of expertise come together to mutual advantage. For example, mobilising stock and savings club funds to give residents a share in their suppliers' success will not only give these funds a better return than they now enjoy but will also enhance the relationship between customer and retailer.

The removal of racial legislation by mid-year will not only open up opportunities for business, but it will also give township communities the chance of shaping their own destinies. Individuals and groups with this vision will take the initiative to ensure that this happens to the advantage of all.

Clark is the director of Wits Business School's Centre for Developing Business.

JOHANNESBURG. — At least 15 of the country's dispossessed rural communities plan to meet soon to discuss strategies to reclaim their land.

ANC land commission spokesman Ms Aninka Claassens said yesterday that representatives of 3,5 million people forcibly removed from their land under apartheid supported the ANC's proposal for land courts to adjudicate on land claims.

She said there was a large-scale move by dispossessed communities like those at Mogopa, Doornkop and Mfengu to

Tribes plan to reclaim their land

return to their former homes. This would be discussed at the meeting.

The National Land Committee (NLC) said the white paper was not a proposal for serious land reform. The paper was based on extending the existing system of land rights.

"It explicitly refuses to consider the restoration of land to communities who were forcibly removed. It says this is not feasible and demands that these communities should accept their present position.

"We believe this to be an unreasonable and unfair demand," the NLC said. The starting point of any programme of land reform had to be the willingness to acknowledge and rectify the wrongs of the past.

"Unless this is done, no attempt to change the system of land rights will have any legitimacy or credibility."

CAP-TIME
14/3/91
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ANC land commission spokesman Aninka Claassens and ANC head of information Pallo Jordan reacting yesterday to government's land reform proposals. Picture: CATHERINE ROSS

Communities move to regain land

REPRESENTATIVES of at least 15 of SA's dispossessed rural communities plan to meet soon to discuss strategies to reclaim their land.

ANC land commission spokesman Aninka Claassens said yesterday that representatives of 3,5-million people forcibly removed from their land during the heyday of apartheid supported the ANC's proposal for Land Courts to adjudicate conflicting land claims. *By Day 14/3/91*

She said there was a largescale move by dispossessed communities like those at Mogopa, Doornkop and the Mfengu to return to their former homes. This would be discussed at the upcoming meeting.

In some cases they were being threatened by local farmers and intimidated by signboards claiming their former land had been landmined.

The National Land Committee (NLC) said government's White Paper on land was not a proposal for serious land reform.

The NLC said the White Paper was based on extending the existing system of land rights.

PATRICK BULGER

"The White Paper explicitly refuses to consider the restoration of land to communities who were forcibly removed. It says this is not feasible and demands that these communities should accept their present position.

"We believe this to be an unreasonable and unfair demand," the NLC said.

"The starting point of any programme of land reform has to be the willingness to acknowledge and rectify the wrongs of the past. Unless this is done no attempt to change the system of land rights will have any legitimacy or credibility."

In early reaction to the paper, the ANC said its effect was to codify dispossession under the cover of free market proposals.

"All this emphasises is the need for speedy progress in negotiations for a constitution that will be democratic and serves the interests of all the people."

● See Page 4

● Comment: Page 8

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UNDERLYING the surface skirmishes in SA is The Great Battle. This country has known great battles. Between settlers and Xhosas, Zulus and the rest, Brits and Zulus, Boer and Brit, black and white and black and black. But The Great Battle has little to do with ethnicity. It is about economics; about which system is the most effective for SA.

Strip the evolving positions of the NP-led and ANC-led factions to their essentials, and there appears little left to negotiate. Both want one man, one vote, both want a bill of rights, both want an independent judiciary. So why not scrap the idea of negotiations, assign a task force to write a new constitution, and set a date for the first election?

Because The Great Battle, that over property rights, is still to be concluded. In most societies this would simply be an ideological fight about whether capitalism or socialism was the more effective system. The argument could be decided in a minute — while capitalism has produced some failures, socialism has failed everywhere.

But in SA the battle for property rights takes on additional overtones. Protect property rights, many would say, and white privilege is protected. Years and years of discrimination and dispossession will be entrenched. Hardly an attractive proposition for the disenfranchised who know they will soon have their say. Nor for a liberation movement intent on redistribution.

Put to the vote, the property rights faction would lose. Tomorrow. So it is in this lobby's interests not to vote on the matter, but rather to ensure that property rights are non-negotiable; that when negotiations end this right is graven in stone.

But the faction hostile to property rights will not even want to write these rights on paper. So battle lines are drawn.

Lines are drawn in the great battle over property rights

KEVIN DAVIE

Battles are a question of power and strategy. Both parties are undoubtedly powerful. The NP-led faction controls the organs of state, but the ability to draw on brute force arguably counts for very little. A switch in strategy would have disastrous consequences, as gains painstakingly won since February last year would be undone overnight, and sanctions would be renewed even more vigorously.

Strategy is more important than power. The weapons are argument and debate rather than the use of force. Here we see that The Great Battle has already started and that important victories have been won in early exchanges. The first was more than a year ago on the day ANC leader Nelson Mandela was freed from jail. The world waited for his first words in nearly 30 years, and was horrified to hear nationalisation among them.

A year later when the ANC mentions nationalisation, as it does in its latest document on the land issue, it says it is not the easy solution it once thought it to be, and warns that the world may impose sanctions if a

future government tried to nationalise.

In the 12 months it took the ANC to soften its position from Mandela's initial hard line to the more recent nationalisation with a friendly face, President F W de Klerk was busy manoeuvring. He convinced the leaders of the industrialised world that the reform process was both irreversible and that he was committed to keeping private property as the cornerstone of the new system.

Sanctions began to roll back, capital began to flow in rather than out, trade finance increased by leaps and bounds, and government and business delegations began arriving by the plane-load to check out investment possibilities.

The importance of this improved relationship cannot be underestimated. De Klerk's strategy has won the high moral ground and taken pressure off his government to get into negotiations early and settle for whatever was going. He can now

rather play for time, implement new policies to the applause of the world — and, perhaps, even domestically, should the new approach be shown to work.

There is the added bonus that, in the meantime, the ANC is slowly but surely abandoning the rhetoric of a revolutionary movement as grand ideologies have to be converted into practical policy.

But the ANC retains nationalisation as the cornerstone of its land policy. Its bill of rights says the state may take legislative steps to overcome the effects of past statutory discrimination in property rights.

Likewise, one of the ANC's chief constitutional architects, Albie Sachs, says in his book *Protecting Human Rights in a New South Africa* that just as land was taken from blacks because they were black, so in future must land be taken from whites because they are white.

The opposing view is that while this may make moral sense, it is economic nonsense. Capital and skilled people would take off on a scale which would dwarf former President P W Botha's Rubicon disaster. The ANC has acknowledged

this. A list of disadvantages which go with nationalisation are included in its "one man, one farm" document released late last year. These include that nationalisation may create land insecurity leading to the partial failure of the financial system, or even a general economic collapse.

Government's position on property rights is set out in its White Paper on land reform which was unveiled earlier this week. It undertakes to protect existing rights and says it is totally opposed to any form of redistribution of land, whether by means of nationalisation, confiscation or expropriation.

It admits the wrongs of the past, but wants market solutions to be used to facilitate land ownership by blacks on a massive scale. Vast tracts of rural land will be made available for small-scale farming, blacks will have equal access to Land Bank and agricultural extension finance, and tens of thousands of site and service plots will be made available annually for urban settlement.

The policy rests on private ownership and enterprise. Title deeds at low markets to be created, for landowners to raise loans with their properties as surety, creating new finance for development as considerable private resources can move into these markets.

The paper should be seen in the context of The Great Battle. An army cannot go to war with a soft underbelly. The new policy gets rid of 189 laws and 15 000 regulations which discriminated on the basis of race.

The two great armies have the same goal. Both want to redress the wrongs of the past. But the one wants to do this over time and on the back of economic growth, while the other wants more immediate and widespread action even at the risk of economic collapse.

A mighty battle can be expected. May the best side win.

Black business influx unlikely

By Abel Mushi
and Musa Mapisa

The Government's land reform proposals, tabled in Parliament this week, has drawn mixed reactions from prominent black businessmen regarding their preparedness to buy commercial property and establish businesses in white areas — particularly in suburbs.

In a survey conducted by The Star, as many entrepreneurs expressed the willingness to "give it a try" as those who were reluctant because they felt the action would be perceived as some form of "sellout".

Black business-supporting financial institutions believed the movement by black entrepreneurs into such areas, if any, would be minimal.

The chairman of the Tshabalala Group of Companies, Ephraim Tshabalala, said: "I'm not interested.

"I'd rather expand into Orange Farm (a former squatter camp) because I believe I've got to stay close to the people who built me up. I cannot fail them now."

Mr Tshabalala said he

believed entrepreneurs' priority should be the development of their own areas and creation of employment opportunities in their own communities.

Soweto business leader Richard Maponya said, however: "Of course! That's for sure!

"I think this is an opportunity we've been waiting for. A businessman has to look around for areas where he can make money."

Opportunity

Toby Makwakwa, the owner of several garages and fast food outlets in Soweto, said he would buy commercial property in white areas if a viable opportunity arose.

A spokesman for the Foundation for the Advancement of Black Business and Consumer Services, Fanyana Shiburi, said that although he welcomed the move, he did not think there would be a rush by black businessmen to white areas.

"One has to first find a market for one's products and services, and businesses in the townships are geared for the black market," he said.

African Bank's general manager of finance, Ismael Mamoojee, envisaged a gradual movement of black traders into white suburbs.

African Council of Hawkers and Informal Business president Lawrence Mavundla said he believed the move should be made to benefit black businessmen.

He hoped some "protective mechanism" would be adopted which would prevent whites from opening businesses in the townships as they had "never been disadvantaged".

Dawie Crous, the Small Business Development Corporation's senior manager of development promotion, said that although the corporation was very pleased with the new dispensation, it already had "established hives of industries" in white suburbs which catered equally for white and black entrepreneurs.

Although the desegregation offered new opportunities for black entrepreneurs, Mr Crous said he believed black businessmen would still put emphasis on developing their own areas where there was a need.

Homeless get R750m for land

By BARRY STREEK

A MAJOR boost to housing — a R750 million Independent Development Trust (IDT) grant to poor people, a new government scheme for higher income people and a major new private sector financing project — is one of the cards.

The IDT plan to assist 100 000 poor families with grants of R7 500 to buy land and build houses was announced yesterday by its chairman, Mr Jan Steyn.

Mr Steyn said at a press conference: "We understand the government will shortly be

announcing a similar initiative which will also provide for those in higher income brackets and will be making allocations for this purpose as soon as resources permit."

He also revealed that the IDT would release details in about ten days' time about the private sector scheme to assist the financing of home-building.

Earlier yesterday, Mr Steyn released the text of an agreement between the IDT, Mr Nelson Mandela of the ANC and Chief Mangosuthu Buthelezi of the Inkatha Freedom Party for joint initiatives in the areas of housing,

education and health.

Mr Mandela and Chief Buthelezi agreed that joint projects would be supported by their members, would not be subjected to unlawful and extra-judicial action such as unjustified refusal to meet lawful obligations and, as far as it was in their power, be protected against vandalism and other acts of violence."

Mr Steyn said all the parties he had spoken to saw the IDT initiative as a way development could be depoliticised very considerably.

16/3/91
Although the IDT's housing director, Mr Ben van der Ross, conceded there could be "serious problems" of politicisation and patronage in housing development at the local level, a clear strategy of building thousands more homes and getting support from all parties for this initiative had developed.

Mr Steyn said the IDT had received more than 300 applications, at an estimated cost of R7 billion, within the broad housing ambit, but it had been decided to allocate the R750m to secure land for poor people.

Land would be secured as a key component of the whole development process of poor people as the basis for providing security for them so that they gain upward mobility.

Purchasers would have to be over 21, have dependants living with him or her, have a maximum monthly income of R1 000, not receive other housing subsidies from the state and be first-time property owners.

If the selling price of the site was more than R7 500, the balance would be paid by the purchaser.

The wit & wisdom of Hernus Kriel...

THE SUNDAY MORNING ASSESSMENT

By Norman West

THIS Sunday is the first since the passing of the controversial Land Acts and Group Areas Acts that blacks can take a Sunday drive into any suburb and check out show-houses to buy — "if the landlord likes your face".

This is one example of the curious — some would say insensitive — choice of words Minister of Planning, Provincial Affairs and National Housing Hernus Kriel used to sell the five land reform Acts to SA and the world through special press briefings last week.

When a black journalist asked whether the government planned to protect blacks from being refused the right to buy property on the basis of race and colour, Mr Kriel replied: "A private owner can refuse to sell you a house or rent you a flat if he does not like your face — it is his right."

About District Six — where more than 40 000 "coloured" families were forcibly removed in terms of the Group Areas Act and their homes demolished by bulldozers — Mr Kriel took a deep breath and said:

"You must please remember, District Six has become a symbol, a symbol that has nothing to do with the facts. District Six, the land there, was owned by whites. Go and have a look at who owned District Six."

"It was not a Gregoire Boonzaaier painting. It was a damn disgrace and a dangerous place to live. It was a slum that was unbelievable, and none of those white landlords were prepared to spend money on those places and do a redevelopment scheme there."

Standards

"District Six would have gone down and even become worse than it was at that time. And I want to make it quite clear — the people of District Six were (later) housed under better circumstances than they had lived in District Six."

Surely "better housing" could not include the gang-infested suburbs on the Cape Flats like Hanover Park and Lavender Hill?

"Yes," said Mr Kriel, adding for good measure: "I would rather stay in Parow, a distance from Cape Town, than live in Cape Town in a hole" (the old District Six).

How will "standards and norms" be determined in terms of who may live within which communities? Mr Kriel said no Conservative Party town council in Boksburg would be able to stop any person of any race from buying or occupying property anywhere.

Could a white landlord prevent a black from exercising his free market privileges in the new "land-reformed" SA?

Mr Kriel: "Yes, a landlord can stop you, but that happens all over the world, my friend... The local authorities can determine what norms and standards will qualify any person

□ To Page 2

Kriel's wit and wisdom

□ From Page 1 *

to live in a particular community — but that is not a backdoor to apartheid.

"It is just that — say, for instance, in Parow — I would not want a backdoor garage next to my house — not because I am white but because I am a South African citizen."

Could the government not take steps to stop landlords discriminating against tenants because of their skin colour?

Mr Kriel replied: "There are two aspects: if you look at the courts, before we started legalising apartheid — that is by the introduction of the Group Areas Act, the Separate Amenities Act and those (other) Acts — what happened was that the courts had found it was illegal to discriminate on the grounds of race."

"Therefore, the moment you remove those (apartheid) Acts from the statute book, then those court judgments (before the legalising of apartheid) still stand."

"I believe people can then be taken to court because they are discriminating on the grounds of colour."

"But I have another problem. In America they have laws that state you cannot discriminate on the basis of race and colour. But can you tell me if there is race discrimination or not?"

Why can't SA have an anti-race discrimination act?

"I will tell you why it won't work (in SA). People are clever. People can find a hundred and ten reasons for not renting or selling that property to (a black)."

"I maintain that those (overseas anti-race discrimination) laws are not worth the paper they're written on. No law in the world is going to get rid of race discrimination."

"Only people through their actions and change of hearts can put an end to race discrimination. No law. We have discrimination, not only on the basis of colour — look at anti-semitism, all over the world. I

speak to my Jewish friends. It is alive and well all over the world.

"There are cases handed down in courts that point to the fact that, if you are discriminated against on the basis of race, you can resort to common law, and I believe if you can prove your case, you can win your case."

How about banks and building societies which would not grant blacks loans to buy land or properties?

Mr Kriel: "Can I put it to you this way. At present, banks and building societies do discriminate against black applicants."

"If a fellow is black, he does not get a loan. Do you know why? Because the (black) people do not pay their mortgage bonds. So there is discrimination."

"If you were to pass an anti-discrimination law it would render building societies bankrupt and, in any case, they will still lie and cheat (lieg and bedrieg). They will still not grant loans until there is an undertaking that people would repay those financial institutions."

"Another reason for refusing to finance blacks could be where financial institutions already have an 80 percent backlog in repayments and they therefore decide they do not want to invest in that (black) area because the ANC was intimidating people to refuse to pay their bonds," said Mr Kriel.

CAP
TINKS
19/3/91

Group Areas alive in HoR

Political Staff

DESPITE the imminent scrapping of the Group Areas Act, the Labour Party-controlled House of Representatives is still restricting sale of land it owns to coloured people.

The move comes as a surprise because the Labour Party has repeatedly called for the abolition of the Act.

In advertisements at the weekend, the Department of Local Government, Housing and Agriculture in the House invited "offers/development proposals, restricted to developers of the Brown group" for a 7 964-square-metre plot in Bella Vista, Ceres.

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Star 19/3/91
**Land Bills open
to public debate**

The Parliamentary Committee on Land Reform Legislation has invited representations on the package of five Bills that accompanied the Government's White Paper.

Chairman Piet Marais said yesterday the committee was now considering the Abolition of Racially Based Land Measures Bill, the Residential Environment Bill, the Township Establishment Bill and the Rural Development Bill. (80)

Representations on the Abolition of Racially Based Land Measures Bill should be made by not later than April 3. Representations on the other four measures should be in by not later than April 10. (80)

All correspondence should be addressed to the Secretary, Parliament, Box 15, Cape Town 8000. — Sapa.

Departmental homes: admission policy

*6. Mr A GERBER asked the Minister of Welfare, Housing and Works:†

- (1) Whether, with reference to his reply to Question No 4 on 19 February 1991, the Government determines the admission policy of the four Departmental homes under the control of his Department; if not, why not; if so, *Hansard 19/3/91*
- (2) whether non-Whites are free to apply for admission to these homes;
- (3) whether their applications will be considered on merit?

B509E

HOUSE OF ASSEMBLY

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TUESDAY, 19 1

The MINISTER OF WELFARE, HOUSING AND WORKS:†

- (1) *Hansard 19/3/91* The Department will continue to render a service in line with the needs of the communities concerned which have been served for many years. It is a world-wide phenomenon that services which are rendered to different communities are based on social compatibility. The admission policy in respect of these homes will be effected in accordance with the provisions of the RSA Constitution Act, 1983.
- (2) At these homes provision is made for a service within the community for those who prefer it.
- (3) Falls away.

The MINISTER OF PLANNING, PROVINCIAL AFFAIRS AND NATIONAL HOUSING: *Hansard 19/3/91*

Provincial Administration of the Cape

(1) Yes.

(a) Administration of social pensions for Blacks in the Cape Province.

(b) 138 958.

(2) No.

(a)-(c) Fall away.

Natal Provincial Administration

(1) Yes.

(a) Administration of social pensions for Blacks in Natal.

(b) 70 324.

(2) No.

(a)-(c) Fall away.

Provincial Administration of the Orange Free State

(1) Yes.

(a) Administration of social pensions for Blacks in the Orange Free State and Botshabelo.

(b) 88 701.

(2) No.

(a) and (b) Fall away.

(c) 145.

Transvaal Provincial Administration

(1) Yes.

(a) Administration of social pensions for Blacks in the Transvaal.

(b) 266 363.

(2) No.

(a)-(c) Fall away.

Black local authorities

95. Mr L F STOPBERG asked the Minister of Planning, Provincial Affairs and National Housing:†

How many Black local authorities ceased functioning in (a) the Transvaal, (b) the Orange Free State, (c) Natal and (d) the Cape Province in 1990? *Hansard 19/3/91*

B263

The MINISTER OF PLANNING, PROVINCIAL AFFAIRS AND NATIONAL HOUSING:

No Black local authorities in the four provinces ceased to function.

Where councillors resigned to such an extent that quorums no longer existed at the local authorities, the respective Administrators appointed administrators to perform the duties of such local authorities.

Information regarding local authorities where administrators were appointed, is as follows:

(a) Transvaal : 35
 (b) Orange Free State : 38
 (c) Natal : 2
 (d) Cape Province : 30

Open areas

105. Mr P G SOAL asked the Minister of Planning, Provincial Affairs and National Housing: *Hansard 19/3/91*

Whether any open areas have been proclaimed in municipal areas in terms of section 19 of the Group Areas Act, No 36 of 1966, since 28 February 1987, if so, (a) how many, (b) in which municipal areas and (c) when in each case? *B290E*

The MINISTER OF PLANNING, PROVINCIAL AFFAIRS AND NATIONAL HOUSING:

Yes.

(a) 116 Areas which include 6 areas where the existing free trading areas were extended.
 (b) and (c) See Annexure.

ANNEXURE

MUNICIPAL AREA	PROCLAMATION NO.	DATE
Plettenberg Bay	38	13-03-1987
Strand	37	13-03-1987
Still Bay	42	27-03-1987
Vredenburg	39	27-03-1987
Eshowe	43	27-03-1987
Worcester	63	16-04-1987
	166	Extension of existing area
Pietersburg	71	14-09-1990
Port Shepstone	72	30-04-1987
	119	Extension of existing area
Montagu	70	20-07-1990
Welkom	69	30-04-1987
Milnerton	68	30-04-1987
Benoni	67	30-04-1987
	124	Additional area
	145	Extension of existing area
Colenso	66	24-08-1990
Grabouw	79	30-04-1987
Glencoe	79	22-05-1987
	80	29-05-1987
	29	Extension of existing area
Vanderbijlpark	86	23-03-1989
Gordon's Bay	88	12-06-1987
	155	Additional area
Springs	100	26-06-1987
Knysna	111	26-06-1987
	57	Extension of existing area
Pinetown	113	28-04-1989
Tongaat	114	24-07-1987
Carnarvon	129	24-07-1987
Kempton Park	132	11-09-1987
Acasia	131	25-09-1987
Kuils River	133	25-09-1987
Moorreesburg	144	25-09-1987
Durbanville	144	09-10-1987
Mooi River	145	09-10-1987
Randburg	181	31-12-1987
Prieska	2	15-01-1988
Roodepoot	1	15-01-1988
	15	19-02-1988
	66	Additional area
Germiston	36	05-04-1990
	193	Extension of existing area
Stranger	35	11-03-1988
Goodwood	40	17-11-1989
Empangeni	57	11-03-1988
Frankfort	56	18-03-1988
Klerksdorp	74	31-03-1988
Kroonstad	81	05-05-1988
Krugersdorp	88	20-05-1988
Brakpan	115	03-06-1988
Matatiele	116	15-07-1988
Polgierstrus	142	15-07-1988
Messina	140	26-08-1988
		26-08-1988

MUNICIPAL AREA	PROCLAMATION NO.	DATE
Harrismith	143	26-08-1988
Potchefstroom	137	26-08-1988
Verwoerdburg	135	26-08-1988
Sandton	144	26-08-1988
Westonaria	148	02-09-1988
Uppington	156	16-09-1988
Simon's Town	158	16-09-1988
Ceres	159	16-09-1988
CAPE TOWN:		
Athlone	160	16-09-1988
Charlottesville	202	14-12-1990
Michells Plain	160	16-09-1988
Michells Plain	167	14-09-1990
Tokai/Retreat	160	16-09-1988
Edenvale	161	16-09-1988
Stellenbosch	184	04-11-1988
Bloemfontein	191	11-11-1988
Kokstad	37	09-03-1990
Additional area	202	02-12-1988
Oudtshoorn	205	02-12-1988
Virginia	207	02-12-1988
De Aar	210	02-12-1988
Carltonville	216	09-12-1988
Grahamstad	222	30-12-1988
Hennenman	221	30-12-1988
Douglas	5	10-02-1989
Uitenhage	7	10-02-1989
Newcastle	32	23-03-1989
Ladysmith	30	23-03-1989
Lichtenburg	66	26-05-1989
Westville	81	09-06-1989
Postmasburg	83	09-06-1989
Rustenburg	119	14-07-1989
Kenton-on-Sea	117	14-07-1989
Riversdale	125	14-07-1989
Richmond (Natal)	144	04-08-1989
Greytown	150	11-08-1989
Richardsbaai	164	15-09-1989
Graaff-Reinet	181	27-10-1989
Fort Beaufort	188	10-11-1989
Boksburg	201	08-12-1989
Additional area	195	07-12-1990
Beaufort West	4	19-01-1990
Pacaltsdorp	3	19-01-1990
Swartruggens	7	19-01-1990
East London	26	23-02-1990
Malmesbury	30	02-03-1990
Fraserburg	40	09-03-1990
Melmoth	36	09-03-1990
Stutterheim	47	16-03-1990
Stanford	46	16-03-1990
Worseley	53	23-03-1990
Port Alfred	79	27-04-1990

MUNICIPAL AREA	PROCLAMATION NO.	DATE
Umkomaas	76	27-04-1990
Verulam	83	04-05-1990
Alberton	89	25-05-1990
Hartswater	113	06-07-1990
Cradock	124	20-07-1990
Daniëlskuil	125	27-07-1990
Pietermaritzburg	140	24-08-1990
Dannhauser	141	24-08-1990
Mandini	158	31-08-1990
Dundee	177	05-10-1990
Queenstown	189	23-11-1990
Warrenton	197	07-12-1990
Total	116	

Black local authorities: accounts

(a) Local Authorities (b) Financial years

07. Mr J J WALSH asked the Minister of Planning, Provincial Affairs and National Housing:

- (1) Whether any Black local authorities had not finalized their accounts as at the latest specified date for which information is available; if so, (a) which local authorities and (b) for which financial years are final accounts outstanding in each case;
- (2) what action does he intend taking to rectify this matter?

B293E

The MINISTER OF PLANNING, PROVINCIAL AFFAIRS AND NATIONAL HOUSING:

Transvaal

(1) Yes.

(a) Local Authorities (b) Financial years

Alexandra	1989/90	eThandakukhanya	1989/90
Bekkersdal	1989/90	eZamokuhle	1989/90
Diepmeadow	1989/90	Kwa Chibukhule	1989/90
Dobsonville	1989/90	Kwa Dela	1989/90
Evaton	1989/90	Kwa Thandeka	1989/90
Kagiso	1988/89 and 1989/90	Kwa Zamokuhle	1989/90
Khutsong	1989/90	Kwa Zanele	1989/90
Lekoa	1989/90	Lebohang	1988/89 and 1989/90
Mohlakeng	1988/89 and 1989/90	Mashishing	1988/89 and 1989/90
Munsieville	1989/90	Mhluzi	1988/89 and 1989/90
Soweto	1989/90	Phola	1989/90
Wedela	1989/90	Sakhelwe	1989/90
Boteng	1989/90	Sakhile	1988/89 and 1989/90
Impumelelo	1989/90	Silibela	1988/89 and 1989/90
Nthorwane	1989/90	Simile	1989/90
Siyathemba	1989/90	Siyathuthuka	1989/90

Law experts move to halt Govt land reform Bills

Star 20/3/91
By Jo-Anne Collinge

Leading legal academics are heading a move to get the Government to halt all land reform legislation, except the repeal of racial laws, until proper consultation has taken place.

"We call for the repealing legislation (on the Land Acts and Group Areas Act) to be separated from the other Bills, and for a holding process to be applied in the interim so that real consultation can take place and care can be applied in proposing alternatives which will build a just and lasting land-system," a declaration by lawyers, land rights groups and planning groups reads.

At present the Government is allowing only until mid-April for the public to submit comment on the proposed legislation.

It is understood that it hopes to have the Bills well on their way through Parliament by the end of April.

Signatories to the declaration rejected the main principles of the Government's White Paper on land reform because there will be no large-scale redistribution of land from white to black outside of the market mechanism and no restitution for victims of forced removals.

They seek the redrawing of four of the five proposed land Bills in such a way as to reverse the principles.

Among the individual signatories are Professor John Dugard of the University of the Witwatersrand; Professor Michael Robertson, director of the Centre for Socio-Legal Studies at Natal University; Professor Dennis Davies, head of the Centre for Applied Legal Studies at the University of the Witwatersrand; D Bosch of Stellenbosch University's Centre for Rural Legal Studies; Geoff Budlender of the Legal Resources Centre; and Joanne Yawitch of the National Land Committee.

Polarise

Organisations endorsing the declaration are Planact, Lawyers for Human Rights, the ANC Land Commission, Operation Masakhane for the Homeless, and the National Association of Democratic Lawyers.

"The White Paper's pre-emptive approach to the sensitive issue of land rights will further polarise the land issue and leave black people with no option other than to break the laws in order to assert legitimate claims to the land," the declaration adds.

Particular concern has been expressed that the policy may deprive huge numbers of occupants of their existing homes rather than secure their tenure.

Additional criticism has been levelled at the heavy administrative discretion contained in many areas of the legislation which effectively leaves communities helpless in moving to secure their own housing rights.

The declaration suggests that the following issues be included within the terms of reference of an extensive Government consultation on land reform:

- Restitution of land to victims of forced removal, and reparation in cases where it is impossible to restore people to their land.
- A State commitment to make land available for redistribution.
- Protection of existing land rights of blacks, including tenancy.
- Creation of acceptable forms of security of tenure for all forms of urban dwellers no matter the status of their present occupation.
- The creation of a land claims court.
- A stated commitment to creating a right to shelter for the homeless.

Blacks happy about opening of new areas

Sowetan
By ALI MPHAKI

THERE is great excitement among black entrepreneurs now that they can acquire industrial land anywhere in South Africa.

Few have had the opportunity to own their own factory - unless they were fortunate enough to obtain a permit under the Group Areas Act in a limited number of townships.

Many black entrepreneurs had until now had no option than to rent, often premises that were too small, far from markets and transport, without adequate electricity and security.

Alrode South, near Alberton, already has several black industrialists who have established their factories in the area.

This area was opened to purchase by black industrialists in March last

year.

However, just what does ownership of a factory involve financially? The Investron Group has provided *Sowetan* with the following example.

Land (in Alrode South) costs R90 000.

Building 500 square metres including two of-

21/3/91
fices, one ablution block, one staff toilet, one tea kitchen and roller shutter door would cost about R312 000.

Expenditure so far is R402 000.

The deposit for this amount is R100 000 and the bond at 21 percent R302 500.

The monthly repayments for the bond would

be R5 378.

Additional expenses would be: transfer and bond costs (R8 000), municipal connections (R18 000), plans and submission fees (R5 000), a total of R31 000.

Various tax advantages are available to the purchaser, especially if the building is used for manufacturing.

Dries, Harties, Kinross, Beatrix and Knights. The scrapping of ring-fencing would have been a much greater stimulus to new gold mining developments.

The further reduction in surcharge for non-gold mines will have broader effects, but was generally expected.

Economists describe the Budget as expansionary — but with qualifications.

Says Old Mutual's Dave Mohr: "A Budget can never be neutral. I doubt that this one is contractionary, so by default it must be expansionary. Spending in real terms will show some increase. The amount for improving conditions of service for public-sector employees implies there will be reasonable increases in remuneration. In addition there is the emphasis on social spending.

"So this represents a turning point in the continuous tightening of economic policy we have had for three years — especially if you view it in conjunction with the 1% drop in the Bank rate."

But he adds the expected rise of 27% in direct personal taxes will check these stimulatory increases.

Standard Bank group economist Nico Cypionka also sees the Budget as having long-term expansionary impact. "Apart from the modest shift to social expenditure, the most striking feature is the attempt to improve the supply side of the economy. Gainers from this Budget in the long term will be industry, especially exporters."

But he too points to the increase in tax revenue as holding back consumption demand: "They have tried to conform to their self-imposed guidelines of keeping the deficit to 3% and have achieved this with some ingenuity. Nevertheless it is kept within reason and on technical grounds you can't fault

REVENUE COMPARISONS

	1990-91 Budgeted Rm	1990-91 Revised estimate Rm	1991-92 Budgeted at exist- ing rates Rm	1991-92 Budgeted at new rates Rm	% Change on 1990/91 revised
Inland Revenue					
Income tax on:					
Individuals	23 500	22 900	29 840	29 139	27,2
Non-mining companies	12 950	12 401	13 651	13 713	10,6
Gold mines	1 000	631	505	490	-22,3
Diamond and other mines	1 210	1 619	1 259	1 225	-24,3
Sales tax†	18 500	18 207	20 354	19 444	6,8
Gold mine leases	300	181	140	140	-22,7
Stamp duties	—	700	735	655	-6,4
Transfer duties	—	755	815	675	-10,6
Other	3 410	1 574	1 240	1 155	-10,8
Total	60 870	58 968	68 539	66 636	13,0
Customs and Excise					
Customs duty	2 100	2 490	2 635	2 635	5,8
Import surcharge	2 700	2 085	2 165	1 409	-32,4
Excise duty	2 750	3 060	3 215	3 555	16,2
Fuel levy	4 200	3 928	3 987	4 520	15,1
Ordinary levy	100	106	111	111	4,7
Miscellaneous	196	206	233	233	12,7
Total	12 046	11 876	12 346	12 463	4,9
Less: Customs Union payments..	3 448	3 448	4 233	4 233	22,8
Total	8 598	8 428	8 113	8 230	-2,3
Total Revenue	69 468	67 396	76 652	74 866	11,1

† Includes VAT from September 30 1991.

this Budget. If you consider the social expenditure on the platter, this deficit is a deliberate decision not to choose the easy way out. "But I don't agree it will reinforce the

downward move. After all, government spending is likely to overshoot and, in that event unless they have significantly underestimated revenues, the deficit will be higher."

THE LAND ISSUE

A FATAL FORGETTING

A STATUTORY MECHANISM IS NEEDED TO REDRESS GRIEVANCES

Welcome as government's proposed land law reforms may be, some aspects need urgent reconsideration. Two in particular could well hamper rather than ease the broader reform process:

- The lack of provision for any kind of reparations for forced removals which affected possibly 3,5m people over the years of draconian implementation of racial land laws; and
- How the procedure for setting and enforcing "norms and standards" for residential areas will actually work. Critics see current suggestions as a means of entrenching white privilege gained at the expense of blacks previously subject to brutal laws of dispossession and segregated residential inequality.

In essence the suggested reforms published in a White Paper and five Bills last

week scrap all racial provisions in the ownership and occupation of all land except in the homelands, where tribal ownership will continue unless changed voluntarily by the tribal authorities themselves. In this sense they are as important a reform as the abolition of influx control, since they remove legal impediments to settlement.

The measures provide for far-reaching financial and technical assistance to prospective homeowners and farmers. Capital subsidies through the Independent Development Trust for low-income earners and the State for middle- to higher-income groups will pump more than R1bn into housing in the short term. Squatter camps will make way for "less formal townships" and more than 1m people holding 99-year leases over land in townships will be given freehold. Black

farmers will for the first time have access to the same credit and technical aid as their white counterparts. The Group Areas Act will go and people will be able to buy and rent property wherever they can afford.

But there can be no talk of government having levelled the playing field. The current racially skewed land ownership and occupation pattern is effectively entrenched, and is a measure of the extent to which apartheid actually succeeded in doing what it set out to do. Blacks who want to buy or rent property in areas bought up by whites over the years under the protection of apartheid laws must simply compete on the open market at prevailing prices and rents. This applies equally to areas from which blacks may have been forcibly removed — with or without compensation — and which were subsequently de-

clared white.

According to the White Paper "an attempt to return to the previous order will only disrupt the country's pace of development to the detriment of all." Government believes it is in the interests of "peace and progress" that the current position — in essence the product of more than 40 years of apartheid — should be accepted.

In practical terms — short of an affirmative action programme that would discriminate against whites — it is impossible to compensate all blacks for the statutory shackles that kept them out of an open property market and allowed whites to acquire the best and most valuable land in the country. But provision must be made for those who were forced to move in terms of apartheid's grand plan.

This would not be to accede to a second-generation injustice — the stripping of property rights from whites — and less still to absurd historical "claims" dating back to the colonial era. In practice there might have to be a cut-off date for claims to be considered — perhaps 30 years ago. But simply to wish away the effects of apartheid — as if it never happened — is to strain political credulity.

According to the Surplus Peoples Project there were 3,5m removals including about 750 000 who were moved from black townships to homelands and 830 000 moved in terms of the Group Areas Act.

Government is apparently unable or unwilling to grasp the enormity of the wrong committed by the National Party against these people in the 22 years between 1960 and 1982 when the bulk of forced removals took place.

This grossly insensitive attitude is compounded by the callousness of Cabinet ministers like Hernus Kriel whose view — expressed at a media briefing in Cape Town last week — that a place like District Six, from where 60 000 people were removed in the Sixties, was a "damn disgrace and a dangerous place to live in" illustrates a fundamental misunderstanding of the issues involved. The people concerned were given no choice — and the bitterness surrounding District Six is a political fact with which government has not come to terms.

The emotion attached to removals, particularly urban removals, is immense. In a sense it is the main focus of apartheid suffering. To gloss over what happened in the interests of "peace and progress" is politically naive. Government won't get away with it and the negotiation process will undoubtedly suffer unless the issue is resolved quickly.

At the very least government needs to acknowledge formally that there are individuals and communities who were treated shamefully and who may well have grounds for reparations claims, either financial or involving a serious assessment of their claims to a return of their land. Statutory provision must be made for a land claims commission or some such instrument to judge the claims. Assurances that government will adopt a "flexible" approach to certain claims is not



District Six as it was ... no easy walk to equity

good enough.

Kriel's comment that it would be impossible to determine where to draw the line on land claims is ridiculous. In modern SA, certainly since 1910 and definitely during Nat rule, land dispossession has been well documented. Something can and should be done to allow those who feel strongly enough about the issue to make claims.

Equally outlandish is Education & Training Minister Stoffel van der Merwe's argument that more white land was transferred to black areas than vice versa. In the vast majority of cases white farmers were willing sellers and were paid market-related prices for their properties.

Chances are that the vast majority of the 3,5m black people forcibly removed will not make claims. Most of them didn't own the land from which they moved (though many could probably claim certain rights by virtue of generations of continuous occupation) and are settled elsewhere.

Nevertheless it would be politically wise — a sort of pressure-release valve — to have a formal structure to which people could take claims if they so wished. If it doesn't happen now there is little doubt that it will happen when the next government takes power. (It could also be pointed out that any bill for reparations would have to be met by the next government and subsequent generations.)

The Nats apparently fail to see that unless the laws they pass from now on are broadly acceptable to all significant political players they will simply be changed after the next general election. In fact, unless steps are taken to defuse the grievances now, the penalties in terms of pressures for naked appropriation and nationalisation could prove irresistible to a government seeking populist legitimacy. Pretoria has little option but to listen to the more responsible demands of the

ANC and similar groups regarding a form of reparations — and to seek a compromise. It would be legally possible and morally correct.

The other issue likely to cause serious problems for government is contained in the Residential Environment Bill. It details complex measures to maintain "norms and standards" — on a nonracial basis — but which are implicitly skewed towards the interests of existing white areas.

The Bill provides for the creation of a new army of bureaucrats with wide powers of entry, search and seizure, which will act on complaints from neighbours and effectively enforce the maintenance of "norms and standards" set by local authorities and the communities themselves.

Cabinet ministers at briefings last week repeatedly stressed the nonracial nature of all the changes proposed in the land reforms. But, as the White Paper points out, "the new policy has the definite objective of ensuring that existing security and existing patterns of community order will be maintained" and of allaying fears "among certain communities" that their established community life will be "endangered."

There are strong grounds for suspecting that what this really means is that whites must be given wide powers to ensure that blacks who move into what are now whites-only areas live according to norms and standards established by whites.

The Bill proposes an unprecedented level of regulation by officials of the private lives of individuals in the name of maintaining norms and standards. In effect a local authority can determine standards, or residents of a neighbourhood can request their local authority to pass by-laws relating to standards for that neighbourhood. People who don't comply with the standards can be compelled to do so under the ultimate threat of being evicted or having their property confiscated.

All of which sounds like the kind of thing apartheid enforced.

The Bill not only allows different norms and standards in different towns and cities, but within municipal boundaries as well setting the scene for a nightmarish web of conflicting laws and regulations that will be impossible to understand and even more difficult to enforce. Kriel believes the new measures are necessary because existing by-laws on standards are inadequate.

The Bill is nothing short of the old-style Nat desire to regulate and control and has little chance of being accepted by government's prospective negotiating partners.

There is still time to change the Bills. They are being considered by a parliamentary committee that has invited public comment. If the outcry against the negative aspects is loud enough, the Nats will surely see the need to meet legitimate claims halfway. Land remains an explosive issue — and an impartial body is needed to address grievances before they spill over into yet more unrest and a permanently unstable society. ■

80



SEARCH IS ON . . . estate agent Lucille Moffat helps Rondebosch East resident Michael Sauls and his nephews John, 3, and David, 4, look for a home in the area
Picture: AMBROSE PETERS

It's Show show for black home

SUNDAY has traditionally been the day for showhouse-viewing — for whites, that is.

Last Sunday was the first time black families openly spent the day viewing homes in areas previously restricted to whites.

The Sunday Times visited showhouses to see what the reaction was.

Few blacks were bothered about racial attitudes — and many were surprised at the poor value for money in the white property market.

Cape Town's Rob McKee, director of Seeff Property Organisation, said that, with the scrapping of the Land and Group Areas Acts now just a pen-stroke away, many black families found that "dream homes" in white areas left a lot to be desired.

He said: "A coloured family who recently visited one of our showhouses in Fish Hoek were shocked at the standard of the property. They were horrified at the lack of value for money."

Many sellers actively encouraged estate agents to show their homes to buyers of other races in the hope of getting higher prices.

And many people who had initially resisted



SALES TALK . . . Estate agent VJ Govender chats

By SHARON CHEITTY, PETA KROST and KURT SWARTZ

blacks moving into their areas were now welcoming them. They had discovered blacks invariably got straight to work on im-

proving their investment. This had happened in such white Cape Town suburbs as Rondebosch East, Wetton and Ottery.

The whites were dark-skinned. They were 'them'.

Son them them park neigh said Dur said

It's Showhouse Sunday for black home-hunters

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proving their investment.

This had happened in such white Cape Town suburbs as Rondebosch East, Wetton and Ottery.

The influx of middle-class buyers had upgraded former white areas, and initial resentment to the newcomers changed as whites discovered "their darker-skinned neighbours were people just like them".

Some whites even found themselves admiring, even envious of the shiny BMW's parked in their black neighbours' driveways, said Mr McKee.

Durban estate agents said the white property market attracted mostly civil servants, business people and other professionals with housing subsidies.

Secure

Typical of last Sunday's house-hunters were a middle-aged churchman and his family, who looked like any other prospective home-buyers in Durban's Westville suburb. The minister was reluctant to be named, for fear of "reprisals" from people in the townships.

"Township politics are hard to live with — there's no place for a family who want peace and quiet," he said.

After years of living in a 400sq m property in Umlazi, he and his wife opted for a home in Westville, 10 minutes' drive from the city centre.

Their "match-box" township house fetched R78 000 — a price inflated by the scarcity of township accommodation — and his new home will cost him R165 000.

"This was a hard choice to make. Being a man of the church means people expect me to be living among them. But, for the sake of my two young sons, I want to live in an area where I know they can have some security and the chance of a better lifestyle," he said.

"Here we have a chance of proper schools, better facilities and on-going services. What we pay for is what we get.

"In the townships, our children would have had to grow up without the advantage of sports fields, consistent electricity or even schools that had proper equipment."

Businessman Henry Galela scoured the streets of Brakpan, east of Johannesburg, in search of his perfect house.

Having lived in a nearby

township all his life, he said: "I am not prepared to settle for just anything.

"I want a modern house with a beautiful garden and, most important, a two-car garage for my Mercedes and Cressida.

"I want to get out of the township and really start living. It's worth the extra I have to pay.

"I have not come across prejudice. To the contrary, estate agents seem to pay more attention to me because I'm black."

In white working-class Mayberry Park on the East Rand, near the Thokoza and Kattlehong townships, estate agents were hoping for a flood of black clients last weekend but few came.

"They are afraid of being victimised by local CP residents," said an estate agent.

Elite

Jeff van Rooyen, who is selling his Mayberry Park home, said: "Even if a black man offered me triple what I'm asking, I wouldn't sell to him. They must stay in their areas and leave us alone."

In Lakesfield, an elite area of Benoni, estate agent Lea Katsaras said she had sold a number of homes, including her own, to Indians.

"The attitude of people in this area is: If blacks and Indians can afford to live here, they must be respectable," she said.

In the Cape, self-employed painter and renovator Michael Sauls moved into white Rondebosch East from the Cape Flats several months ago.

Last weekend he visited show houses, looking for a house for his sister who has spent 22 years in voluntary exile in Italy.

Nice

"Because of the changes taking place, she and her Italian husband have decided to return," said Mr Sauls.

"The people here have been very nice to us. Our car got stuck over Christmas and our white neighbour offered to drive us around — no problem."

Aida Geffen, owner of Aida Developments, said: "There are only about 200 000 blacks who can afford the high prices in Johannesburg's northern suburbs. Those who wanted to move have already been absorbed into these suburbs."



SALES TALK... Estate agent VJ Govender chats to Henry Galela (left)

Picture: TOM EDLEY

By SHARON CHETTY, PETA KROST and KURT SWART

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Blacks buy R1m houses

(Bus/T) STimes 7/4/91 80 (Bus/T) STimes

BLACKS are buying houses worth more than R1-million ahead of scrapping of the Land and Group Areas Acts.

Although prices may not have rocketed, the movement of blacks into white areas is gathering pace.

A spokesman for the Perm says bond applications have increased in the past six years, but the past year in particular produced nothing dramatic.

Estate agent Eskel Jawitz says: "The floodgates aren't opening. Many people are entrenched in their homes with an intrinsic value that makes them difficult to sell."

These people would have to sell their properties at a discount."

Overnight

Camdon's Realty managing director Scott McRae says: "Sales to blacks picked up in the past six months in anticipation of the Group Areas Act being scrapped."

However, the black influx will be a slow, osmotic process — not an overnight event.

Mr McRae says his company has increased sales by about six houses a month, mostly in the middle to upper end of the market (R250 000 and more).

Lew Geffen, managing director of Lew Geffen Estates, says the most noticeable signs of blacks moving into white areas appear in lower- to middle-income areas such as Yeoville and Berea in Johannesburg. About two properties in the top end of the

By **TERRY BETTY**

market (R1-million or more) are being sold to blacks each month.

Mr Geffen says property prices have not been affected because volumes are low relative to total turnover.

Aida Geffen of Aida Holdings says house prices have fallen in real terms. She attributes this to an exodus of people from SA as well as to the high rate of inflation.

Estate agents agree that suburbs have not been downgraded by the influx of blacks.

Eskel Jawitz says: "Anybody investing in property will try to prevent the investment being devalued."

Industrial and commercial properties are also affected. Aida Geffen says many blacks are buying small buildings (under R3-million) in central business districts all over SA. The return on these buildings of about 14% is higher than that for big buildings of about 9%. Most large buildings are owned by big institutions.

JH Isaacs Group Transvaal managing director Les Weil says demand tends to be for small premises.

"People have a better understanding of commercial terms and of their rights and obligations than they did a year ago."

Mr McRae believes that the novelty of a free choice for blacks in selecting where to live has influenced the market.

"After the first wave of buying houses in formerly exclusive white areas subsides, buyers will return to areas predominantly populated by their own group. This would be in keeping with international experience, where particular racial groups tend to congregate in specific areas."

During 1990 murder by White on White increased by 40,25%. An increase of 28,06% in respect of murders of non-White persons also occurred in the same year. This can be chiefly attributed to clashes between black persons and groups consisting of black persons. All murders committed during unrest, are included in the given statistics.

Rape:	1989	1990
White victims	1 002	1 203
non-White victims	19 456	19 118
TOTAL	20 458	20 321

The increase of 20,6% in rape where White victims are involved, can chiefly be attributed to the fact that the rape of White women by White men increased by 23,70% in 1990. Rape of non-White women by White men shows a decline.

The South African Police are involved in a concerted effort to pay special attention to combating the crime of rape, and comprehensive planning is being carried out in this regard, including inter alia numerous television programmes on rape and the safeguarding of women made for "Good Morning South Africa". A pamphlet "Vrou alleen/Woman alone" was compiled and is being distributed by the South African Police.

Speeches and lectures by lecturers of the South African Police are being presented on a continuous basis to cultural and service organisations, churches and schools.

INTERPELLATION

The sign * indicates a translation. The sign †, used subsequently in the same interpellation, indicates the original language.

Own Affairs:

80 ~~House of Assembly~~
Designated Areas: Act

* Adv T LANGLEY asked the Minister of Agriculture, Forestry and Fisheries:

- (1) Whether he envisages the continued existence of the designated areas referred to in section 3 of the Designated Areas Development Act, No 87 of 1979; if not, why not;

- (2) whether he will make a statement on the matter?

80 ~~House of Assembly~~ B721E.INT
The MINISTER OF AGRICULTURAL DEVELOPMENT:

Mr Speaker, the question is whether or not the continued assistance of designated area—that is the present designated area, is envisaged. ~~House of Assembly~~ 9/14/91

Designated areas are created and operated in terms of the provisions of the Designated Areas Development Act, Act 87 of 1979, and the Promotion of the Density of Population in Designated Areas Amendment Act, Act 80 of 1984. The most important object of these Acts is briefly, and I quote—

... to provide for the designation of certain areas with a view to the taking of measures for ...

And these are important words—

... the promotion of the density of population and of farming activities in these areas.

Measured against the objective of improving the density of population and promoting farming activities, the aid measures as prescribed by law and implemented in the existing designated area were not successful, and were even counterproductive.

It was on these grounds that the designated area was deproclaimed with effect from 22 February 1991. The implication of this is that the special financial assistance measures in respect of the purchase of land, Marnet Radios, security measures for residents and the purchase of landmine-proof vehicles in the designated area, administered by the Department of Agricultural Development, were discontinued.

However, the deproclamation does not mean the suspension of assistance that has already been granted to farmers in respect of long-term loans with low interest rates. The existing financial obligations in respect of interest subsidies on all the existing approved loans by the Department of Agricultural Development of the Administration: House of Assembly will therefore be continued. The payment of a monthly area allowance to farmers and members of the Commandos will be under the full financial control of the SA Defence Force.

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Furthermore, the Agricultural Credit Act, 1966, makes adequate provision for the introduction of differentiated assistance measures with reduced interest rates. All farmers in the designated area that has been deproclaimed, therefore still come into consideration for all the existing assistance measures that are available to all farmers in the rest of South Africa. The continued assistance of the present designated areas is therefore not envisaged, nor is it envisaged that they will be reinstated under the existing measures. I do not intend issuing a statement in this regard either.

The decision was based on a variety of reasons which were thoroughly investigated and which received close attention on a number of occasions. If we look at the objectives set by the Act for the designated area and at what the consequences of this are, the most important of these reasons is that it did not really turn out that way, and we had to make adjustments. This was the correct step to take. [Time expired.]

Mr T LANGLEY: Mr Speaker, the hon the Minister is quite correct in telling us that the Act was introduced in 1979 because that Government had reason to stimulate development in the designated areas. The hon the Minister is also correct in saying that this was largely in the form of assistance to farmers in the most isolated areas of the country and on our international borders to help encourage the population in those areas and to keep the people who lived in such areas, in those areas. He is quite correct.

He is now saying that these efforts were unsuccessful and counterproductive. I do not agree with him. That Act was in force during one of the most difficult periods of drought in this country. That Act existed and was implemented when lily attacks were being launched by the enemies of South Africa, the ANC and the SACP, against the safety and the lives of the people living in such areas. [Interjections.]

It was thanks to that assistance that the people who were there were able to stay there and that people went to those areas at that time. If that assistance had been lacking, the situation of the people who are there at present would have been ten times worse. This is the problem which the hon the Minister and his Government are overlooking. They are overlooking it because their hearts have become cold to the farmers. [Interjections.] Just as the farmers have rejected them

because of their policies, now they are rejecting the farmers in the designated areas.

* An HON MEMBER: What farmers?

* Mr T LANGLEY: That is what this is all about.

That hon member asked what farmers. I am referring to the farmers who live in those areas, who produce meat and vegetables, but who in addition to this have played a vitally important role in respect of the security of that area and of the whole of South Africa for more than ten years, when the terrorists, the murderers and the intimidators were striking at South Africa daily. These are the farmers I am talking about—not any other farmers—the Government's heart has now become cold towards them, it rejects them and no longer has any sympathy for them—and all this for a few hundred thousand rands a year, or perhaps a million or two, because that is all it costs this country. [Interjections.] The hon the Minister of Defence willingly admitted that this was the case. [Time expired.]

Mr P G SOAL: Mr Speaker, the hon member for Soutpansberg said this Act was brought into being at a difficult time, and we agree with him, because our party supported the Act at the time, in 1979, when it was introduced into the House. I am, however, pleased that the operation of this Act has been suspended, because essentially it is a racist measure. It was designed to assist White farmers—Blacks are specifically excluded. Section 2 of the Act specifically excludes land owned by the Development Trust, or by Blacks, or by Coloured people. It is a measure which has no place in the new South Africa, and one would have hoped that the hon the Minister would have announced today that in the light of the changes taking place, and in the light of all the Acts that are being repealed, such as the Group Areas Act and the Land Acts, this Act would be repealed as well, because while it was important to get farmers onto the land at that time, there are people on those farms at this time.

They are Black people. They are the foremen and the labourers who run those farms. In the new South Africa it will not be important to have Black, Coloured or White farmers. It will be important to have farmers, as the hon member for Soutpansberg said, to provide us with vegetables and agricultural products so that we will be able to survive. I am disappointed that the Government has not announced that it is going

to repeal this Act, and I hope that it will do so in due course.

*The MINISTER OF AGRICULTURAL DEVELOPMENT: Mr Speaker, the hon member expressed a view about what I was trying to explain, namely that it was the object of the Act to stabilise the farming community and to promote the density of population, and he said he agreed with the implementation of the Act, but he went on to say that if we look at what the Act is trying to achieve and if we weigh this up, we find that the Act did not achieve its objectives and that we should therefore make amendments to rectify this. By saying that we have a cold heart for the farmers, he is making an emotional issue out of a factual issue. This is exactly what the CP does. [Interjections.]

Do the CP do any differently? The facts are against them, and now they are telling the farmers: Just look what is happening. The Government does not want to do anything for you. They are taking this privilege away from you. But what are the facts? It was not the new farmers who went there. It is the big farmers who bought larger farms. The density of the population was not promoted at all. [Interjections.] I did not interrupt that hon member.

A further point is that greater density of population not only means putting people on the ground, but it is the potential of the land which determines how many people can use that land. In terms of surveys that have been done there are already too many people for the available potential. Now the hon member wants us to place more people there and pay subsidies to support these people. This is enslaving people. It is making farmers slaves to government assistance. This is what will happen to the CP if it comes to power, because if this happens there will be no economy, and the designated area will then have to be re-proclaimed because the attacks from outside will be even more serious. This is what the CP has up its sleeve.

Why do they not tell this to the people when they come up with these clever and emotional stories? They are for ever placing emotions on the table and not facts. [Time expired.]

*Mr A A B BRUWER: Mr Speaker, the hon the Minister knows why the farmers are not staying in that area.

He is correct in regard to some of the statements he made, but why was this effort counterproductive? It was counterproductive because the recommendations of the Venter Commission which investigated the whole issue in regard to that area, were not properly implemented by the Government. One cannot settle people there and pay their interest subsidies but then simply stop paying these subsidies on a certain date. Surely this is a thing that has to be phased out. These farmers are not used to this. The hon member for Soutpansberg is quite correct in saying that the most difficult time is now being used to gauge the productivity and the right to exist of those farmers and this Act in that area. The hon the Minister is really not being fair in saying this.

I think the problem is that that hon Minister knows that this Government is in such a dilemma that they can no longer afford the farmers there, because they have no more money to run the country. That is their problem. [Interjections.] He should not make such poor excuses. Those people have made a worthwhile contribution in that area for many years.

He knows that every house of every worker and every farmer in that area was an observation post. He knows as well as I do that those people cannot leave that area for the sake of the defence of this country. He also knows how many people stream across that area to come and increase the squatting problem in South Africa. It is vitally important to keep those people there. Even if the DP says the Black people must stay there, the Black people must stay there under the control of the White people because this will mean that they can at least ensure that the right people receive the right information. [Time expired.]

*Mr T LANGLEY: Mr Speaker, the hon the Minister says he wants to rectify this matter, but he has stopped giving those people assistance in terms of the Designated Areas Development Act.

He gives his explanation now, two months after he has stopped giving assistance and he says that certain assistance is being retained. This is the same assistance that is available to farmers throughout the whole country. In other words no special assistance exists other than what was given long ago to the farmers in the designated areas. As he has already admitted, he has de-proclaimed the designated areas; in other

words he can no longer give assistance in terms of this Act.

I want to make an appeal to the hon the Minister, and I want to ask the hon the Minister of Defence to help. It is that the assistance for the farmers which exists—I do not want more farmers there—be retained for at least a period of five years and then phased out over a certain period.

*The MINISTER OF AGRICULTURAL DEVELOPMENT: Mr Speaker, in the arguments of the Opposition I have again not heard a single fact relating to the objectives of the Act which provides that we must obtain population density and that farming communities must be promoted. Rather I have again heard an emotional argument which has no basis in fact, because there is no new assistance, while the old assistance is being maintained. The reason we put a stop to it was that one does not want to give new assistance to make an already bad situation even worse.

He comes from that area and ought to know about the problems we have there, but he has not taken note of what effect the assistance given in respect of purchases of land has had on low interest rates. The price of land has shot up. In spite of the assistance in the form of cheaper interest rates the farmer had to pay just as much interest because he paid a higher purchase price. Consequently the people are more deeply in debt as a result of what the State did there. The prices of land have made it impossible for young people to come in.

The hon member for Soutpansberg is shaking his head, but he knows this is true, that is why he does not do so. Sixty per cent of the farmers are in arrears with their payments, and as a result of what? As a result of this assistance. This is why people who have been enslaved with assistance have to be brought back slowly by using other measures which make sense.

The available water has been overutilised. Must we therefore continue to stimulate farmers on the land and to overutilise the water further? Is this what the hon member wants? His idea is to make use of agricultural measures on the basis of security mechanisms to solve this problem. He is incorrect. One should use security measures to deal with a security situation, and not agricultural measures.

This is why they are so wide of the mark and why they are leading the farmers along the wrong track. The farmers of South Africa will still settle accounts with the hon members because the hon members are counting on their emotions. [Interjections.] Yes, they will increasingly settle accounts with the hon members, because hon members are using emotions and those emotions will subsequently disappear and then the facts will remain—and we work with the facts. We will give them meaningful assistance in this regard. [Interjections.]

Debate concluded.

QUESTIONS

† Indicates translated version

For oral reply:

Own Affairs:

Educational institutions: White pupils/students

*1. Mr R M BURROWS asked the Minister of Education and Culture:

- (1) Whether any educational institutions fully financed by his Department have fewer than 50 per cent plus 1 registered White pupils or students;
- (2) whether the University of South Africa is still registered with his Department;
- (3) whether he will make a statement on the matter?

Hansard 9/4/91

B532E

THE MINISTER OF THE BUDGET AND OF WELFARE, HOUSING AND WORKS (for the Minister of Education and Culture):

- (1) Yes;
- (2) no, universities do not register with a specific department but have been assigned to a department according to the majority of the students enrolled at that particular university at the time of assignment. The University of South Africa therefore falls under the jurisdiction of my Department;
- (3) no.

†Adv J J S PRINSLOO: Mr Speaker, arising from the reply of the hon the Minister, must we

*Schools already transferred to the Department Local Government, Housing and Works for alienation/leasing excluded.

Group Areas Act: permits

40. Mr J CHIOLE asked the Minister of Welfare, Housing and Works:†

(1) (a) How many applications for permits in terms of the provisions of the Group Areas Act, No 36 of 1966, to reside in White group areas in (i) Pietermaritzburg and (ii) South Africa (excluding Pietermaritzburg) were refused and granted, respectively, during the period 1 August to 31 December 1990 and (b) in respect of which areas were such applications refused and granted, respectively;

(2) (a) how many complaints against the granting of permits in connection with contraventions of the provisions of the said Act were received during the above-mentioned period, (b) how many petitions against the granting of such permits were received during the above-mentioned period and (c)(i) in how many of the above-mentioned cases were permits granted in spite of the fact that petitions against it were submitted and (ii) in respect of what areas, towns or residential areas did this occur?

B523E

The MINISTER OF WELFARE, HOUSING AND WORKS:

(1) (a)(i)

Pietermaritzburg: Refused : 19
Granted : 3

(a)(ii) and (1)(b)

Natal region: Refused : 9
Granted : 190

Western Cape region: Refused : 11
Granted : 871

Eastern Cape region: Refused : 1
Granted : 264

Northern Cape region: Refused : —
Granted : 62

Southern Transvaal region: Refused : 12
Granted : 1 356

HOUSE OF ASSEMBLY

Northern Transvaal region:

Refused : 4
Granted : 84

(2) (a) The question is not quite clear, but it is accepted that it refers to complaints of the contravention of the Act in which case 705 complaints have been received and investigated with a view to reach an acceptable solution. As a rule people accepted each other's presence and a permit was issued after an application was made.

(b) 16

(c) (i) 15

(ii) Eastern Cape region: Port Elizabeth: Rowellian Park, Walmer, Linton Grange, Algoa Park; East London: Dawn; Somerset East

Southern Transvaal region: Johannesburg: Berea, Yeoville, Hillbrow

Northern Transvaal region: Pretoria: Erasmus/Christoburg.

Additional education models: voting

52. Mr A GERBER asked the Minister of Education and Culture:†

What arrangements are being made by his Department to ensure that the voting on the additional education models takes place in an orderly fashion and without any irregularities?

B676E

The MINISTER OF EDUCATION AND CULTURE:

Voting is arranged by an impartial electoral officer as prescribed in the document "Procedures for opinion polling in schools wishing to express an opinion on the choice of a model for schooling", made available to all interested parties. These directions are in essence similar to those which apply during a general election.

Transvaal schools: Model B

54. Mr A J LEON asked the Minister of Education and Culture:

(1) What are the names of the Transvaal schools that (a) have voted for Model B

and met the voting requirements and (b) have applied to vote but have not yet voted;

(2) in respect of what date is this information furnished?

B702E

The MINISTER OF EDUCATION AND CULTURE:

(1) (a) Branley Primary School
Berrams Junior Primary School
Bordeaux Primary School
Brooklyn Primary School
Cliffview Primary School
Emmentania Primary School
E P Baumann Primary School
Fairmount Primary School
Fairview Junior Primary School
Fairways Primary School
Franklin D Roosevelt Primary School

(b) Anton van Wouw Laerskool
Birch Acres Primary School
Bonaero Park Primary School
Bronkhorstspuit Primary School
Bryneven Primary School
Bryanston Primary School
Buccleuch Primary School
Constantia Laerskool
Craighall Primary School
Cresslawn Primary School
Danie Theron Laerskool
Dunvegan Primary School
Edenvalle Primary School
Forest Hill Primary School
Freeway Park Primary School
Hatfield Primary School
Leicester Road Primary School
Northcliff Primary School
Norwood Primary School
Observatory East Primary School
Panorama Primary School
Park Junior Primary School
Park Senior Primary School
Pietersburg Noord Laerskool
Rembrandt Park Primary School
Rietondale Primary School
Robertsham Primary School
Selcourt Primary School
Sir Edmund Hillary Primary School
Sunnyridge Primary School
Unicorn Primary School
Boksburg High School
Dawnview High School
Die Wilgers Hoërskool
Highlands North Boys' High School
Jeppe High School for Girls
Johannesburg Art, Ballet, Drama & Music School
Kensington Hoërskool
Northcliff High School
Randburg Hoërskool

Johannesburg Girls' Preparatory (Primary School)
Kensington Ridge Primary School
King Edward VII Preparatory (Primary School)
Linksfield Primary School
Lynnwood Ridge Primary School
Meredale Primary School
Mondeor Primary School
Montrose Primary School
Parkhurst Primary School
Parkview Junior Primary School
Parkview Senior Primary School
Rand Park Primary School
Rivonia Primary School
Robin Hills Primary School
Rosebank Primary School
Rosenearth Primary School
Saxonwold Primary School
Waterkloof Primary School
Wendywood Primary School
Winchester Ridge Primary School
Yeoville Boys' Primary School
Athlone High School for Boys
Athlone High School for Girls
Glenvista High School

1003

THURSDAY, 11 APRIL 1991

HOUSE OF REPRESENTATIVES

1004

QUESTIONS

†Indicates translated version.

For written reply:

General Affairs:

Group Areas: persons moved

1. Mr P A CHENDRICKSE asked the Minister of Planning, Provincial Affairs and National Housing:

- (1) (a) How many (i) Coloured, (ii) Indian, (iii) African and (iv) White persons have been moved under the Group Areas Act, No 36 of 1966, since its inception and (b) in respect of what date is this information furnished;
- (2) (a) how and (b) by whom or what body was the value of property to be evacuated under the said Act determined;
- (3) whether sellers who received more than the official value of such property were required to surrender part of the excess amount; if so, (a) to what Government Department or body was this amount to be surrendered and (b) what was the percentage involved;
- (4) whether sellers who received less than the official value of such property received a

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reimbursement in respect of the difference; if not, why not; if so, (a) from which Government Department or body and (b) what was the percentage involved?

C10E

THE MINISTER OF PLANNING, PROVINCIAL AFFAIRS AND NATIONAL HOUSING:

- (1) (a) and (b) No records have been kept in this regard and this information therefore cannot be provided.
- (2) (a) Sworn appraisements and (b) valuers appointed by the responsible Minister.
- (3) Yes.
 - (a) Community Development Board.
 - (b) 50%. Since 1967 certain legal concessions in this regard have from time to time been made to disqualified sellers to the effect that if their properties were disposed of before the periods mentioned in the Act, they need only pay an appreciation contribution of 25% to the said Board. This requirement of the Act was totally abolished in 1987.
- (4) Yes.
 - (a) Community Development Board.
 - (b) 80%.

1005

FRIDAY, 12 APRIL 1991

1006

HOUSE OF ASSEMBLY

QUESTIONS

†Indicates translated version.

For written reply:

General Affairs:

Teachers: training institutions

151. Mr R M BURROWS asked the Minister of Education and Training:

- (1) How many persons were refused admission to teacher-training institutions under the control of his Department in respect of the current academic year;
- (2) (a) what policy is being applied at present in regard to the acceptance of a specific number of persons into his department's teacher-training institutions and (b) on what demographic projection and school admissions is the current acceptance policy into such institutions based;
- (3) whether his Department is experiencing a shortage of teachers; if so, (a) what is this shortage and (b) in what categories of skills are these shortages found?

B426E

THE MINISTER OF EDUCATION AND TRAINING:

- (1) Approximately 78 000 applications were refused admission. Since a large number of persons applied to more than one college, it is impossible to say exactly how many persons were refused admission.
- (2) (a) The Department annually determines the maximum number of students who may be enrolled at each college of education, as well as the intake of first year students. Ideal class/group sizes, the subjects to be offered, the current teacher/pupil ratio in schools, the ideal teacher/pupil ratio (1:40 (primary) and 1:35 (secondary)), the projected increase in pupil numbers, the availability of classrooms, the number and qualifications of serving teachers as well as the facilities available at each college of education must be considered.
- (b) Projections made by the Department itself are based on studies done by the Department of National Education and the Research Institute for Education Planning of the University of the Orange Free State.
- (3) No. There is no general shortage of teachers, but there is a shortage of posts and specified categories of teachers, for example teachers in Mathematics, Physical Science, Accountancy, etc.

Average school class size: additional teachers

152. Mr R M BURROWS to ask the Minister of Education and Training:

- (1) What is the average class size in (a) primary and (b) secondary schools in each specified region of his Department;
- (2) what is the class size required by his Department for supplying a class teacher in (a) primary and (b) secondary schools;
- (3) what is his Department's policy in regard to the supply of additional teachers to schools?

B427E

THE MINISTER OF EDUCATION AND TRAINING:

12/4/91

(1)

	N-TVL	H/VELD	J/BURG	ORANGE-VAAL	OFS	NATAL	CAPE	D/FIELD
(a) Primary	39,28	43,61	34,9	44,34	45,61	40,93	46,52	42,8
(b) Secondary	41,06	46,15	34,95	46,92	41,62	36,59	45,69	41,94

NO RUSH TO THE TOWNSHIPS

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FM 12/4/91

The Group Areas Act will be scrapped shortly but national supermarket chains are not exactly lining up to move into black townships.

The legal obstacles may be removed but the political and investment considerations remain, making it unlikely that the chains will open in black townships in the near future. The chains are heavily patronised by blacks in the downtown stores and in centres close to townships, such as Highgate and Southgate, near Soweto. This is because township supermarkets such as Black Chain can't compete on price and range.

But the chains are acutely aware that it would be a public relations disaster to open inside a township before it became acceptable to the community.

Pick 'n Pay chairman Raymond Ackerman believes that there should be a five-year moratorium to enable black business to develop. "I do not like regulation but I believe that there needs to be some compensation for previous disadvantages."

Pick 'n Pay supplies black traders through its Price Club wholesaling arm, so it can't afford to take away their business through its own outlets.

Such a moratorium would certainly be opposed by Shoprite, a Cape-based chain of 70 supermarkets specialising in the lower end of the market, which has declared its intention to move into undertraded areas of the Transvaal, such as the townships.

Ackerman's caution seems prudent. At one time food was the only commodity in which blacks were allowed to trade and it is still politically unacceptable for whites to own an equity stake in a food business.

Integrated Marketing Research's Teddy Langschmidt says: "The average black still perceives business to have been a beneficiary of apartheid, which offered cheap labour and easy access to capital and land."

Soweto retailer Richard Maponya says it is not yet acceptable for the chains to move into the areas in their own right, but that a partnership could soon be acceptable. "The black partner might not be able to match the chain rand-for-rand, but he should buy his share over a period." In the past, partnerships were considered fronts for white chains, and Pick 'n Pay gave up attempts to form joint ventures when local chambers of commerce refused to endorse them.

The most that has been accepted by township leaders in chambers of commerce and civic associations has been a management contract. The best known have been between the Score Group and Maponya's supermarket in Soweto and the Tembi supermarket in Tembisa on the East Rand.

Says Score's Ronnie Taurog: "We hope that we will be able to take equity stakes soon. We have obviously learnt a great deal about training in the townships that we would like to put to good use."

Shoprite is unlikely to open in the townships until equity stakes are permitted. Shoprite MD Whitey Basson says the chain will not open on either a franchise or management-fee basis but would accept a genuine partnership. "In the future, partnerships should be only people who can bring specific skills to the table, and not just a black face."

But, says Gill Stacey, who consults with major food companies on township trade: "Any white businesses establishing themselves in black residential areas will be increasingly questioned by residents. Black residents will patronise the large chains in

ers store only. "It would be disastrous if it was perceived to be a second-rate store. It must provide the same, full service as other Checkers."

Much will depend on the attitude of property developers. The main investors are life insurers who are obliged to put their fiduciary responsibilities to their policyholders over entrepreneurial hunches. Gavin Main, Liberty Life's director of shopping, says developers are naturally wary of such high-risk investments. "Not only is there a greater physical danger to the centre because of unrest, but we also have to be sure that we get acceptable returns from our tenants. For instance, there are township traders who still find turnover-related rentals difficult to grasp."

But institutions have already invested in certain township areas. Sanlam Properties, for instance, has a neighbourhood centre in Katlehong. Sanlam Properties GM Dolf Muller says higher risk investments are designed to "spice up" the portfolio, rather than to dominate it. Sanlam Properties has centres in Bisho, Ciskei, and Giyani in the northern Transvaal, as well as Chatsworth, and is building a centre at Mitchell's Plain. Maponya has had no takers for his proposal for a Cresta-sized centre in Soweto (*Business March 15*).

Muller, though, says he expects a cautious approach to be taken to black shopping centres, as it was to white shopping centres. "Shopping centre development has been an evolutionary process. First there was the ribbon development and the cluster of neighbourhood shops. In the Sixties a shopping centre meant a supermarket, 15-20 line shops and maybe 300 parking bays. It was another 10 years before regionals like Sandton and Eastgate were built."

Maponya is surprised by such caution: "There is a flood of people coming to Soweto from the rural areas. They want to be able to shop where they live, and not forced to go shopping downtown, or at best at the fringe centres on the outskirts."

These centres are close enough to Soweto to get traffic but the developers hedged their bets by making them accessible to nearby white suburbs. John Mackay, of property brokers Edwards Mortimer, says the recently opened Southgate centre would have had more long-term growth if it had been built much further into Soweto.



Township shops in Vosloorus ... still a clear field

white areas, but more militant factions among the black youth and political groups would oppose a move into their areas."

Checkers was at the sharp end of militancy with its joint venture store in Mdantsane, near East London. It was burnt down in unrest. On the other hand, it has a successful store in Chatsworth, an Indian township near Durban, and Pick 'n Pay has a flourishing supermarket at Mitchell's Plain, the sprawling coloured area on the Cape Flats. Checkers MD Serge Martinengo says the chain will certainly look at opportunities in townships but go in as a fully fledged Check-

Victims of removals in bid to regain their land

Sowetan 17/4/91

A DELEGATION from the National Land Committee, including representatives of 14 communities wishing to regain land from which they were removed, will meet the Government in Cape Town today.

NLC spokesman Joanne Yawitch said Deputy Minister of Development Aid Mr Piet Marais, who heads the joint committee on land reform legislation, had been able to accord them limited time.

Delegates were confident they could cover a good deal of ground in their talks with Government officials on proposed land reform legislation.

Policy

Affected communities have been angered by the Government's failure to adopt a policy of restoring to victims of forced removals the land they owned or occupied.

At least five of the communities represented

at today's talks have embarked on unauthorised repossession of their land.

The NLC will also make written submissions to the land reform committee.

It is understood the Urban Foundation, the Development Bank of Southern Africa and the Legal Resources Centre are also likely to do so.

The original deadlines set for written submissions were shifted to ac-

commodate those wishing to respond.

Reaction to the Bill which abolishes the Land Acts and Group Areas Act must be in by the end of this week.

May 2 is the deadline for comment on the Bill dealing with upgrading of land tenure and April 25 for the three Bills dealing respectively with rural development, "less formal" settlements and residential environment issues. - *Sowetan Correspondent.*

New rules as Group Areas Act repealed

CPMA 11/15 18/4/91
80

Municipal Reporter

WHEN the Group Areas Act goes it will simultaneously be replaced by several new regulations to retain "desired norms and standards".

This was disclosed by Professor D E W Schumann, president of the Cape Province Municipal Association (CPMA), earlier this week.

He said in his opening address to the CPMA congress that the town clerk of Germiston, Mr T Heyneke, had been asked by the United Municipal Executive (to which the CPMA belongs) to formulate standard regulations or by-laws that would enable local authorities "to retain desired norms and standards".

These had been forwarded to the Department of Planning and Provincial Affairs and were included in the newly formulated Residential Environment Bill.

At the congress this week Wellington submitted a motion asking that residential areas be regulated "with specific reference to residential density and the standard of buildings".

Curbs on people per bedroom?

80
KTB

Carl Tinkis
P/Y/91

By PETER DENNEHY

NEW by-laws controlling the number of people per bedroom — and banning people from sleeping in toilets, cupboards or on landings — may follow the Group Areas Act.

The proposed measures also stipulate that if more than one family occupies a house, men and women not living as a couple must have separate bedrooms.

The far-reaching regulations to prevent overcrowding were disclosed at the Cape Province Municipal Association (CPMA) congress yesterday.

Some of the proposed by-laws, submitted by the CPMA's national parent body, the United Municipal Executive, to the government, come straight out of the existing but disused Slums Act, which is to be scrapped.

The regulations carry massive fines for owners as well as tenants and may be forced upon municipalities which are unwilling to promulgate them.

Among the suggested regulations being considered by the CPMA yesterday are the following:

• Not more than three persons are to occupy the average-sized bedroom.

Tell ratepayers

What do you think of the municipalities' suggested regulations to prevent overcrowding and to maintain standards in suburbs? Phone Teletext today on 488 4722 from 10am until noon.

• Where more than one family occupies premises, non-cohabiting persons of opposite sexes over 10 years old must have separate bedrooms.

• Nobody may sleep in an outbuilding, garage, cellar or loft unless approved, or in an unapproved lean-to, shed, stable, storeroom or tent.

• Nobody may sleep in a latrine or a passage, on a staircase or landing, in a bathroom, or in a cubboard.

• Penalties for overcrowding can be up to R5 000 or imprisonment for up to 12 months or both.

CPMA vice-president Dr W C Malan said the bill was now with the minister concerned.

According to the bill any local authority may be forced by a small group of its citizens to enact by-laws regarding

overcrowding of residential premises in its area.

The bill says that if 100 or more residents lodge a petition with their council asking for the above by-laws to apply to them the council has to take a ballot on the matter in that area.

If at least two thirds of those who vote are in favour the council has to send a copy of the regulations to all premises in the area. The by-law then becomes binding on all who live or own property there.

Mrs Eulalie Stott, the chairman of Cape Town's housing committee and a delegate at the congress, said yesterday that it was no good trying to lay down standards throughout a municipality when they were only suitable for certain areas.

"I don't see how one can lay down such standards as long as there is a housing shortage," she continued.

She noted that the Slums Act was going to be scrapped, yet it had at least laid down minimum health standards.

Professor D E W Schumann, the CPMA president, responded that other measures would be taken against urban decay when the Slums Act went.

ANC condemns proposed by-law on overcrowding

Cape Times 20/4/91
80

Municipal Reporter

A PROPOSED anti-overcrowding by-law which may follow the Group Areas Act was slated yesterday by the ANC as a ploy to retain the existing residential pattern.

The proposal was drawn up by a committee under Mr Tonie Heynecke, town clerk of Germiston, at the request of the United Municipal Executive.

His report, which has been forwarded to the government, was passed on to delegates at the Cape Province Municipal Association congress in Cape Town this week.

Mr Bulelani Ngcuka, a member of the ANC regional executive, said yesterday that the ANC demanded the unconditional abolition of both the Group Areas Act and the Land Acts.

"It is our view that the government is determined to continue the Group Areas Act under another name," he said.

"This by-law is an absurd way of dealing with the problem of homelessness, which is a legacy of the apartheid system."

Democratic Party provincial spokesman Mr Jan van Eck also criticised the proposed by-law, saying it was "so wide and far-reaching that it would be virtually unenforceable".

"Nobody is in principle opposed to the concept of applying certain norms and standards to ensure a safe and healthy environment, but the proposed by-law will not contribute towards this."

Mr Van Eck said it was no coincidence that such "draconian measures" were being suggested at the same time as the scrapping of the Group Areas Act.

Mr Arthur Wienburg, chairman of the Ad Hoc Committee for an Open Cape Town, said he could not comment for another couple of weeks on his own committee's investigation into standards acceptable by all.

Govt compromise on land reform, restoration likely

By Peter Fabricius
Political Correspondent

The Government and opposition parliamentary parties are heading for a compromise which will allow the Group Areas and Land Acts to be repealed this year — but will shelve the contentious remaining four Bills in the Government's land reform package.

Parliamentary sources said the Abolition of Racially Based Land Measures, which repeals the Group Areas Act, the Land Acts and other discriminatory land measures will be amended to include the best parts of the other Bills.

This compromise — expected to be clinched this week — will allow the Government to keep its domestic and international promises to repeal all the apartheid land acts this year.

The other Bills will be held back for consideration next year.

The Government needs to repeal the apartheid land acts to meet the conditions for the lifting of international sanctions.

And the compromise could include the setting up of a Land Commission of judges to decide which displaced black communities should be restored to their land.

The sources said that 11 of the 13 prominent communities most recently forced off so-called "black spots" in "white" South Africa, are virtually assured of getting their land back. This

is because the land is owned by Government.

But the Fingoes and the Maclean Town community will probably not be returned to their land because it has been sold to white farmers.

The Government's apparent decision to restore land lost to the apartheid policy appears to be a reversal of the policy set out in its White Paper on Land Reform.

It has become increasingly controversial, especially in discussions of Parliament's Joint Committee on Land Reform Legislation which is considering the five Bills that would execute the policy.

The Abolition of Racially Based Land Measures Bill has been supported by all parties except the Conservatives.

But the other four Bills — including one which would give authorities draconian powers to maintain residential standards — have run into a wall of opposition.

There has been strong pressure on the Government to push ahead with only the Repeal Bill and shelve the others.

Now the Democratic Party is proposing a compromise which will embrace the best features of the other four Bills, including retention of aspects of the Slums Act to reassure conservative whites of suburban standards when the Group Areas Act goes.

The compromise will give the Government a political "crutch" to lean on, parliamentary sources say.

Stw 23/4/91

AMA
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Classification

'a failure' ⁸⁰
24/4/91

Four decades of legislation had shown that a rigid definition of groups had not worked, Minister of Home Affairs Gene Louw said in the House of Assembly yesterday.

Replying to a question from Daan van der Merwe (CP nominated), he said the formal identification of groups was about to be scrapped with the repeal of the Population Registration Act.

Mr van der Merwe said the Government, after three centuries, was trying to destroy the Afrikaner group.

The "biggest struggle" would be ignited in South Africa if the Afrikaners' identity and freedom were destroyed.

Mr Louw's response was that Mr van der Merwe had so little confidence in himself that he needed statutory protection to be an Afrikaner. — Sapa.

Municipal voting 'not open to all'

The National Party did not intend introducing legislation to entitle all people of colour who moved into what were previously white group areas to vote there in municipal elections, Minister of Provincial Affairs Hernus Kriel said in the House of Assembly yesterday.

He said in an interpellation debate that this issue should be decided as part of the new local government system to be negotiated around the central negotiating table.

Under existing legislation, any person who moved into an area where he was not qualified to register as a voter would not be qualified to vote there.

This meant that, during the transition period,



Minister of Provincial Affairs Hernus Kriel

there would indeed be people who would not have the vote in local government elections.

However, provision had been made for communities to negotiate non-discriminatory voting arrangements at local level. This was optional.

The Government believed less would be achieved by introducing compulsory measures than by relying on voluntary negotiation.

"We are not running away from the policy that we want to get away from apartheid, but we want to do it in an orderly way."

Edward Trent (DP Port Elizabeth Central), who tabled the interpellation on whether the Minister would take steps to ensure that people would be able to vote where they lived after the scrapping of the Group Areas and Population Registration Acts, said he was extremely disappointed by the Minister's reply.

He asked why one could not continue the

process of destroying old structures and practices and eliminate the offending legislative clauses.

He had convened a forum to unite the city of Port Elizabeth. The basis of these discussions had been that in a restructured local government system, people in the city would be entitled to vote where they lived. Did he have to now go back to them and say this would not be?

Rob Haswell (DP Pietermaritzburg South) said what was being asked was the least that the Government should do — that the Government introduce far more than just enabling legislation.

"Has the NP really turned away from racism?" he asked. — Sapa.

Dispossessed could get their land back

PEOPLE who were dispossessed of their land, or who were forcefully removed during the days of grand apartheid, could be returned to their former properties or appropriately compensated.

Government is reportedly considering addressing the question of reparation, through the creation of a Land Commission, and at the same time rewrite Bills which accompany the scrapping of the Group Areas Act and

Journal 25/4/91
ISMAIL LAGARDIEN
Political Correspondent

Land Acts.

The controversial Bills, accompanying the abolition of racially based land measures, have been criticised as entrenching a kind of economic apartheid and racism.

Sources in and around Parliament have indicated that the idea of a Land Commission came about after alarming dissatisfaction which followed Government's White

Paper on Land Reform.

The White Paper was denounced by extra-parliamentary formations, as well as by the Democratic Party, the Labour Party and Solidarity.

It is also believed that because Government is under pressure to repeal the Land Acts, a compromise would be the establishment of a land commission.

Of the Bills, the Abolition of Racially Based Land Measures Bill and the Residential Environment Bill have been criticised as being "draconian".

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Forced-removal victims 'should get priority'

3 Day 29/4/91

WPH

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8/2/91

SUSAN RUSSELL

VICTIMS of forced removals should be considered for preferential state support, SA Institute of Race Relations executive director John Kane-Berman says.

Writing in the latest edition of the institute's Race Relations News, Kane-Berman described forced removals as one of apartheid's worst brutalities and victims should be considered as preferential claimants in state spending programmes.

He described the failure of government's white paper on land reform to address the grievances of forced removals victims as a serious deficiency which would have to be rectified.

Victims of such removals had often had their homes destroyed and land taken away, while some often lost jobs after being removed far from their places of employment.

"Vast numbers of people found themselves dumped destitute on the veld as the government pursued its programme of purging the white-designated area of unwanted blacks," Kane-Berman said.

"The grand apartheid design has now been abandoned of course, but its legacy will haunt this country for years to come."

One of the dangers of a highly centralised political system was that it would practise redistribution in favour of urbanised people, while the rural poor would pay the price: "One of the great challenges facing SA is to ensure that the old black/white divide is not replaced by a rural/urban divide," he said.

"One of the strongest arguments for federalism is to ensure that people in rural areas are adequately represented in the structure of government."

He added, however, that the basis for federation could not be the homelands.

TOWNSHIPS are dormitory towns — reservoirs of cheap labour, dumping grounds for blacks (satisfying the demands of the racist Group Areas Act), pondokkie land for the dispossessed and displaced. They are divorced from natural beauty and the green heritage. They are plagued by criminal violence and gangsterism; by disease and vandalism. They lack basic amenities. They are occupied by poverty-stricken people in a bleak and unhealthy environment.

Township ecology equals the politics of dispossession. They must be destroyed. A new environment must be created which is conducive to the development of our peoples' humanity. Before any decision can be made the people who inhabit them must be consulted. Decisions on the future of these townships must also take into account present realities which paint a grim picture of millions who need shelter, those who live in magnum kennels in the urban areas. Do we have the resources to both destroy these human rubbish dumps and simultaneously build homes for the homeless in a friendly environment? Under the present regime this huge operation will not be undertaken. They are the problem and not the solution.

Electricity

While the battle continues for the establishment of a democratic order that will dramatically change this dreadful legacy, we must bear in mind that re-

From tribe to township. and from there?

CAD-Trusts 30/4/91

80 339
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sources to effect change cannot be plucked out of the sky. Not only will workers be expected to maximise their productive capacity but industrialists will no longer be left to their own avarice. There can be no profit-making without social responsibility. In the meantime demo-

cratic forces and their environmental allies must identify issues around which campaigns should be launched.

Soweto and the PWV area, home to eight million people, are under a perpetual haze of carbon dioxide resulting in alarming growth of serious chest, ear, nose and eye diseases.

People are obliged to use coal and paraffin for energy, thus adding to the serious pollution. Although we have a national grid supplying electricity nationwide, few township dwellers have electricity. There are more than 200 townships but only 21 are provided with electricity. The principal cause of air pollution is Eskom and heavy industry emitting pollutants into the atmosphere through the use of low-grade coal. They

have done little or nothing to reduce this pollution because of the expense involved in cleansing their operations. Worldwide, this country is the worst offender in emitting substances that damage the ozone layer.

Schooling

No environmentally concerned planning can be undertaken without compulsory integration of the black townships into the rich racist town councils. The regime wants this to take place on a voluntary basis. To us this means removing apartheid scaffolding and keeping the racist monument intact.

Schooling in townships is a disaster area. We are told we have an enlightened regime with a leader in the shape of Mr De Klerk who is enraptured by liberal "visions" for a "New South Africa." Why then are we presented with a budget that allocates four times as much to a white child as to a black child. Why should white schools only open their doors by consent of white parents? Why are millions of black kids out of

school because of lack of facilities when more than 200 white schools have closed down for lack of white pupils? Why should this generation be interested in the environmentally-related issues while those in control treat them like unwanted luggage?

Secretary

Seek ye an old age home in the townships and you will not find. Compare the pensions of whites to those of blacks and you will despair or become insanely angry. That we do not seek to beautify the ghetto townships is evident from what I have already said, but do we voluntarily have to live surrounded by filth? The PAC does not think so. At Atteridgeville township on the outskirts of Pretoria, we launched a campaign to clean up the streets, which was led by advocate Dikgang Moseneke, deputy president of the PAC.

I am particularly proud that at our second conference after an enforced break of 31 years, the PAC decided on the creation of the post of secretary for the environment. We hope others will follow us in generating public concern.

We say that a new constitution must give the public *locus standi* — the legal right to go to court to protect their environment and quality of life.

We propose an environmental ombudsman, independent of the state and the private sector, to mediate in environmental issues.

□ Barney Desai is Secretary for Information of the PAC. This is an extract of a recent address on the PAC's environmental policy.

SOWETAN

Building the Nation

PROPERTY

When the trek into white areas begins

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Sowetan 2/5/91

AFTER affordability, social structures and lifestyle differences are expected to play significant roles in the movement of people of colour into white residential areas

when restrictions are lifted.

Aggrey Klaaste, editor of *Sowetan*, interviewed by journalists specialising in property affairs this week, said social differences between the two races would slow the

number of people of colour choosing to relocate.

He admitted that present township violence would definitely encourage movement, but strong sentiment through family, business, educa-

tion, communal and religious attachments meant decisions to move would not be made lightly or in haste.

Klaaste said this was already evident by the large number of black professionals now living in upmarket white areas

still spending most of their time in Soweto.

Affordability, and this applies to many black executives, will restrict the choice of relocation to very few black people.

Some executive homes in Soweto are valued at about R90 000 and this will only allow purchasing scope in the lower end of the market in white areas.

Klaaste believes racial integration will take place harmoniously, but will be slow. Certain black colonisation will occur in white areas, as has already taken place in Hillbrow, but this is likely to be in the form of groupings of classes or professions of black people.

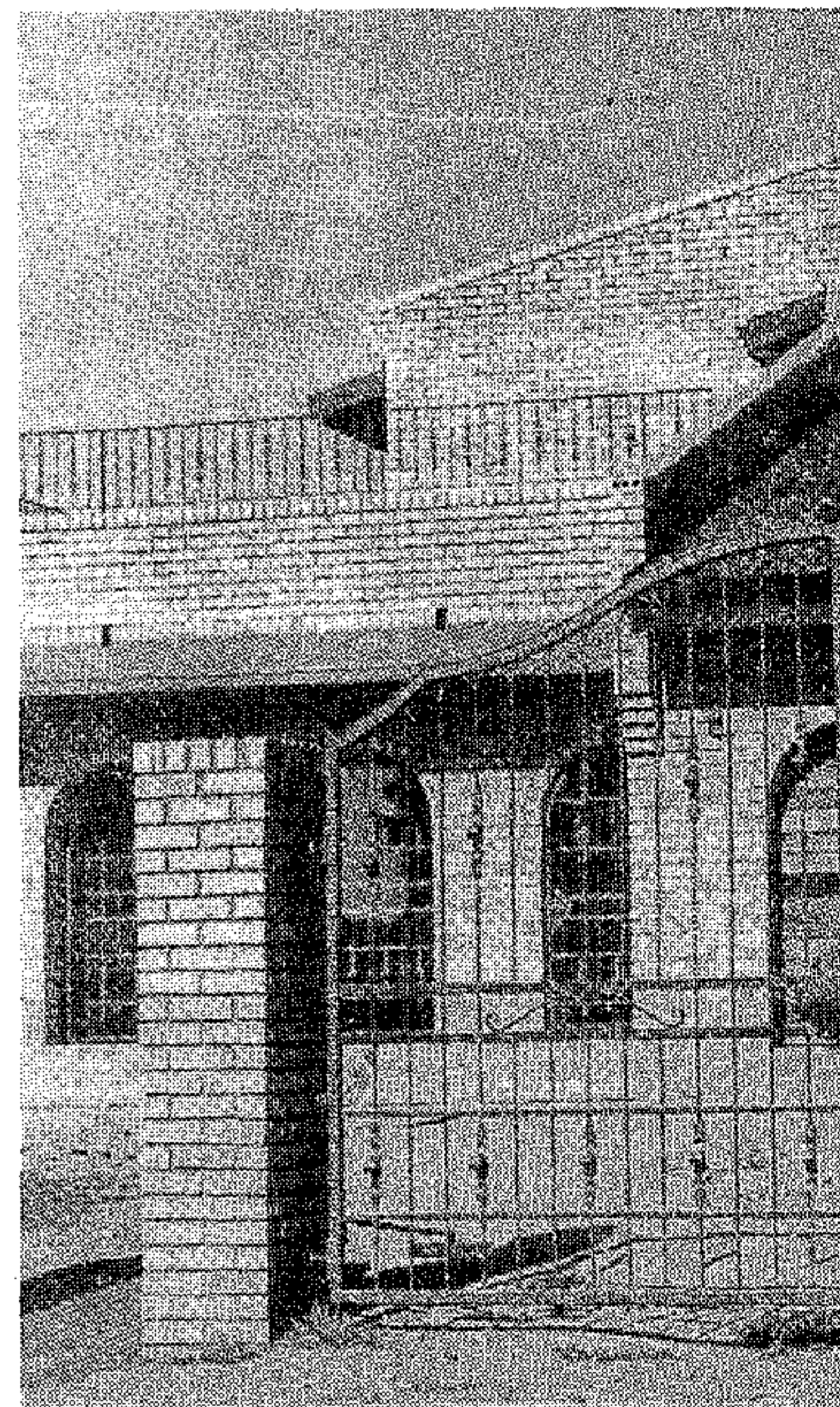
Concern

Of immediate concern is that integration by black into white suburbs must take place naturally and not be driven by white sentiment or black resentment to speed the process of fully mixed area purely for the sake of full integration.

He believes the forcing of people by others to live in areas not of their choice is little more "than turning apartheid on its head," and will not be acceptable to people of colour.

Of paramount importance is basic educational campaigns by the private sector to assist and guide black people in purchasing property.

He urges financial in-



The prices of upmarket houses could still keep most blacks out of white areas when other restrictions are lifted.

stitutions, builders and estate agents to promote such programmes and whenever possible to absorb people of colour into their staff.

Klaaste says few people of colour understand the mechanisms of interest rates and capital redemption or comprehend that a property is a profit-making growth asset that can be used to improve living standards or cushion retirement.

Exploited

It is also important that uneducated black buyers not be exploited, but be made to fully understand the serious financial commitment when buying property over extended repayment periods.

A spokesman for In-

stitute of Estate Agents said this week the Institute welcomed new black estate agents and would encourage buyer educational programmes at every opportunity.

Govt moves to restore land to the dispossessed

Star 4/15/11.
BLACK communities subjected to forced removals in "white" South Africa will probably get their land back at last.

The Government has agreed to establish an advisory land commission to consider restoring rural land to those who lost it through apartheid laws and removals.

The acceptance in principle of the need to compensate for the

wrongs of apartheid, reverses the stand taken by the Government in its White Paper on Land Reform.

Pushed through

The deadlock between the Government and opposition parties in Parliament which has been holding up the processing of the five Bills accompanying the White Paper, now appears to have been broken.

It is likely now that the Bill abolishing the Group Area Act and the Land

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PETER FABRICIUS
Political Correspondent

Act will be pushed through Parliament this session while the controversial Residential Environment Bill will also go through, but in an amended form.

The latter gives suburban residents wide powers when the Group Areas Act is scrapped — and has been rejected by the Labour Party and others who say it will allow white residents to

discriminate against black people indirectly.

The three remaining Bills of the land reform package will probably be shelved in this session of Parliament and discussed later this year by the land reform committee.

The decision to establish an advisory land commission was apparently taken yesterday following weeks of intense wrangling in Parliament's joint committee on land reform legislation.

It is understood that the National Party representatives on the committee accepted the idea of a land commission but the decision was overturned by the Cabinet on Tuesday.

The committee then sent the NP representatives back to senior Cabinet Ministers to plead again for the land commission.

Together they thrashed out new proposals which President de Klerk then approved, according to sources.

State-owned

Under the new draft proposals the land commission will advise Mr de Klerk on restoring land to those disadvantaged by forced removals or in any other way by the Acts which are now being repealed.

But it is clear that the commission's scope will

be fairly narrow and it will not be involved in general land redistribution.

The only land that will be available for compensation will be that already owned by the State — or which could "reasonably" be acquired for the purpose.

The commission's task will be to adjudicate conflicting claims to land and determine preferential claims for those who have been disadvantaged in the past.

The main beneficiaries of the Government's decision are likely to be the black communities most recently moved by force from so-called "black spots" in "white" South Africa.

Beneficiaries

Thirteen of these communities have been identified, of which 11 were removed from land which still belongs to the state.

It is possible that the others — such as the Fingoes of the eastern Cape — could be compensated under the clause which allows for compensation with land that is "reasonably" acquired for the purpose.

The land commission's terms of reference are now confined to rural land — while opposition parties want urban land included too.

This may be resolved at further meetings of the commission.

number of summonses that need to be served. This legislation should be changed accordingly.

17.4 Traffic officers should stop the incorrect use of Section 341 CPA notices in respect of the *post factum* institution of prosecutions, such as for speeding or traffic-light offences recorded by camera. Section 54 CPA summonses should be used instead, and investigations should be carried out in order to introduce suitable measures to deal with the requirement that presently prompts the incorrect use of Section 341 CPA.

17.5 There is a dire need to increase the prosecutions for moving violations drastically.

17.6 Warrants of arrest related to traffic cases should be recorded on a national information system that is accessible to traffic officers and arrests should be allowed on the strength of such recordings.

17.7 The prosecution of most types of parking offences should be adjudicated administratively *in toto*.

17.8 The criminal procedure law in respect of all other traffic offences must be streamlined.

17.9 Traffic officers should receive specific training in aspects such as the taking of finger prints, the art of testifying in courts of law and monitoring the effects of implemented traffic-law enforcement measures.

17.10 The onus of proof on the State in respect of readings by mechanical and electronic measuring devices should be alleviated considerably.

17.11 Traffic-law enforcement agencies should find more effective ways to communicate with the public at large.

17.12 Road collisions involving traffic offences should lead to prosecutions wherever possible and collision involvement should be recorded in a national register.

17.13 Traffic officers should play a more predominant role in the visiting and taking of particulars at road collisions as well as during the subsequent investigation thereof.

HOUSE OF DELEGATES

17.14 Hazardous locations should be identified in a uniform manner and, where possible, they should be improved or eliminated. Collision statistics should be collected, processed and applied uniformly.

17.15 Point duty should be carried out by traffic wardens where possible (and, in terms of the Road Traffic Act, No 29 of 1989, by traffic reservists), in order to make more traffic officers available for traffic patrolling during peak hours.

17.16 Explicit uniform guidelines to pursue motorists who do not stop when they are signalled to do so, should be drafted.

17.17 Evidential breath testing should be introduced as an alternative to blood tests in drinking and driving cases.

17.18 The giving of a breath sample at the request of a traffic officer should be made compulsory.

17.19 Traffic-law enforcement should be executed uniformly throughout the Republic of South Africa. The mechanism should be created to compel individual traffic authorities to follow traffic-law enforcement guidelines set on a national basis.

17.20 Legislation should stipulate that tyre wear beyond a 1 mm high gross rib in a tyre groove is not permitted in order to provide for a visual check of tyres.

17.21 Tyre-tread-depth instruments should be standardised.

17.22 Simple and practical legislation in respect of mass requirements and measurement is very necessary.

17.23 Traffic-law enforcement should be mechanised extensively.

17.24 Effective and enforceable measures to deal with the intoxicated pedestrian should be researched, devised and legislated.

17.25 A means to identify vehicles that carry less than 12 seated persons properly as taxis should be researched, devised and legislated.

17.26 The administration of drivers' licences should be reorganised *in toto* and all drivers' licences should be reissued under

a properly-controlled administrative system. If this cannot be done, the requirement for drivers' licences should be abolished altogether, in view of the fact that under the prevailing system they no longer serve any useful or effective purpose.

17.27 Standardised means to monitor the effect of traffic-law enforcement measures should be introduced country-wide.

17.28 Law-enforcement quality-control models should be used more extensively throughout South Africa. The use of these models will greatly assist traffic authorities in deploying their available manpower resources more effectively. (These models may be employed for the purposes of the latter recommendation.)

17.29 In order to render the administration of justice more effective, serious consideration should be given to the establishment of special traffic courts that are manned by experienced judicial personnel.

17.30 One of the most important deficiencies in South African traffic-law enforcement practice is the lack of a system that makes provision for the removal of habitual traffic offenders from our roads. The introduction of a points-demerit system for traffic offenders is considered essential.

17.31 Full authority should be given to traffic officers in the service of local authorities to issue a written warning to appear in court in terms of Section 72 CPA.

17.32 With reference to the literature, it is disquieting to note that many of the problems in the field of traffic-law enforcement that existed in South Africa more than 20 years ago, are still prevalent and that many of the recommendations to alleviate these problems made at that time have still not been implemented, for example, the points-demerit system, special traffic courts, extensive use of mechanised law-enforcement methods, etcetera.

17.33 Criteria for the staffing requirements of traffic departments should be found.

INTERPELLATION

The sign * indicates a translation. The sign †, used subsequently in the same interpellation, indicates the original language.

Own Affairs:

Housing projects: opening

1. The LEADER OF THE OFFICIAL OPPOSITION asked the Minister of Housing:

(1) Whether he will open housing projects undertaken by his Department in the same manner as did the Minister of Education and Culture by admitting non-Indians to schools and colleges of education for Indians; (80)

(2) whether he will make a statement on the matter? ~~80~~ ~~71591~~ ~~D138E INT~~

THE MINISTER OF HOUSING: Mr Chairman, the hon the Leader of the Official Opposition will no doubt agree that the admission of non-Indians to schools dovetails with the overall policy of this Administration which is a continuation of the policy applied by the hon the Leader of the Official Opposition when he was a Minister. As a former Minister of Housing in the House of Delegates, he must surely be fully aware of the extended waiting list for the Indian component of the South African population.

This dispossessed community has built up a backlog spanning many years which has not been totally done away with. It will not be possible, with our limited funds, to meet the demand for housing for the entire South African population emanating from the lower-income categories of the community.

Notwithstanding the constraints, I share the concern of the hon the Leader of the Official Opposition as well as that of other organisations which have, from time to time, approached me regarding the plight of the underprivileged in respect of housing in many of the Black communities. I have indicated to such organisations that I am fully prepared to render assistance whenever possible within the constraints within which we are obliged to work. Hon members can therefore rest assured that I will not hesitate to consider making surplus housing or land available to other race groups wherever the opportunity presents itself.

HOUSE OF DELEGATES

For the information of the House I wish to say that in the following cases this Administration has assisted members of other communities in the housing field: 200 ha of land was released in Finetown, 700 ha was released in Savannah Park Phase 2 and 3, some 30 houses were made available in Dassenhoek, and a portion of land at Whispers near Copesville and some houses in Mooi River were made available. These actions speak for themselves.

Whilst there is understanding for the serious housing need of so many thousands of families throughout the country, an appeal is made to everyone concerned not to frustrate us in our sincere endeavours to provide basic accommodation for those in need for whom we are at present responsible and who are victims of the discriminatory legislation of the past.

In reply to the second part of the question, I refer hon members to my response to the first part.

THE LEADER OF THE OFFICIAL OPPOSITION: Mr Chairman, what I want to say should be seen in a positive sense. The hon the Chairman of the Ministers' Council, in his capacity as the Minister of Housing, made reference to the fact that the rendering of service to other race groups as far as our education is concerned was a continuation from the previous administration and, of course, there was a veiled criticism of the fact that I was the Minister of Housing at the time. [Interjections.]

The vision of the new South Africa only came into being in February last year, because at that time the question of the repeal of the Group Areas Act was not negotiable. One would not have dreamt that the Group Areas Act would even be drastically changed. The hon the Minister of Finance will agree that there were difficulties even in respect of getting reasonable amendments to the Reservation of Separate Amenities Act. So there has been a change.

We are now in a process of transition. In spite of the fact that Parliament, most certainly as a result of the efforts of all parties, will repeal the Population Registration Act and the Group Areas Act, the White Administration and the Government are giving permits for the occupation and ownership of residential properties and for the acquisition of farms in White areas even

now as if the Group Areas Act is not going to be repealed. ~~(SO) (S)~~

We have one Ministers' Council, we have one majority party controlling it and we have one Administration and one House of Delegates. Let us be consistent. The hon the Minister of Housing referred to the question of limited funds. If ever there is a department in our Administration that is running short of funds, it is the Department of Education and Culture. They should not admit non-Indians, as that is a provision in the Constitution in respect of the rendering of services to other race groups.

There is a surplus of funds in the Department of Housing—the hon the Minister of Finance will agree that he has given only R60 million to the House of Representatives because much of our money for housing is not used. It is no fault of our Administration, but I say let us be consistent, because there have been criticisms against our Administration and against the hon the Minister of Housing. I am not saying whether these criticisms are justified, because if there is pressure in Mariannhill, if one can release 30 homes in Mariannhill for occupation by non-Indians, why are we not consistent throughout South Africa? We accept that circumstances differ from province to province and region to region.

We have had the hon the Minister of Education and Culture in the House of Assembly boasting in an act of superficial ostentation to South Africa that we have 10 000 or 12 000 Blacks in our schools, at a time when he is crying with a begging bowl to the hon the Minister of Finance for extra funds to man Indian education. [Interjections.]

My appeal is that we should show—not by words, but by action—that we have pilot projects in our Administration, that we are not waiting for the negotiation to be completed. The House of Delegates, like the Indian community in South Africa, has always had an open-door policy. We are creating the sample and we are translating into reality our vision of a new South Africa. [Time expired.]

THE DEPUTY MINISTER OF HOUSING: Mr Chairman, having heard the hon the Leader of the Official Opposition, I want to say that when

we came to Parliament we were fully aware of the responsibilities that we were supposed to carry out. He also mentioned the new vision and the continuation towards the new vision.

I have always mentioned the problems which are facing the Indian community—one is education, the other is housing. When it comes to housing we cannot divorce ourselves from the political situation which we have been subjected to in this country. The hon the Leader of the Official Opposition knows that the Indian community was sandwiched in Natal. Now that the restriction has been lifted, the communities are moving. Houses are required for their movement and resettlement in various areas. I want to make it very clear this afternoon that, as far as the Group Areas Act is concerned, we are at the moment developing Indian housing in non-Indian areas with money from Indian funds. We are trying to find legal means in which to do this, and we are also looking at where areas have been expropriated for development. We are in actual fact looking at returning those lands, and therefore the question of the character of group areas should never come into it.

What is more, it is unfortunate that, whilst we are looking at one South Africa and one nation, we cannot just escape the responsibility of having to provide housing. Well over 60 000 houses are required for the Indian community. [Interjections.] One can imagine that if anybody does, the hon the Leader of the Official Opposition knows full well what has been achieved in this House since we have come into this House. [Time expired.]

MR D K PADIACHEY: Mr Chairman, it is unfortunate that the hon the Deputy Minister has to speak in terms of Indian housing, Indian land, and Indian money. [Interjections.] The time has come when we no longer speak in that way—the Group Areas Act and the Population Registration Act are going, and we will not have any mention of "Indian, Indian, Indian" any more!

I heard what the hon the Chairman of the Ministers' Council has said about 200 hectares of land which were given. To whom was it given? It was given to South Africans, and we as South Africans are entitled to the land . . .

MR M NARANJEE: Mr Chairman, may I ask the hon member a question?

THE CHAIRMAN OF THE HOUSE: Order! Is the hon member prepared to take a question?

MR D K PADIACHEY: Mr Chairman, this is an interpellation; there cannot be a question in an interpellation. [Interjections.] ~~(SO) (S)~~

THE CHAIRMAN OF THE HOUSE: Order! The hon member may proceed. ~~(SO) (S)~~

MR D K PADIACHEY: Mr Chairman, it is also unfortunate that we had areas like Cato Manor, Fietas and Sophiatown, where people of all races lived together and from which they had to move when the Group Areas Act came into being, to areas like the land of the Asians, Lenasia, Palmridge and those places.

There are people living in our areas who are not of Indian origin, and they must be given the same deal as the other people of the area. If, for instance, people living in Lenasia apply for houses, whether they are of Indian, African, Coloured or White origin, they should be given the houses. There is no such thing as our not having money for housing.

THE MINISTER OF HOUSING: [Inaudible.]

MR D K PADIACHEY: I am saying we should give houses to South Africans; I am not speaking only about Indians. This is unfortunate, because in a manifesto Solidarity spoke about a "South Africa for all". They do not speak about a South Africa for Indians, about a South Africa where there will be an Indian, Coloured, White or African component.

The crux of the matter is that Solidarity does have the power, and the hon the Ministers do have the power now to delegate these things, but they do not do it, and they come up with reasons such as that it is an Indian matter. [Time expired.]

THE MINISTER OF EDUCATION AND CULTURE: Mr Chairman, I listened with interest to what the hon the Leader of the Official Opposition has stated. He compared education to housing. It must be categorically understood by him that, as far as education is concerned, we stated very clearly that if there was space and a

teacher available, then we would take anybody who applied to our schools. That is a categorical and very clear statement. If that situation exists in respect of housing, I am sure the hon the Minister of Housing will apply the same rule. There is one rule for everybody in the Ministers' Council of the House of Delegates.

The hon the Leader of the Official Opposition is trying to state that we have different policies, but that is erroneous. He is trying to throw a red herring in our path by stating that we have so much extra housing that we can take it away and give it to the Blacks, but that is misleading. He is trying to give hope where there is no hope of obtaining a house at all.

Right now we have the tricameral system in South Africa in which this Government is involved and which has good standing. As such, monetary allocations are made for housing and education in this particular Administration. Therefore we do not have the money to build homes for Blacks, much as we would have liked to. We want to share, but we can only share what we have. If we do not have, we cannot share. [Interjections.]

Indian land was taken in Cato Manor, as was the case throughout the country. In Durban there are 18 000 people on the waiting list. [Interjections.] I would like to ask the hon member for Central Rand . . .

THE CHAIRMAN OF THE HOUSE: Order! I cannot allow private discussions across the floor of the House. Hon members must understand that. The hon the Minister may proceed.

THE LEADER OF THE OFFICIAL OPPOSITION: That hon Minister is an ass!

THE MINISTER: I understand the hon the Leader of the Official Opposition, being an ass himself . . .

Mr K CHETTY: Mr Chairman, on a point of order: Is it parliamentary for the hon the Leader of the Official Opposition to call the hon the Minister an ass?

THE CHAIRMAN OF THE HOUSE: Order! Did the hon the Leader of the Official Opposition say that?

THE LEADER OF THE OFFICIAL OPPOSITION: That is what I said, Sir. His own members are laughing at him, because they regard him as an ass. He speaks like an ass. [Interjections.]

THE CHAIRMAN OF THE HOUSE: Order! The hon the Leader of the Official Opposition must withdraw that.

HOUSE OF DELEGATES

THE LEADER OF THE OFFICIAL OPPOSITION: I withdraw it unconditionally, Mr Chairman. ~~(80) (81) (82) (83) (84) (85) (86) (87) (88) (89) (90) (91) (92) (93) (94) (95) (96) (97) (98) (99) (100)~~ [Time expired.]

THE LEADER OF THE OFFICIAL OPPOSITION: Mr Chairman, space in a school is not the only argument. A child in school needs a teacher, textbooks, other amenities and facilities. The hon the Minister of Education and Culture has been crying in every newspaper in South Africa that there is a tremendous shortage of funds. I think if there is one Minister of the Ministers' Council who has embarrassed his party and the hon the Chairman of the Ministers' Council in an act of superficial ostentation—if he understands what that means—it is that hon Minister. Let us tell South Africa that we have allocated land to non-Indians and let us accept that fact, but the hon the Chairman of the Ministers' Council must control his Minister of Education and Culture who, as an individualist, is trying to present to South Africa the picture that he is changing, but that his Ministers' Council is not.

Let us agree, as the policy of the House of Delegates, that we have projects in the pipeline to complete for the benefit of the members of the Indian community who suffered as a result of the Group Areas Act. Therefore I propose, not as an act of negative criticism, but as an act of positive criticism, that we determine a policy for the House of Delegates. [Time expired.]

THE MINISTER OF HOUSING: Mr Chairman . . . [Interjections.]

THE CHAIRMAN OF THE HOUSE: Order! I want to tell hon members . . . [Interjections.] Order! Did the hon the Leader of the Official Opposition call the hon the Minister a rogue?

THE LEADER OF THE OFFICIAL OPPOSITION: Sir, he is stealing from the community! [Interjections.]

THE CHAIRMAN OF THE HOUSE: Order! The hon the Leader of the Official Opposition must immediately withdraw that.

THE LEADER OF THE OFFICIAL OPPOSITION: I withdraw it, Sir.

THE CHAIRMAN OF THE HOUSE: Order! I want to appeal to hon members if they are going to rise on points of order and what have you during interpellations, to keep in mind that we have limited time for speeches. We cannot allow that sort of disorder to continue.

THE MINISTER: Mr Chairman, my appeal to all hon members present here is: Let us not make housing an issue for debate and, in so doing, create impressions and give people hopes that we cannot satisfy. ~~(80) (81) (82) (83) (84) (85) (86) (87) (88) (89) (90) (91) (92) (93) (94) (95) (96) (97) (98) (99) (100)~~

At the present time the Administration has more than enough applications for housing to satisfy the needs of the underprivileged in our own society, and that is the charge that we have to answer. However, I am hoping that in due course and wherever it is possible, if in some way we can assist in providing housing for some unfortunate group of people, as we have done in Mariannhill, we will try to assist them, but my primary responsibility and that of this House is to build homes for the thousands of people who are wait-listed and who depend on us to provide them with homes. We are planning townships and homes. If, for some reason or other, the members of the Indian community decide they do not want those homes, the homes can go to those next on the list. However, what we need in this debate is an understanding of our problems.

Mr D SAKALINGUM: Mr Chairman, is the hon the Minister prepared to take a question?

THE CHAIRMAN OF THE HOUSE: Order! Is the hon the Minister prepared to take a question?

THE MINISTER: No, Sir.

THE LEADER OF THE OFFICIAL OPPOSITION: Watch out for the Judas behind you!

THE CHAIRMAN OF THE HOUSE: Order! That hon member must resume his seat. The hon the Minister may proceed.

THE MINISTER: Here in my report is an indication of the fact that we have released land and made it available to other people so that they can develop it for their own community. That is a manifestation of a genuine desire to assist and to understand the plight of other people. However, I think charity begins at home and for some time into the future priority must be given to the provision of homes for those people in the lower-income group who are dependent on us for the provision of homes. [Interjections.]

Debate concluded.

QUESTIONS

†Indicates translated version.

For oral reply:

Own Affairs:

Pension payments: irregularities

*1. Mr M RAJAB asked the Minister of Health Services and Welfare:

- (1) Whether allegations of irregularities in pension payments in Glencoe and other Northern Natal towns are being investigated by his Department; if not, why not; if so, what are the relevant details;
- (2) whether he has received correspondence from the Glencoe and District Indian Child Welfare Society concerning a press statement in this regard; if so, what was (a) the purport of and (b) his reaction to this correspondence;
- (3) whether he will make a statement on the matter?

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THE MINISTER OF HEALTH SERVICES AND WELFARE:

- (1) Yes. I must add that investigations into irregularities are not confined to Glencoe and other Northern Natal towns but take place wherever they occur. As this particular matter is very sensitive, it is expected that the investigation will not be completed in the near future. Details will be made available to the hon member for Springfield on the completion of the investigation.
- (2) Yes.
- (a) General dissatisfaction with and rebuttal of the article published in the Northern Natal Courier on 8 March 1991.
- (b) I requested my Department to investigate the matter as indicated in the reply to (1) above.
- (3) No.

THE LEADER OF THE OFFICIAL OPPOSITION: Mr Chairman, arising out of the hon the Minister's reply, has he received any complaints

HOUSE OF DELEGATES

Star homes show first of its kind

Staff Reporter

The chronic shortage of low-income housing in South Africa is the focus of The Star's Affordable Homes Show, which opens today at Mfundo Park near Vosloorus.

The show is the first of its kind, and with the imminent scrapping of the Group Areas Act, the range of affordable houses on show is expected to attract potential home-owners from all population groups.

Difficult

The show features 59 houses which range in price from R15 000 to R35 000, as well as informal structures costing less than R10 000.

The Group Areas Act has made things extremely difficult for The Star in previous years, according to The Star's assistant general manager, Peter Sullivan.

At the last two home shows, a policy had been formulated saying anybody, regardless of race,

could buy the homes even though that was in contravention of the Group Areas Act.

"Now the Group Areas Act is going and we felt we could put up an affordable-homes show for people who are just starting out and with minimum budgets.

Expensive

"The response from everybody is wonderful and we believe it will make a major contribution towards showing that South Africa's housing problems could begin to be solved."

In previous years, homes shows were usually "ideal-home shows" and the houses were very expensive because they went to "the best builders and best architects in the best areas", Mr Sullivan says.

Proceeds from the entrance fees — R2 for adults and R1 for children — will go towards building a community hall for Mfundo Park.

Today
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'Paranoia' bill unlikely to be passed

ET 13/5/91

SOURCES within Parliament say it is unlikely that the Residential Environment Bill and the regulations under it will be passed when the Group Areas Act goes.

This is the bill which allows any local authority to define a portion of its area and promulgate by-laws for it by notice in the Government Gazette "regarding overcrowding of residential premises".

One proposed set of by-laws, drawn up on the request of the United Municipal Executive by Germiston town clerk Mr Tonie Heynecke, stipulates the maximum number of persons that may be accommodated in a bedroom (three, on average), and requires separate bedrooms for people of different genders.

It seems likely that regulations like these have been formulated because of white people's fears that "standards" in their neighbourhoods might drop when black people are no longer excluded from living there.

The regulations may not become law because the government expects an outcry



CIVIC DIARY

By PETER DENNEHY

over rules which pander so obviously to white fears, and which in effect will apply mainly in white suburbs.

Yet the white paranoia which gave rise to the bill is real. An estate agent who specialises in converting flats to sectional title said recently that one of the reasons why so many blocks in the southern suburbs are now being converted is that owners are wary of the prospect of becoming "slum landlords" in the new non-racial South Africa.

Another indication of white fears for the future is that some owners of flats are taking a different route to implement their own "overcrowding controls".

They don't have to wait for the Residential Environment Bill to be passed because they are able to achieve the same object through existing legislation — the Sectional Titles Act.

Bodies corporate each have their own "management rules" and "conduct rules", which may be amended by the owners at special meetings.

In the case of conduct rules, 75% of the owners at a meeting have to vote in favour of any amendment, according to an expert in this field.

There also has to be a quorum of owners at the meeting. For blocks of less than 10 flats, a quorum is 50% of the owners. Blocks of 10 to 50 flats require 35% of owners or their proxies to be present, while huge blocks of over 50 flats have quorums of just 20%.

Rules made by these bodies corporate have to be reasonable, and they have to apply to all the flats. They may not infringe any law.

Overcrowding controls

Owners may not exclude black people from their blocks of flats, but it seems they may stipulate in conduct rules how many people can occupy each flat. At least one block in Cape Town has recently changed its rules to incorporate "overcrowding controls".

No one can reasonably object to regulations aimed at maintaining communally-desired minimum health and safety standards.

But the existing Slums Act already contains such regulations. Numbers of people per room are controlled only when the Medical Officer of Health deems it necessary to do so in a specific problem area.

It's a moot point whether one can reasonably go beyond health and safety considerations in framing overcrowding controls, even if that is what the majority of surrounding owners or tenants want.

Imagine the outcry if members of a street committee were to lay down, by majority decision, an arbitrary limit to the number of occupants per home.

Some might say democracy had been taken too far. Others might say they were living under a left-wing tyranny.

Yet bodies corporate of flats appear to be able to do the same thing without anyone accusing them of being right-wing tyrants.

Call to turn down land reform Bills

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THE Urban Foundation yesterday welcomed the repeal of the Land and Group Areas Acts but urged political leaders to reject the four supplementary Bills on Land reform, writes **DON SEOKANE**.

Addressing a media briefing in Johannesburg, Urban Foundation executive director Ms Ann Bernstein said the repeal of the Acts put the country on the verge of a major opportunity of forming a broad consensus on a non-racial vision of urban and rural development.

Bernstein appealed to political leaders to withdraw the four supplementary Bills and seize the opportunity for non-racial reconciliation. The four Bills are: Rural Development, Residential Environment, Less Formal Township Establishment and Upgrading of Land Tenure Rights. *Sowetan 16/5/91*



Open areas: No big changes expected

AFTER 40 years of enforcement of the Group Areas Act, a government minister predicted yesterday that no dramatic changes would be evident when the law went.

⑤ et 17/5/91
The Minister of Housing in the House of Assembly, Mr Sam de Beer, told the National Home Builders' conference that the reason there would be no dramatic change was clear.

"Housing is strongly linked to culture. Even before the implementation of the Group Areas Act, people grouped together according to their cultural and social needs.

● Increased unemployment and the associated impoverishment among whites had rapidly increased the demand for low-cost rental accommodation, he added.

State's shift on land

By ISMAIL
LAGARDIEN

21/5/71
Sowetan

21/5/71

THE Government has bowed to public opinion and agreed to establish an advisory land commission which will consider compensation for people who have lost land in terms of the Group Areas Act.

The Cabinet decided at the weekend to drop the controversial Residential Environment Bill - interpreted as a camouflage for racism - first tabled in Parliament on March 12 with the Government's White Paper on Land Reform and three other Bills, all of which repealed the Group Areas Act, the Land Acts as well as discriminatory laws and measures.

The decision to consider compensation for victims' forced removals is a major victory for the extra-parliamentary opposition in the country.

When the Government first tabled its White Paper it excluded reparation for victims of forced removals.

White people who suffered under Land Acts can also approach the commission.

● See Page 6

Cautious welcome for land reform changes

Biday 21/5/91.

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LESLEY LAMBERT

CAPE TOWN — Amendments to the land reform package have been welcomed but there is strong concern about government's insistence on forging ahead without consultation on three unamended Bills.

National Housing Minister Hernus Kriel announced yesterday the withdrawal of the Abolition of Racially Based Land Measures Bill, which repeals the Group Areas and Land Acts, and the controversial Residential Environment Bill and combined the two in a strongly modified Bill.

Amendments, which included the establishment of a Land Commission to advise government on claims for land restitution and the banning of discriminatory by-laws, were based on submissions to a Parliamentary Joint Committee, Kriel said.

The ANC yesterday welcomed the decision to establish the commission but expressed concern that its powers were merely advisory, reports Sapa.

"There is no doubt that Minister Kriel's statement constitutes a substantial improvement on the government's previous position. But it is not

enough," the statement said.

The organisation demanded the setting up of an independent land commission representative of the people of SA, whose decisions would have legitimacy and be binding. This would redress the wrongs perpetuated against "the majority of our people".

Kriel yesterday emphasised government intended pushing ahead with the remaining three Bills underpinning the proposed land reform process: the Rural Development Bill, the Less Formal Township Establishment Bill and the Upgrading of Land Tenure Rights Bill.

Other responses to Kriel's statement were that it reflected a certain degree of flexibility from government. But groups such as the Urban Foundation and the Black Sash's Transvaal Rural Action Committee (Trac) expressed concern that the amendments affected only parts of the land reform package and were not based on broad consultation.

Urban Foundation executive director Ann Bernstein said the new pack-

age did not address the need for widely consulted rural and urban development strategies.

Speaking at a Press conference in Cape Town, Bernstein said the Urban Foundation would continue to urge political leaders to oppose the supplementary Bills and to call for interim working groups to address the entire reform process.

Two components which were crucial to the reform process were a land court backed up by the rule of law and a clear statement that there would be no racially discriminatory by-laws in the new legislation.

Trac said in a statement that the establishment of a Land Commission represented a major advance in government thinking.

But, it fell short of the call for an independent commission which would arbitrate in cases of conflicting land claims.

Kriel's statement that land would be allocated to "deserving persons, with concern for the claims by people who have previously been disadvantaged" aroused the concern that the use of terms such as "deserving" indicated an arbitrary process of restoration of land.

The cake made of compromise

W/mant 24/5 - 29/5/91

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THE government has been forced to compromise on the suspect manner in which it intended to repeal two land Acts and the Group Areas Act and, if it succeeds the second time round, there could be unprecedented scenes of local authorities proving in court that they're not racist.

The Abolition of Racially Based Land Measures Bill has been revised into a composite cake flecked with raisins from the not-so-bad slices of the foul-smelling, and draconian, Residential Environment Bill that was regarded as a new guise for the Group Areas Act.

The other three Bills intended to bring down the last pillars of apartheid are still in place; but the resistance movements in and out of parliament regard them with suspicion and they too could be amended — or scrapped, as some organisations are demanding.

There were 282 submissions to the Joint Committee considering the five Bills, and a delegation from the Council of Churches flew to Cape Town to tell Minister of Planning Hermus Kriel why they objected to all but one of the Bills.

The greatest opposition from all sides was to the Residential Bill which proposed harsh penalties for people who do not maintain what Kriel terms "norms and standards". Officially it was to prevent urban decay, but to opponents it was a way of discouraging blacks from moving into white suburbs. Local authorities could pass by-laws laying down prohibitively expensive "norms and standards" reinforced by heavy fines or years of imprisonment — or both — for not keeping up with better-off neighbours.

That's been scrapped, and the revised Abolition Bill instead places the onus of proof on local authorities that their by-laws are not racist. Any resident who concludes that a new by-law is racist can appeal to the courts and it will be up to the council to prove — at its own expense — that this is not the case.

The theoretical threat hanging over authorities is of irate ratepayers voting them out of office for expensive attempts to maintain apartheid in what is meant to be a non-racial state.

In its reluctant about-face over land reforms, the government has also made what the Urban Foundation describes as "a partial deal" on another hot potato: restitution of land taken over during years of forced removals. The White Paper which outlined the reforms stated that restitution wouldn't be practical and could instead cause racial conflict.

This week Kriel told a media briefing that total restitution would mean moving large numbers of people around the country — to which displaced black people could reply that sending

The government has made a reluctant about-face over land reforms and group areas. **ARTHUR MAIMANE** looks at the implications of the 'new deal'



Planning repeals ... Hermus Kriel

them back to their ancestral lands is much more important than the ideological reasons for which they were banished.

Kriel also claims it would be "impossible to find an equitable cut-off date" beyond which there would be no restitution because land disputes, he argues, started long before Jan van Riebeeck's arrival in 1652.

Instead the government is to appoint an advisory commission that will investigate claims for restitution: including those by the whites he claims have lost 7-million hectares since the 1936 Land Act. But the commission, "representative of the broad population", will not have "a blank cheque" to buy back expropriated land because — "and this is important" Kriel stressed — financial resources are limited. What money there is can be better spent on upliftment projects for the new South Africa.

A blank cheque for the commission would indeed be costly, because, after black peasants were forced off their land in the name of apartheid's "social engineering" it was sold to

whites below market prices. The advisory commission may decide in favour of some dispossessed; but without a blank cheque there'll be no restitution.

A case in point concerns the 4 000 Fingos forced out of the fertile Tsitsikamma in the Southern Cape in 1977 and dumped on inferior and less extensive land 300km away in the Ciskei homeland. Their land was sold at an estimated third of its market value to white farmers who received government bonds and then developed the land with subsidies and bank loans that are not available to blacks. The 19 farms were bought for R1,35-million in 1983 and are now, only eight years later, valued at R29,3-million.

The Fingos are demanding their land back, but it's most unlikely the advisory commission would even consider buying it for them: no blank cheque and adverse political consequences for the government.

There'll be better luck for claimants whose land is still held by the state and has not yet been allocated for other purposes. That's the position of people who've returned to Goed-gevonden in the Western Transvaal after being forced into Bophuthatswana at gunpoint 13 years ago. Police are now protecting them against right-wing farmers who claim it is "white" land; but the returnees are still to be prosecuted for going home illegally which, according to Kriel, "is not conducive to orderly planning".

The government will not say what percentage of confiscated land is still held by the state; but the guess is that it can only be a fraction of the millions of hectares seized by the state in the past 40 years to make apartheid work by partitioning the country into homelands.

The Urban Foundation wants four of the reform Bills scrapped, leaving the Abolition Bill the only survivor — and even then with amendments. The foundation's executive director, Ann Bernstein, came to Cape Town to brief the press gallery but was beaten by two hours when, earlier that morning, Kriel announced the government's half-about turn. But she still says there are two major flaws in the land reform proposals.

One is that there have been no consultation and the other is that they're "based on the assumption of conflict" between black and white people. Bernstein insists that the legacy of forced removals, urban and rural, must be dealt with fair and square and in co-operation with the community.

The political response to general consultation is that there's no time if the government is to fulfill its promises to demolish apartheid by the end of June so sanctions can be lifted and constitutional negotiations can finally start.

The cake made of compromise

W/mant 24/5 - 29/5/91

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THE government has been forced to compromise on the suspect manner in which it intended to repeal two land Acts and the Group Areas Act and, if it succeeds the second time round, there could be unprecedented scenes of local authorities proving in court that they're not racist.

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Group areas, land debate starts today

By MICHAEL MORRIS
Political Correspondent

AN historic debate begins in parliament today on the demolition of some of apartheid's firmest pillars, the Land Acts and the Group Areas Act.

Four days have been set aside for the fiercely divisive debate. *Argus 27/5/91*

Bitterly controversial at home, the repeal of the much-hated property apartheid also has deep significance abroad.

The outcome will have a direct bearing on sanctions.

If the government is to make the desired impact abroad, it must, as President De Klerk has promised, get rid of the laws before the end of this parliamentary session.

The prospect of a hitch has been raised by the Labour Party's decision to block the all-embracing Abolition of Racially Based Land Measures Bill and force the President to send the legislation to the President's Council, where approval is guaranteed.

Labour supports the repeal of the Land and Group Areas Acts, but rejects the special clause written into this compromise Bill providing for the maintenance of "norms and standards" in suburbs.

This, the LP says, amounts to economic apartheid and it

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says the clause is unnecessary because there are already sufficient by-laws to ensure residential standards.

The Democratic Party, while giving notice that it will support the Bill, says the provision for "norms and standards" is unworkable.

Another new element of the compromise repeal Bill is the establishment of an advisory committee, which, among other things, will hear claims from victims of apartheid seeking land or property reparations.

Expectations are that the committee will be so snowed under it will barely be able to meet demands for redress.

On the right, the government faces a storm or protest.

Fears of the expropriation or confiscation of farms and other property, and the Conservative Party view that the repeal of the laws pre-empts constitutional negotiations, have generated stiff rightwing opposition.

Outside parliament there has also been strong opposition. One of the most influential opponents, the Urban Foundation, has been strongly critical and wants to see the government put all development aspects of the repeal measures on hold until a process of wide consultation has determined the best way of going about it.

Restrictions indefensible — Kriel

Norms and standards to be decided upon by neighbour-

hood committees was not a reversion to apartheid but would bring decision-making to the level of the people, Minister of Planning, Provincial Affairs and National Housing Hennis Kriel said in Parliament yesterday.

Introducing the second-reading debate of the Abolition of Racially Based Land Measures Bill, he said the regulations were not to protect white standards, but everyone's.

"I have the impression that certain persons are trying to create the impression that it is only white people who wish to retain norms. Nothing is further from the truth. Coloured people, Asians and black people are

just as adamant to maintain standards."

Allegations by the Labour Party that the proposed legislation was a continuation of apartheid was untrue, he said.

"Indeed, to take away this right would be discriminatory."

It was not only certain neighbourhoods which would rule on acceptable norms or standards, but any geographical area.

Experiment

The legislation was one of the steps the Government had taken to turn apartheid into a "political dodo".

"Apartheid was a social experiment that was supposed to bring peace, safety and prosperity, but it did not succeed. "The very party that created

the Group Areas Act is today proposing the abolition of that Act."

Mr Kriel paid tribute to the State President, who "was brave enough to change the thinking of the NP" and realised that the party was trying to defend the indefensible.

The first aim of the Bill under discussion was to abolish all racial discrimination in respect of land.

"Property is an asset that should be accessible to every citizen of our country. Any racial restriction on the purchase or legal occupation of land is not defensible."

Another aim of the Bill was to give this country and the rest of the world a clear message that a new South Africa would be established.

The Bill also showed that the

Government had compassion for the people it had wronged in the past.

"But it is also a strong signal that we cannot start the world all over again.

"There are limitations to the practical and financial viability of trying to rectify all possible mistakes made in the past."

Transactions

Chapter 1 of the Bill dealt with the scrapping of the 1913 and 1936 Acts, in which blacks were prevented from occupying land in certain areas.

About 7 million hectares had been bought from white farmers so that this part of the legislation could be implemented.

Chapter 2 dealt with the repeal of the Group Areas Act, the

Free Settlement Areas Act and the Local Government Affairs in Free Settlement Areas Act, Mr Kriel said.

Provision had been made to decriminalise illegal transactions under the Group Areas Act.

Chapter 3 would scrap legislation dealing with land transactions involving Asians and so-called rural coloured settlements.

Chapter 4 dealt with the scrapping of the Development of Black Communities Act and related legislation.

Chapter 5 would scrap thousands of regulations and proclamations regarding black administration Acts.

The legislation would come into effect on June 30, he announced. — Sapa.

ster 28/5/71

Land Bill a fraud, says LP



Hernus Kriel . . . "no reversion to apartheid".

The legislation to repeal the Land Acts and Group Areas Act was a massive fraud, the Rev Allan Hendrickse, chairman of the Ministers' Council in the House of Representatives, said in Parliament yesterday. (57)

Speaking in second-reading debate on the Abolition of Racially Based Land Measures Bill, he said: "It's a case of 'apartheid is dead, long live apartheid'." (80)

"It leaves me cold that people can give the indication to the rest of the world that we are moving on to discover that in terms of chapter 7 (of the Bill) we are going back to the protection of white rights." (56)

The Labour Party had no problems with the rest of the Bill.

Minister of Planning Hernus Kriel, who introduced the Bill, had been a man speaking without conviction. "It's a facade. The very man who tells us

about the injustices of the past has never regretted them."

It was Mr Kriel who, as a Cape MEC, had travelled to Port Elizabeth to force the city council to change the names of Steve Biko Street and Mandela Street in coloured areas.

The National Party, bowing to external pressures, had undergone a conversion without conviction, he said.

"If we want to be absolutely honest, what we have . . . is a massive fraud."

The LP could never forget the harm, the injustice, the dispossession and the theft that had occurred in the past.

"You will never understand the feelings of the victims of apartheid," Mr Hendrickse said.

The 21 members of the House of Representatives who had joined the NP would continue to carry the stigma of being "coloured", he added. — Sapa.

Law to scrap group areas sparks protest

Southern
28/5/91

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THE first tangible moves to remove the Group Areas Act and Land Acts from the South African law books met with a storm of protest in Parliament yesterday.

The Labour Party believes the proposed legislation to scrap these Acts - the Abolition of Racially Based Land Measures Bill - is a flagrant reintroduction of racist registration dressed as environmental control.

The minister of planning provincial affairs and national housing yesterday denied this.

Defending a flurry of accusations from the LP, which believes the "norms and standards chapter" - Chapter 7 - was built to protect white residents, Mr Hermus Kriel said it was not only whites who demanded high standards in their neighbourhoods.

"Nothing is further from the truth. Coloured people, Asians and Black persons are just as

By ISMAIL LAGARDIEN
POLITICAL CORRESPONDENT

adamant to maintain standards," Kriel said.

"You taught them well," retorted Mr Chris April, a coloured MP.

Nevertheless, Kriel's opening speech was filled with sanctimonious statements about the abolition of apartheid.

He said apartheid had set the country on a collision course with itself. The party that created apartheid felt it had an obligation to dismantle it, Kriel said.

Evil

"Apartheid was the social experiment which was to bring peace and prosperity, but it failed."

"It became a policy which brought political upheaval, decay and instability. As a social experiment, apartheid did not work. It was an experiment gone wrong," Kriel said.

In his speech on the proposed scrapping of the Group Areas and Land Acts, the Democratic

Party's Mr Jannie Momborg said that to simply repeal the acts and not take into consideration the pain and suffering of the victims of apartheid, was not enough.

Momborg said that as a person who had always been a beneficiary of apartheid, and as someone who had always felt guilty because of this, he could understand the indignancy of the LP with regard to the so-called norms and standards section.

Commenting on the forced removals which flowed from the Group Areas Act, Momborg said: "This was without doubt one of the most despicable acts of this NP government in the 43 years of its evil rule."

The Abolition of Racially Based Measures Bill will be before Parliament for the rest of the week, and in terms of Clause 108 comes into effect on June 30 1991.

CP: Govt dispossessing people of heritage

Star 28/5/71.
The Government was not only trying to repeal the Land and Group Areas Acts, it was trying to abolish history itself, Dr Ferdi Hartzenberg (CP Lichtenburg) said.

Speaking in the second-reading debate on the Abolition of Racially Based Land Measures Bill, he also said forced removals were a lie and that black people had more land in South Africa today than 100 years ago.

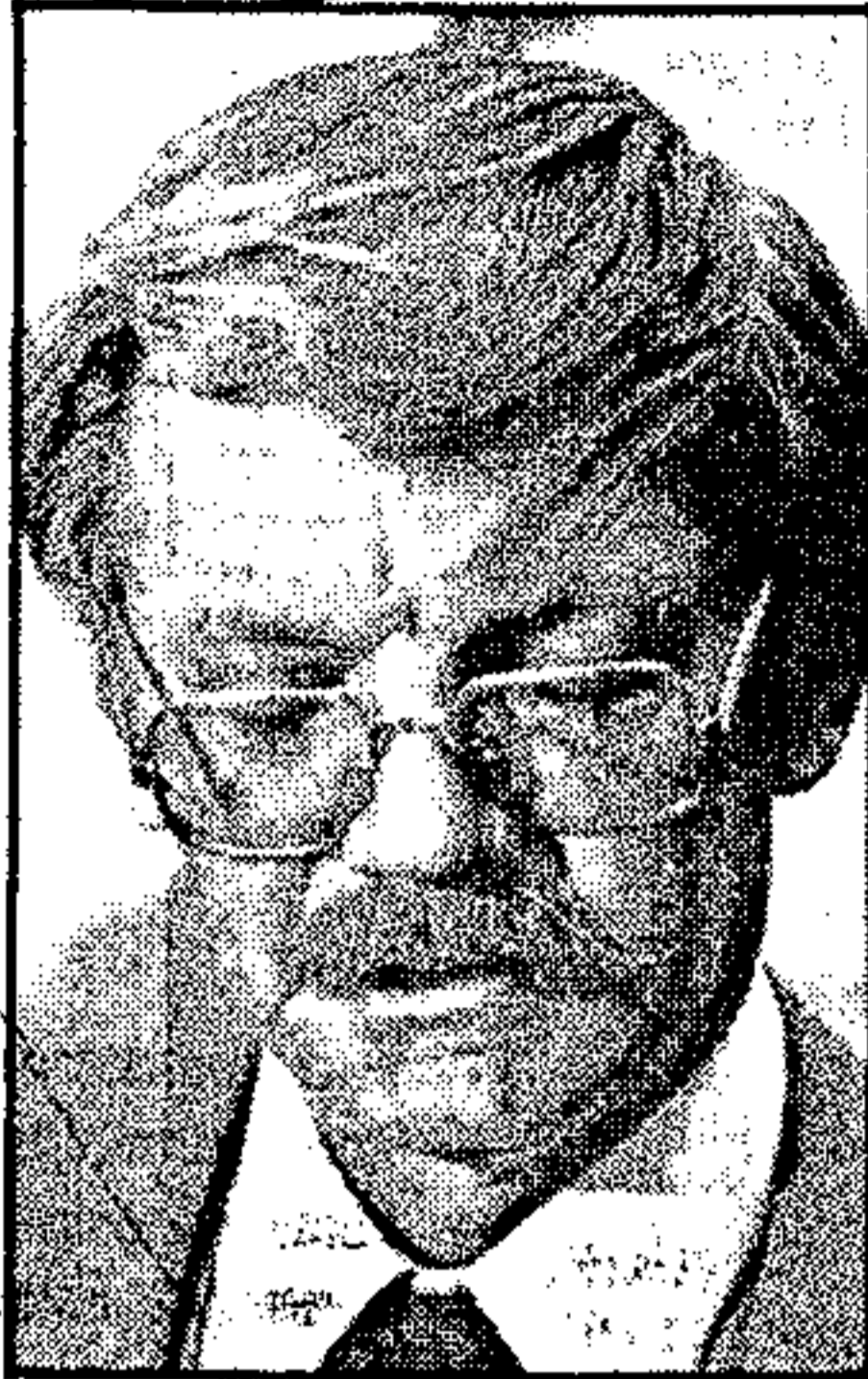
The Government was trying to alienate the 13 nations of the region from their land and dispossess them of their heritage.

Each millimetre of land was already allocated by law to a particular group, and their desire for an own fatherland would continue to burn in their hearts despite the Government's attempt to destroy this yearning and need.

"Nationalism will flame up as never before because their continued existence is under threat . . .

If it pleased the Government to kill those who stood up for their rights, it would have to do so, because there would be no other way to overcome them.

The land of South Africa had



Ferdi Hartzenberg

been divided up among various peoples long before this was recognised in law, and long before apartheid.

The report of the Tomlinson Commission had recorded in detail how the horseshoe shape of the black territories around a white heartland had resulted from the major disturbances that took place between blacks at the time of the Difaqane.

"You are on your way to

creating another Difaqane in South Africa."

Dr Hartzenberg said there was no subject about which more lies were told in South Africa than land.

The claim that whites possessed 87 percent of the land and blacks only 13 was just not true. The commission found that 45 percent of the land had been allocated to blacks.

"Today more than 50 percent of the original South Africa belongs to black people."

Forced removals were another lie. The majority of removals were voluntary, and it was not mentioned that people were compensated for the moves.

Dr Hartzenberg said the Government had blindly steamrolled the Bill through the Parliamentary Committee on Land Affairs, and that no investigation had been made into the effect it would have on agriculture, economics, or social and political life.

It was being pushed through merely because the Government had promised that the Acts would be scrapped in the hope that this would bring an end to sanctions. — Sapa.

Compensate displaced people – Rajbansi 80

Star 29/5/91.

Although he realised it was not possible to effect restitution for every family displaced under the Group Areas Act, it should not be ruled out where it could be done, National People's Party

leader Amichand Rajbansi said in Parliament yesterday.

Speaking during the second-reading debate on the Abolition of Racially Based Land Measures Bill, he said the State

President or Minister of Planning should be empowered to freeze land for housing for the poor.

It was of "tremendous credit" to Mr de Klerk to have addressed the question of redistribution

through reparation, Mr Rajbansi said.

However, people displaced from areas like Pageview, District Six, Cato Manor and Sophiatown could not be expected to forget. — Sapa.

Hoon ejected over treason claim

8 Nov 29 1579 | 80
The Conservative Party MP for Kuruman, Jan Hoon, was ordered to leave the chamber yesterday after refusing to withdraw a claim that the scrapping of the Land and Group Areas

Acts was treason.

He made the remark in debate on the Abolition of Racially Based Land Measures Bill.

Mr Hoon described the Government as irresponsible, unpatriotic and dis-

loyal to whites.

"With this legislation, the Minister (of Planning, Heryus Kriel) is committing nothing less than treason against the white man and his fatherland." — Sapa.

Navy pleads case for national coast guard

B10 am
30/5/91

LINDEN BIRNS

THE SA Navy has released a series of proposals for establishing a national coast guard whose duties would include anti-drug and anti-smuggling operations.

Navy chief Vice-Adm Lambert Woodburne told a recent maritime conference in Cape Town that the Navy was able to take on coast guard duties as it already had the necessary maintenance and command infrastructure, manpower and vessels.

However, these were initial proposals and no budget or date had been set for the establishment of such a guard.

Woodburne said the need for a national coast guard had increased over the past two decades. A coast guard would be responsible for protecting SA's maritime interests and for maritime law enforcement, he said.

A commission which investigated the feasibility of a coast guard had recommended that the Navy and Air Force provide facilities for such an operation, Woodburne said.

Woodburne said maritime law enforcement would include intercepting drug traffickers, preventing illegal immigration, enforcing fishery control, protecting maritime resources and assisting foreign states with regard to maritime laws.

Other coast guard tasks included search and rescue, marine inspections and licensing, providing and maintaining navigation aids, environmental protection and controlling the safety of small recreational craft.

Maritime defence meant a national coast guard could be deployed to perform conventional naval duties in times of war, Woodburne said.

He said the Navy's infrastructure was mainly centred on the Simonstown and Durban naval bases, but it was able to operate from any other port.

Excluding harbour protection boats, the Navy has 16 operational ships and submarines. Four of these are based in Durban and the rest in Simonstown, he added.

The Simonstown Naval Dockyard was also one of the best equipped ship repair facilities in Africa.

It was able to maintain and repair steel and wooden-hulled vessels and advanced technology weapons systems, Woodburne said.

Land commission is not enough, says foundation

~~30/5/91~~ 80 Business Day Reporter

THE Urban Foundation has criticised government's advisory commission on rural land allocation as being an inadequate and partial response to the national land issue. B10 am 30/5/91

In its latest reaction to government land policy, the foundation also welcomed the withdrawal of the Residential Environment Bill, which it said would have undermined the abolition of the Group Areas Act.

The foundation said the formation this month of the advisory commission was a step forward, but that it would not resolve the issues of dispossession and restitution.

"These issues must be dealt with in a way that clears the decks for future development policy and firmly re-establishes the principles of common justice in SA.

"National reconciliation and future urban and rural development requires the building of as wide an agreement as possible on land issues in a non-racial SA," the foundation said.

It recommended that a land claims court be established to deal with claims against "historical and discriminatory dispossession".

15/08/51

Govt rethink on restitution?

THE government appears to be softening its earlier anti-restitution stance for victims of apartheid land laws.

(80)

The chairman of the standing committee on land reform, Mr Piet Marais, told Parliament yesterday that the white paper on land did not exclude the possibility that material losses caused by apartheid could be corrected.



TRANSPORT TROUBLES ... Workers will still commute to their small houses in the ghettos after June 30, when apartheid will have

SA'S TYRANNY TO

By **SEKOLA SELLO**

THERE are wild scenes of jubilation and celebration in the streets of major African towns from Accra in the west to Maseru in the south when a tyrant is toppled.

So it was when the bloodthirsty tyrant of Uganda, Idi Amin, and Lesotho's despotic Leabua Jonathan were driven from power. The masses hoped their ousting would bring an end to repression.

On June 30 another vicious tyranny - that of apartheid - will come to an end. But instead of taking to the streets, the masses will most likely not be aware that apartheid has been consigned to the rubbish heap of history. Most will continue with their lives as usual.

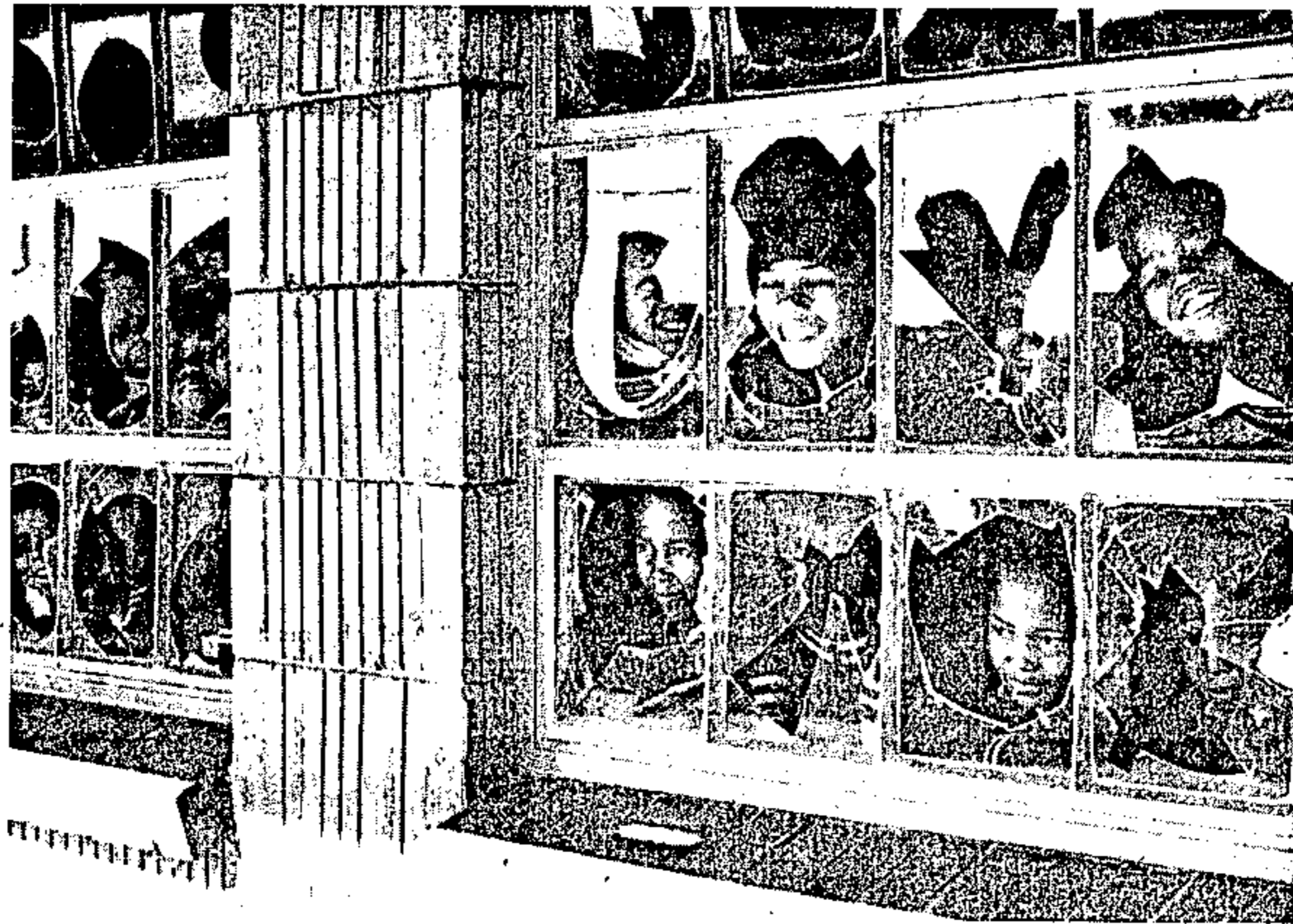
Even for the few who will be aware of its demise, the event is likely to pass without eliciting much enthusiasm.

The repeal of the Land Acts, the Group Areas Act and the Population Registration Act, although commendable steps towards the democratisation of the country, will have little, if any, immediate impact on the masses.

Whites are not going to wake up on July 1 and suddenly find thousands of new neighbours in their manicured suburbs. The repeal of the Group Areas Act will make things a little easier for only a limited number of blacks - those with money.

In fact, in recent years most of these blacks have already made the trek to white suburbs like Kel-

Apartheid is to die - but who will really notice?



CRISIS CONTINUES ... The end of apartheid on June 30 will have little bearing on dilapidated schools such as this.

vin north of Johannesburg.

To most blacks, moving out of the ghettos will still be a dream. For the unemployed, the underemployed and even the employed, their only hope of accommodation will be one of the shacks which ring most townships.

Although many white schools are threatened with closure because of decreasing numbers of

pupils, they are not going to be suddenly flooded with applications from township people.

Apart from the prohibitive fees at some of these under-utilised schools, especially private ones, transport costs from the townships to the suburbs will place them beyond the reach of most families.

The upshot of all this is that although entry to all schools in the country

is no longer determined by race, a majority of black pupils will find themselves still confined to overcrowded, ill-equipped schools served by under-qualified teachers.

The demise of apartheid is not about to alter the concentration of economic wealth for the foreseeable future, either. The commanding heights of the economy will still be in white

hands.

The demise of legal apartheid may indeed lead to the concealment of real apartheid. After June, the country will still be ruled by the National Party under the 1983 constitution, which still perpetuates white domination.

According to University of Cape Town academic Herman Gilio-mee, the 1983 constitution will continue to reg-

ulate the balance of power among whites and the so-called Coloureds and Indians in favour of whites.

He says this document hardly makes mention of blacks, who are the overwhelming majority. Instead, blacks will continue to be under the control and administration of State President FW de Klerk.

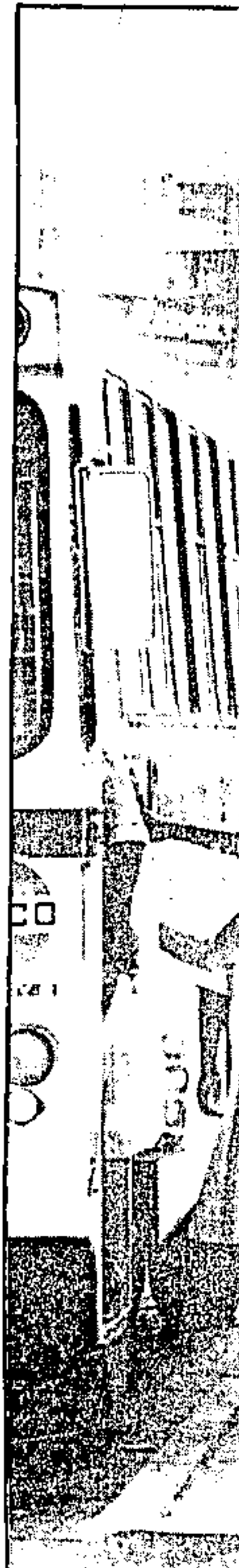
While some people may feel compelled to argue that De Klerk will have finally buried apartheid on June 30, the truth of the matter is that the State President has failed to address the most important factor in black politics - the question of land.

Scrapping the Land Acts is meaningless to a majority of blacks if 87 percent of the land is still in white hands. Many black political organisations maintain that South Africa's major problem is not apartheid, but who owns what percentage of land.

They contend that as long as blacks own only 13 percent of the land through whatever mechanism, apartheid will still be alive.

Beleaguered Labour Party leader Allan Hendrickse put the whole issue of the death of apartheid succinctly when he declared "apartheid is dead - long live apartheid".

It will take a lot more than removing apartheid laws from the statute books before this evil system of racial discrimination dies. Unless such issues as the land question are addressed urgently, the news of the death of apartheid will sound too exaggerated to most blacks.



WAITING AND post-apartheid



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RANNY TUMBLES

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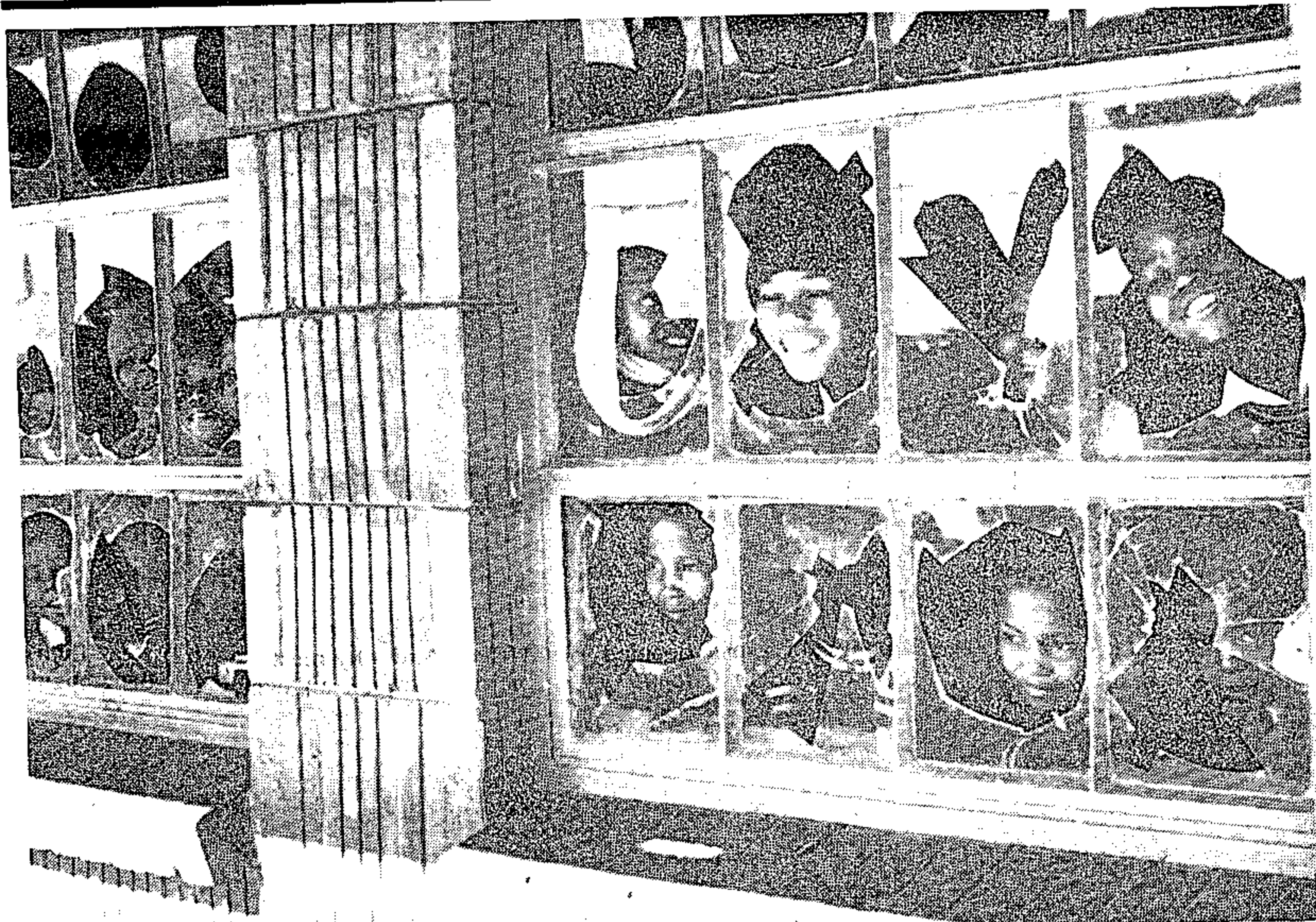
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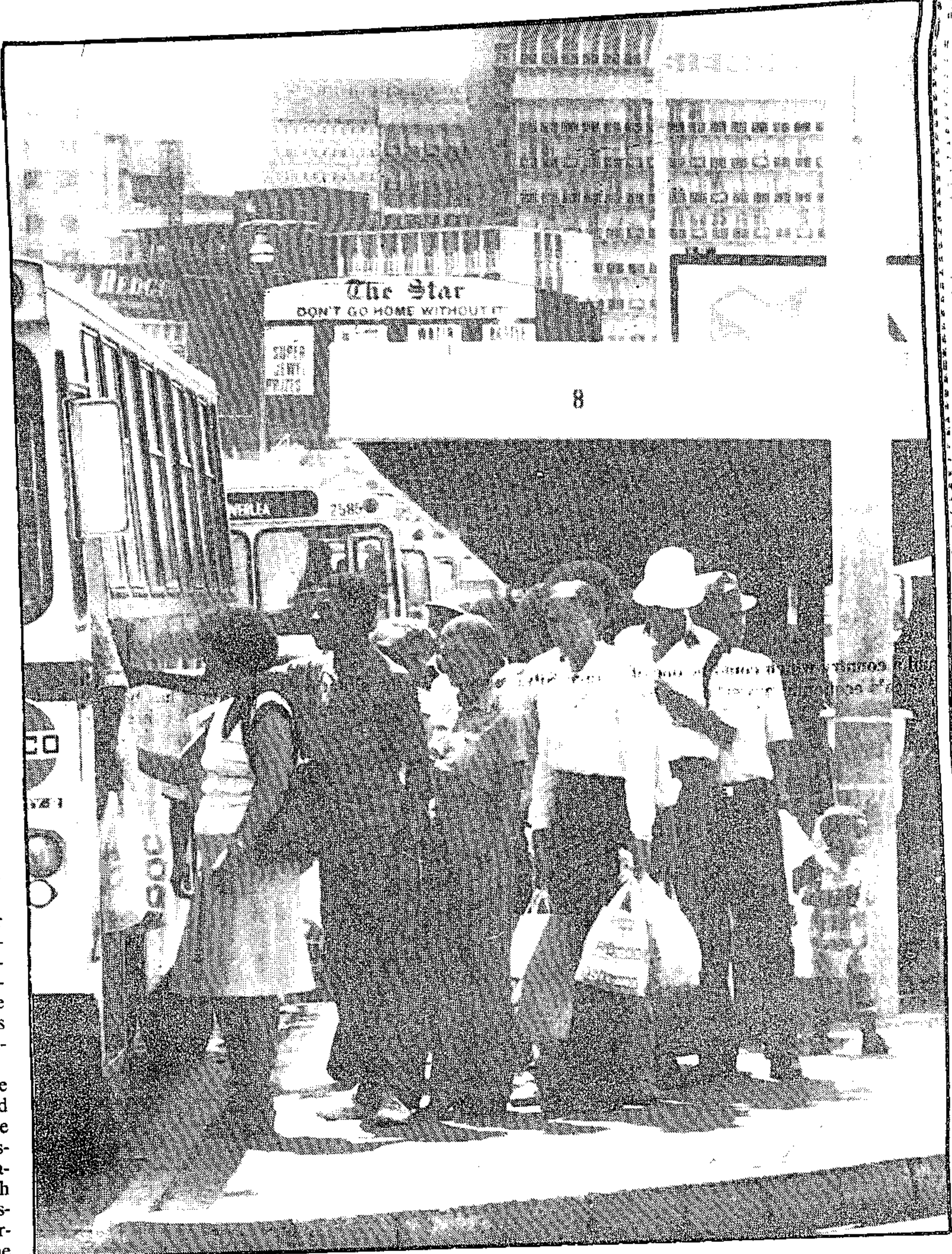
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WAITING AND WAITING ... Long queues for taxis and buses will still be there in post-apartheid South Africa.

'Power play' holds UP Group Areas

ct 3/b/91

(86)

Political Staff

THE government has delayed legislation scrapping the Group Areas Act because the National Party was not convinced that it would wrest power in the House of Representatives by today.

The Abolition of Racially Based Measures Bill was debated in Parliament last week and it was set down to be voted on today. But at the weekend the plan was changed and voting on the bill was removed from the order paper for this week.

When President F W de Klerk announced last year that the Group Areas Act was to be scrapped, he promised Parliament that the legislation would be acceptable to all three Houses in the tricameral system.

But following strong opposition from the Labour Party to the bill prior to the debate in Parliament last week and a concerted attack on the bill during the debate, the NP started an intense programme of poaching LP members.

The past 10 days have seen 34 former LP members crossing the floor to join the NP, which yesterday was poised to seize control in the House.



PROMISE TO PARLIAMENT ... Mr

F W de Klerk

They still require another nine members before they can control the House and NP sources said they were not convinced they would be in this position by today. However, they believed they would get control but needed more time to persuade LP members who were ambivalent.

Members of the "Brown Nats", as they have come to be called, said yesterday that they were convinced that by Thursday if they did not have the majority in the House they would certainly have managed to persuade enough members to vote for the bill without their having to cross the floor.

LP members are to attend a crisis caucus meeting today to decide finally how

they are going to vote on the bill.

The LP's opposition is to chapter seven of the bill, which makes provision for communities to decide on the norms and standards of their neighbourhoods — a provision the LP claims is allowing whites to set up "privately determined group areas" and bring in apartheid through the back door.

The NP members in the House claim that with the anti-discriminatory clause in the bill the norms and standards issue is only of academic interest and it was more important to vote for the scrapping of the Group Areas Act and the Land Acts.

This has placed the LP in a quandary, because they have campaigned for the scrapping of this legislation for years and do not wish to appear to opposing its scrapping.

This has resulted in a division in the party, with some members stating that they will remain in the party but vote for the bill against the wishes of LP leader Mr Allan Hendrickse.

At the weekend it was confirmed that LP whip Mr Les Abrahams had applied to join the NP. Sources said they also expected Mr Neville Padiachy and Mr Glen Rooskrans to cross the floor soon.

HOUSE OF ASSEMBLY

INTERPELLATIONS

The sign * indicates a translation. The sign †, used subsequently in the same interpellation, indicates the original language.

General affairs:

Group protection

*1. Mr H D K VAN DER MERWE asked the Minister of Constitutional Development:
Whether the Government has promised to see to it that in the new South Africa groups will enjoy protection and that no group will be dominated by another group or groups; if so, what measures have been taken since 6 September 1989 to fulfil this promise?

B1133E.INT

*The MINISTER OF CONSTITUTIONAL DEVELOPMENT: Mr Speaker, the interpellant is clumsily trying to create the impression that the NP makes promises which it does not keep. [Interjections.] However, this kind of politicking is sterile.

Of course it was a principle we stood by during the 1989 election and it is still a fundamental principle, that no group in the present system or in a future system should be able to infringe upon or prejudicially affect the lawful interests of other groups and minorities. The NP's policy is to create power-sharing in a non-discriminatory way.

However, the essence of the interpellant's problem is his definition of "group". What we have actively been doing since the last election to promote the principle of self-determination has been precisely to expand and clearly formulate our standpoint on the concept of "group". The *Five-year Plan of Action* of the NP clearly formulates as an objective: To seek agreement between leaders on a more just and meaningful basis on which groups can be defined for the purposes of political participation. In the plan of action the NP also undertook to negotiate with leaders in order to find a mutually acceptable basis for the maintenance of an own community life. We are therefore dealing with negotiation

HOUSE OF ASSEMBLY

and acceptable agreements, also acceptable to ourselves, in respect of both political participation and own community life.

Meanwhile the CP clings fanatically to their unrefined insistence that groups are actually races, except when it suits them to make ethnic distinctions within a race group such as the Blacks. In contrast to this the NP's plan of action states expressly that discrimination between groups on the basis of race or colour is unacceptable and must be eliminated in an orderly way.

*Mr J H VAN DER MERWE: What about peoples?

*The MINISTER: The question is about groups. [Interjections.]

In practical terms the concept of self-determination of a community means to the Government control over matters such as the residential environment, cultural matters and certain aspects of education and welfare, in other words the freedom to deal with these sensitive matters in a distinctive way, as far as practically possible. The community as such would be able to vary in respect of the relevant issue or basic value at hand. Therefore communities identify and organise themselves to perform a specific function in a specific corresponding way. However, this must take place in such a way—that is our view—that there is no possibility of prescriptive compulsion on the part of the Government, and in such a way that the principle of free association and the prohibition on discrimination on the basis of race can be effectively implemented.

This standpoint is clear, yet it would appear from the question of the interpellant that he cannot or will not understand it. [Time expired.]

*Mr H D K VAN DER MERWE: Mr Speaker, what the hon the Minister has just stated is certainly not the truth. Let me read to him what the hon the State President stated in *Key Issues* just prior to the 1989 election. The question was: Does the NP stand by the protection of every group's own community life and own schools. This was their own question. Their own reply was, and I quote:

Yes, the NP believes that the group rights of Whites . . .

[Interjections.] They use the word—

... like those of every other group in South Africa, must be protected on the community level. This includes the group's right to its own community life, its own residential areas, its own schools and its own old-age homes.

[Interjections.] I am now asking the hon the Minister how he can morally sit where he does sit and give me this reply when they themselves used the term White in 1989. There can be no doubt that he told the voters that they would protect the Whites. This was the racial term that was used.

*An HON MEMBER: Rina Venter also said so.

*Mr H D K VAN DER MERWE: Yes, the hon the Minister of National Health also said so. For example she said that she would try to ensure that no group would dominate another, and I quote her:

Die eie seggenskap wat reads vir die Blanke bestaan, soos eie beheer oor ons eie woongebiede, ons eie onderwys, ons eie welysnoprogramme, ons eie plaaslike owerheid asook ons eie kultuurkreatiwiteit sal in stand gehou word. Ek staan onwrikbaar by hierdie beleid van die NP soos goedgekeur deur sy kongres.

The NP is present in this House on an immoral basis! I am asking every man in South Africa who can look at things fairly—a Government tells its voters in 1989 that it promises and gives the undertaking that it will maintain White communities and groups with their own schools, community life and everything. [Interjections.] And what has the hon the State President done since 1987? He has abolished every measure introduced by the old NP to protect not only groups but peoples and tribal units. He is taking our land away from us. [Interjections.] He has taken the population classification away from us. [Interjections.]

No, if ever there was an immoral government in history, it is this Government. If it still possesses the slightest trace of morality, it will resign. [Interjections.] This reply which the hon the State President gave the voters in 1989 is a public lie! [Time expired.]

Dr D J WORRALL: Mr Speaker, the CP should really start moving into the future and move away from the last election. [Interjections.] They should start focusing on what is happening around them. This party's view—and I believe it is the view of the Government with respect to the

role of groups in South Africa—is that ours is a plural society. [Interjections.] Ethnicity will express itself in our society in exactly the way ethnicity has expressed itself in virtually every other plural African society. [Interjections.]

The fact is, there are ways in which pluralism can be accommodated constitutionally and politically without affecting the commitment to a non-racial South Africa, but more important than constitutional and political mechanisms is the fact that we need to stress common, shared interests and shared values in our politics.

A very important development during the past 10 days has been the crossing of the floor of former hon members of the LPSA to the NP, because that is an expression in itself of shared values which supersede colour and race. It is a very healthy development, because it says the following. [Interjections.]

*Mr H D K VAN DER MERWE: When are you crossing the floor?

Dr D J WORRALL: It reinforces the view that shared interests, rather than colour, should be the basis of political groupings, it reduces racial polarisation in the transition process, it forces the NP, for the first time, to develop a genuine, non-racial culture and it has the advantage of isolating the CP as the only party which actually has a colour bar in our politics. [Interjections.]

The fact is that there are constitutional ways in which ethnicity can be accommodated. [Interjections.] The CP may be a growing party as far as Whites are concerned, but they are a declining party in terms of the politics of 40 million people. [Interjections.] [Time expired.]

The MINISTER OF CONSTITUTIONAL DEVELOPMENT: Mr Speaker, the hon member for Berea quite rightly emphasised the importance of the crossing of the floor which has taken place in the past days. [Interjections.] I think we must realise that the initiatives and the dynamics of the NP have released an impetus in South African practical politics and have had an effect on the leadership of South Africa's politics which was unanticipated and which was a complete surprise, I think, to most of us. [Interjections.] This is typical of the NP, which takes the wave at its crest and rides that wave, utilising the full impetus of that wave. [Interjections.]

HOUSE OF ASSEMBLY

*In contrast with this we have the sterile immobility of the CP. [Interjections.] There is no doubt that the NP envisaged that it would move in its election manifesto. It stated clearly that discrimination on the basis of race was unacceptable, and that it had to be phased out and abolished. [Interjections.] It made no secret of this. Its voters knew exactly where they stood, and this was also spelt out to them. [Interjections.] The NP stated its view on groups in its election document, and it maintains that the basis on which groups were defined at that time was unacceptable. This creates all kinds of problems. It must be reviewed. [Interjections.] It must be reviewed by negotiation. It is also stated that a new basis and method has to be found in a process of negotiation with the leaders of existing groups, in order to establish freedom of association. The standpoint held by the NP at present that community life and own communities can be maintained without this necessarily taking place in racially based and racially defined communities, is clear evidence of how dynamic the NP is, of its ability to negotiate and its skill in arriving at solutions in co-operation with leaders of other groups, solutions which fit the requirements of our unfolding constitutional dispensation. [Interjections.]

*Dr C P MULDER: Mr Speaker, the voters thought they knew exactly where they stood with the NP, but they do not know. They have been misled in the process. [Interjections.] The fact of the matter is that it is not only *Key Issues* which shows that what the hon the Minister is saying is untrue; the hon the State President's own words indicate that it is untrue. Let me quote them to hon members. On 20 August, two weeks before polling day, the hon the State President was already Acting State President. That night the hon the State President was interviewed on TV by three senior journalists who asked him about the concept of group. Mr Tertius Myburgh asked him whether, if one were to entrench individual rights, group rights would not take care of themselves. Why the emphasis on group rights? The hon the State President replied as follows:

U vra is dit dan so belangrik? Kom ons kyk net wat sê die Blanke kieserskorps. As 'n mens 1987 se uitslae ontlee, dan het die Blanke kieserskorps, ongeveer 82% van hulle, gestem vir partye wat wel sê die Blankes is 'n groep, en dit is belangrik dat daar omgesien word na groeprigte van die Blanke minderheid.

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[Interjections.] The hon the State President went on to say:

Dit is miskien die probleem van die partye wat probeer om die groep se krag te minimaliseer en waarom hulle nie meer steun kan kry by die stemmers nie.

These are parties such as the DP and the new NP, as was recently proved in Ladybrand. [Interjections.] The NP had no mandate for this. They defined group in terms of race and the White voters gave them a mandate in terms of time.

I am not merely an individual or part of a minority group. I am a member of a people, a people which in terms of the law of nations lays claim to the right to self-determination just like any other people in the world. The NP will not succeed in turning the peoples of Southern Africa into so-called minority groups, and later into a sea of mere individuals. Individuals who believe that this is possible, were most probably never truly members of a people.

*Mr HDK VANDER MERWE: Mr Speaker, I want to ask the hon the Minister directly today whether the Afrikaner people are a group or whether the Afrikaner people still exist in his eyes. Did they exist and do we still exist? [Interjections.] I am asking the hon the Minister whether the Afrikaner people exist today. Do we exist? Does the Afrikaner-Broederbond consist exclusively of Whites or not, and what about the Ruiterweg, the FAK, the Rapportryers and the Junior Rapportryers?

I am telling the hon the Minister that he has declared war against the Afrikaner people. [Interjections.] He is the greatest enemy the Afrikaner people has ever had, and he supposedly comes from our own ranks. [Interjections.] The hon the Minister got where he did because he was a Broederbond and because he held that the Afrikaner people was a people. However, he is engaged in the most serious attack that has ever been launched against the Afrikaner people and I want to tell him today that he will also come up against the strongest resistance if he continues with this process of destroying the Afrikaner people. He must listen to what I am telling him today, so that he does not run away the day this happens.

Today he is looking at the party which truly represents the Afrikaner people. We are not going to die in this fatherland; we are going to

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live. We are not ashamed about what we were or what we have done in South Africa. However, the hon the Minister must know that he and his party and the hon the State President are the greatest enemies the Afrikaner people have ever had, and they must be destroyed.

*The MINISTER OF CONSTITUTIONAL DEVELOPMENT: Mr Speaker, the hon member's desire for destruction stretches so far that he has in fact already destroyed his credibility and esteem himself. What is tragic and ironic about this hon member is that he is staying where he is in spite of the fact that he was a member of the Afrikaner-Broederbond. [Interjections.]

The hon member asked what the Government had done and what it envisaged doing to protect the group and the communities referred to as minority groups. Here I want to emphasise that it is the Government's clear view that the protection of minorities will not be based on a single constitutional measure, but on a whole system of additional interdependent checks and balances. These will comprise provisions entrenched in the Constitution which will ensure representation of minorities as well as a real say for minorities in respect of identified matters of fundamental and sensitive importance. Furthermore, there will also be a bill of rights in which the fundamental rights of the individual are entrenched, together with specific community values that are exercised by the individual. In contrast with our legal tradition, the Supreme Court will also have a new form of authority, based on that of the USA and Germany, which will mean that the Supreme Court will have the power to declare government action that is in conflict with the provisions of the Constitution and the bill of rights legally invalid. There will also be recognition of communities, and recognition of the fact that they have special interests that must be dealt with and managed by them in their own way, in a non-discriminatory way. There will be devolution of power to the second level of government and to effective local government. Also, as we have already stated clearly in the election manifesto, a better distribution of the powers that are at present concentrated in the office of the head of State and of the Government.

There is a whole series of measures that will effectively protect the interests of minorities in a new South Africa.

Debate concluded.

Prisoners: hunger strikes

2. Mr D J DALLING asked the Minister of Correctional Services:

- (1) Whether he and/or his Department is taking any steps to bring about the end of hunger strikes being conducted by prisoners; if so, what steps;
- (2) whether any steps are being taken to expedite the release of prisoners convicted of political offences; if not, why not; if so, what steps?

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The MINISTER OF CORRECTIONAL SERVICES: Mr Speaker, in the past few weeks a number of prisoners have refused to take their meals. This number varies virtually every day, and so do some of the reasons for the hunger strike. All possible steps to terminate the hunger strike are taken. These include positive persuasion, applying the Tokyo Declaration and visits by responsible leaders such as the Deputy President of the ANC.

Unfortunately there are also those who encourage prisoners to undertake dangerous and irresponsible action and to continue with the hunger strike. One of these is nothing but a disruptive influence purporting to act as a legal adviser.

The prisoners on hunger strike are reportedly undertaking this action to put pressure on the Government for their release.

Yes, and we are sympathetic towards those who think that they should be released, having been led to that belief by people who are irresponsible and totally unaccountable to any authority. There is no reason, except a valid one, for release, and such a valid reason must be determined according to guidelines and on the basis of responsible advice. Hunger-striking does not make a person a political prisoner and does not implicitly and immediately qualify such a person for release.

Every application is dealt with responsibly and expeditiously. To date we have received more than 4 600 applications made after 30 April, and approximately 90% of these applicants are taking a chance. Yet I want to give the assurance that every application is looked at very objectively, even if such an applicant is apparently taking a chance.

Group Areas, Land Acts go

Sowetan 6/6/91



PETER SOAL

● From Page 1

declares invalid any racist law subsequently enacted by communities.

The Democratic Party, while registering its dismay at "racist Chapter Seven", said the imminent repeal of the Group Areas and Land Acts was a victory.

DP spokesman Mr Peter Soal said his party had voted for the new Bill because it was ridding the country of evil legislation.

"We rejoice with all those who feel the yoke of oppression is being lifted.

Restrict

"We share their happiness in being released from the discrimination inherent in the laws which restrict blacks to 13 per cent of the land of this country and chased people from their homes to barren windswept places, far from their work and the homes

where their ancestors had put down roots," Soal said.

The abolition of the Acts was opposed by the Conservative Party on the grounds that it would "turn white man's land into everyman's land".

Extra-parliamentary groups also said there was no cause to celebrate.

"The laws should never have been there in the first place," an ANC source said last night.



Mr Peter Soal



Rev Allan Hendrickse



Mr Jan Hoon

Apartheid laws crumble as Bill passed

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ARGUS 6/6/91

Political Staff

PRESIDENT De Klerk will soon sign into law a Bill that removes two of the last pillars of apartheid, the Group Areas Act and the Land Acts.

The new Abolition of Racially Based Land Measures Bill, which has been passed by parliament with only the Conservative Party opposing it, will come into effect on June 30.

It will then be possible for people to own land or occupy property anywhere without race restrictions.

Another major apartheid measure, the Population Registration Act, will also be scrapped soon, leaving only one — the constitution itself.

The moves to scrap the apartheid measures have had a favourable reception overseas.

In government circles, there is the belief that the latest moves will open the way for talks with the Organisation of African Unity on South Africa's readmittance to the world community.

In the former freedom movements there were mixed feelings today.

The ANC welcomed the repeal move but said this must be "given some teeth".

Spokesman Miss Gill Marcus said that while the ANC welcomed the scrapping of the laws, it was important to address the non-legal problems that remained.

Imbalances created by these laws had to be dealt with. Goedgevonden was a good example. There hereditary land which had been taken from black people was being leased to white farmers by the government.

A PAC spokesman, Miss Patricia de Lille, said the "obnoxious laws" should

not have been there in the first place. There was therefore nothing particularly special about their being removed from the statute book.

"The government must see that there is restitution. It says that this would be complicated, but forced removals of people from their land has not been so complicated."

Democratic Party spokesman Mr Peter Soal said: "Two of the pillars — the mainstays of apartheid — will disappear from our statute book and we say: 'Oh happy day!' We rejoice with all those who feel the yoke of oppression being lifted."

He said that "unlike the NP, we will vote for this Bill because apartheid was immoral, not because apartheid did not work". The DP also supported the creation of a land commission as a "step forward in returning land to people forcibly removed from their farms and homes".

In opposition, Labour leader the Rev Allan Hendrickse said that while his party supported the scrapping of the Acts, the inclusion of the provisions for residential norms and standards amounted to a "perpetuation of the status quo". He argued that there were already adequate measures for the maintenance of norms and standards.

The Conservative Party registered its fierce opposition to the Bill.

The Cape chairman of the CP, Kuruman MP Mr Jan Hoon, said land had to do with the "fatherland" of Afrikaners.

"We love our fatherland and we will not give it away. If the government is willing to kill us over this, then they must go ahead, because there is no other way they will convince us to sacrifice our fatherland."

Apartheid's pillars come crashing down

By Peter Fabricius
Political Correspondent

There was joy, bitterness and drama yesterday as Parliament toppled one of the last pillars of apartheid by repealing the notorious Land Acts, the Group Areas Act and other discriminatory land measures.

The laws which underpinned geographic apartheid were consigned to history with the passing of the Abolition of Racially Based Land Measures Bill.

The last pillar is the Population Registration Act, but legislation is already before Parliament to repeal it.

The Labour Party dramatically withdrew its opposition to the repealing Bill at the last moment — thus ensuring that the apartheid laws would be struck from the statute book this month.

"We will vote for this Bill with joy in our hearts," enthused the Democratic Party's Peter Soal.

Only the Conservative Party opposed the Bill, with a bitter declaration from Kuruman MP Jan Hoon that "you will have to kill us to remove us from our beloved land".

The repealing Bill was passed by 112 votes to 30 in the House of Assembly.

All MPs in the House of Delegates backed it and all of the House of Representatives — except the LP, which sat in sullen silence when Acting Speaker Dr Helgard van Rensburg called "all those against say no".

The LP had earlier declared that it would oppose the Bill because it detected inherent racism in one chapter introducing measures for tighter policing of physical living standards in residential neighbourhoods.

The LP's sudden decision to abstain — possibly done to avoid a fatal split in the party — means President de Klerk will be able to keep his promise to the world to scrap the land apartheid laws by the end of the parliamentary session.

Conditions

The laws will officially be erased from the statute books on June 30 — so meeting one of the few outstanding conditions for the lifting of US sanctions.

The new Bill repeals the Black Land Act of 1913, the Development Trust and Land Act of 1936 (together known as the Land Acts), the Group Areas Act of 1966 and the Black Communities Act of 1984, and removes hundreds of racist restrictions in other laws.

Extra-parliamentary organisations today expressed reservations that the repeal alone would enable blacks to take advantage of the new law.

ANC spokesman Gill Marcus applauded "a first and important step".

However, the new legislation would not enable people to "retrieve the land they lost" and move into residential areas of their choice because of legal and financial constraints.

Pan Africanist Congress (PAC) general secretary Benny Alexander said the repeal of the Acts did not return the land "to the landless African majority" and therefore could not go far enough.

The leader of the Boers-taat Party, Robert van Tonder, said that now these laws had been repealed he would "work twice as hard" for the re-constitution of the Boer Republic.

Suzanne Vos, a spokesman for the Inkatha Freedom Party, said the repeal of the Acts was "yet another nail in apartheid's coffin".

The AWB and Azapo could not be reached for comment.

Apartheid Bill 50

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CT 6/6/91

By BARRY STREEK

MAJOR cornerstones of apartheid, the Group Areas Act and the Land Acts, crumbled to cheers from MPs in Parliament yesterday.

All three Houses had voted for its abolition. The Labour Party, which at one stage threatened to vote against the Abolition of Racially-Based Land Measures Bill and force the measure to go to the President's Council, against expectations abstained during voting.

The LP has strongly opposed the bill on the grounds that a clause on the maintenance of "norms and standards" was designed to maintain the status quo in white suburbs.

Although LP leader Mr Allan Hendrickse welcomed the repeal of the acts, he placed on record his party's "disgust" at the inclusion of the clause in this meant there was no opposition to the bill in either the House of Representatives or the House of Delegates.

But, in the House of Assembly, the Conservative Party maintained its opposition to the end by calling for a division, which it lost by 112 votes to 30. The scrapping of the laws, which together with related measures resulted in the removal of more than 3.5 million people, comes into effect on June 30.

South Africans of all races will be able to own and occupy property anywhere, irrespective of their race.

Signature expected

Only the signature of President F W de Klerk is now required, and he is expected to sign "in about a week's time" once the formalities have been completed, a spokesman for his office said last night.

The 1950 Group Areas Act, one of the first apartheid measures passed by the National Party after it came to power, alone resulted in the removal of more than 834 000 people.

The former minister of constitutional develop-

ment and planning, Mr Chris Heunis, said in 1985 that 126 176 families had been removed from their homes in terms of the Group Areas Act, 2% of whom were white, 66% coloured and 32% Indian.

"The DP's Mr Peter Soaf said: "We will vote for this bill with joy in our hearts. Oh happy day!" Mr Soaf also said the norms and standards provisions were a sop to the right-wing and were unnecessary.

The CP's Mr Jan Hoon said the government would have to kill whites to make them give up their beloved land.

The LP said in a statement that its caucus had been placed in an invidious position in regard to the bill.

Its support for the scrapping of particularly the Group Areas Act was very clear, but its opposition to the norms and standards provision had been spelled out.

The other major pillar of apartheid legislation, the Population Registration Act, will also be scrapped before the end of this parliamentary session.

Labour Party backs off

Group Areas, Land Acts swept away

CAPE TOWN — A key pillar of apartheid fell yesterday when Parliament scrapped the Group Areas Act and the Land Acts after the Labour Party backed off from opposing the enabling legislation.

All urban and rural areas previously designated for occupation by specified race groups become open areas on June 30, following President F W de Klerk's signing of the Abolition of Racially Based Land Measures Bill. Tribal trust land, however, will not be open and is subject to a 10-year sunset clause.

The Bill also scraps the Black Communities Act of 1984.

It has been estimated that more than 3,5-million people, mostly black, have been removed from their homes, land and business premises by these Acts.

DP MP Peter Soal summed up the mood of a packed Parliament with the words: "Oh happy day... we will vote for this Bill with joy in our hearts — oh happy day."

The only opposition to the Bill came from the 30 CP members.

The Labour Party surprised all by abstaining from voting on the Bill, despite threatening government in Parliament last week that it would refuse to pass the Bill.

Labour had opposed the Bill during the

BLOOM 6/6/91
BILLY PADDOCK

week-long debate on the grounds that the inclusion of the maintenance of norms and standards retained the status quo in white areas.

In last-minute discussions and negotiations an hour before the vote, the Labour caucus adopted a compromise position to prevent a split in the party and the loss of more members to the NP. The NP has poached 35 Labour members over the past two weeks and is on the brink of taking control of the House of Representatives.

Apparently there were too many Labour MPs who had decided to oppose Labour leader Allan Hendrickse's position and vote for the Bill. This would have resulted in them being kicked out of the party.

To maintain unity, the Labour caucus decided to "withhold all participation in the voting on the Bill".

Hendrickse welcomed the scrapping of the apartheid Acts but expressed his disgust at the inclusion of (Chapter 7) norms and standards "to perpetuate the status quo".

"I want to express our disgust at the adding of Chapter 7 for the sole purpose of protecting whites because the NP knows that future local governments will be black-dominated," he said.

□ To Page 2

Group Areas Act

Soal said: "Two of the pillars — mainstays of apartheid — would disappear from the statute book... We rejoice with all those who feel the yoke of oppression being lifted."

He said the DP shared their happiness in being released from the discrimination which restricted blacks to 13% of the land and chased people from their homes to barren, windswept places, far from work and the homes where their ancestors had put down roots.

But, he said, unlike the NP, his party would vote for the Bill because apartheid was immoral, not because it did not work. It was a step forward in returning land to people forcibly removed and it was proper that provision be made for restitution and reparation. Chapter 7 was a mess "but the Nats have been messing up this country for 40 years", he said.

CP member Jan Hoon said the Bill was

"irresponsible and disloyal" and warned that government would have to kill to take land away from white people.

Deputy Education and Development Minister Piet Marais said the Bill introduced a realistic land policy providing a just and democratic land ownership system. The policy was in keeping with the market-orientated system and would promote economic growth.

He said the NP rejected redistribution of land.

Following the passing of the Bill yesterday, only one pillar of legislative apartheid was left standing — the Population Registration Act.

The redrafted Bill scrapping the Population Registration Act and 13 other Acts plus numerous apartheid clauses in other Acts was tabled yesterday and will be passed within the next two weeks.

BLOOM 6/6/91
From Page 1

Land reforms 'mean nothing'

By PHANGISILE
MTSHALI

THE scrapping of the Land and Group Areas Acts does not mean anything to blacks in South Africa.

This was the view expressed yesterday by callers to the *Sowetan/Radio Metro Talkback Show*.

Kgopo from Alexandra said although the State President's announcement was a step in the right direction, it still



left a lot to be desired.

He criticised the controversial Chapter 7 as a built-in protection of white minority rights.

Charles from Yeoville said the scrapping was

only on paper as he was yesterday turned down by several landlords and agents while looking for a flat.

He proposed that a law be passed to make it a criminal offence to refuse accommodation on the basis of race.

Itumeleng from Tembisa called for the expulsion of all whites for black land ownership to be meaningful.

He said the scrapping

of the Acts did not mean the end of apartheid.

Another caller, Vincent, also rejected the repeal and said most of the land was already occupied by whites so the reforms meant nothing to the man in the street.

Solly Nkosi from Jabulani said he did not welcome the reforms because they were formulated "for us, without us".

FW's pen to sign off apartheid

Sowetan 7/6/91 *(SOWA) (80)*

PRESIDENT FW de Klerk is to sign into law a Bill that removes two of the last pillars of apartheid - the Group Areas and the Land Acts.

The new Abolition of Racially Based Land Measures Bill, which has been passed by Parliament with only the Conservative Party opposing it, will come into effect on June 30.



DE KLERK

It will then be possible for people to own land or occupy property anywhere without race restrictions.

Another major apartheid measure, the Population Registration Act, will also be largely scrapped soon, leaving only one -

Political Staff

the Constitution itself.

This will have to be replaced by a negotiated new, nonracial one.

In Government circles there is the belief that the latest moves will open the way for talks with the Organisation of African Unity on South Africa's readmittance to the world community.

There were mixed feelings among the liberation movements.

Problems

ANC spokeswoman Miss Gill Marcus said that while the ANC welcomed the scrapping of the laws, it was important to address the non-legal problems that remained.

Goedgevonden was a good example. There, historical land which had been taken from black people was being leased to white farmers by the Government.

After scrapping the laws there had to be restitution and a land commission to deal with this.

A PAC spokesman, Miss Patricia de Lille, said: "The Government

must see that there is restitution. It says that this would be complicated, but forced removals of people from their land has not been so complicated.

"It is insensitive to suggest that people buy back land that was taken from them by force.

"The Government must see to it that there is equal distribution of land."

Groups join effort to help hunger strikers

FOR the first time in South Africa, the ANC and Government have agreed on a programme of care of hunger strikers, South Workers Congress (Sahwco) Aslam Dasoo said yesterday.

Barely days before prisoner day of a hunger strike begin should permanent health damage, National Medical and Dental Association (Namda), the Medical Association of Africa (Masa), the Department of Correctional Services, the Department of Law and Order and the Department of Justice reached consensus on the

Mixed reaction follows death of apartheid laws

~~SECRET~~ Business Day Reporters (80)

THE scrapping of the Group Areas Act and Land Acts continued to attract mixed reaction locally and internationally yesterday.

Parliament voted on Wednesday to scrap the Acts by passing the Abolition of the Racially Based Land Measures Bill. *510am 7/6/91*

The German government said the abolition of the laws was a milestone on SA's road towards creating a non-racial and democratic country.

KIN BENTLEY reports from London that while the British government yesterday welcomed the repeal of the Acts, the move failed to make an impression on Danish political parties preventing the implementation of an EC decision to lift trade sanctions against SA.

A spokesman for the Danish Foreign Ministry said there had been "no signals" yet in response to the move from parties in a centre-left coalition that had vetoed EC moves to lift the trade sanctions.

In SA, Actstop secretary-general Pressage Nkosi yesterday welcomed the Acts' repeal but said the government had to make some restitution for the loss blacks had suffered through application of the laws.

In Durban the Inkatha Freedom Party called for further measures to redress wrongs caused by the laws.

Azapo said the scrapping of the laws had not fulfilled its demand for redistribution of land.

The ANC's National Land Committee (NLC) said provisions of the Bill were inherently racist because it allowed communities to set their own standards and norms, thereby maintaining the present situation.

GERALD REILLY reports from Pretoria that the Transvaal Agricultural Union (TAU) assured farmers the fight to protect white farmlands would continue.

● Comment: Page 8

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Land Bill a 'boon to property market'

Bl Day 7/6/91

CAPE TOWN — The passage of the Upgrading of Land Tenure Rights Bill would open new doors in SA's property industry, Deputy Land Affairs Minister Japie van Wyk said yesterday.

Introducing debate on the measure, he said the Bill aimed to give full rights of ownership to landholders in black townships. It would also create hundreds of thousands of property owners.

This should result in "a property market that will grow from strength to strength".

The surveying and deeds registration functions would be combined in a central system. No registration fees would be payable for these conversions to full title, Van Wyk said.

However, CP deputy leader Ferdi Hartzenberg said the Bill would lead to heightened tension and violence in SA. It would destroy the principle of occupation of land by a people by making it available to persons of other groups. This would create uncertainty.

"We are convinced that this Bill is trying to widen the privilege of land ownership in a highly artificial manner. This will bring destruction."

The measure was discriminatory because it laid down that black tribal land would be protected from being sold off for 10 years, while white land was opened to all.

Jac Rabie (NP Reigerpark) said the Bill would have the effect that land would never again be able to be taken from an owner by the stroke of a pen.

He supported the Bill because the government was showing it was ridding itself of racism.

Amichand Rajbansi (NPP Arena Park) said he supported the Bill. It was part and parcel of the reform package on the ownership of land in SA.

The Bill had its imperfections, but when it was implemented these would become conspicuous, he said. — Sapa.

UK welcomes repeal of Areas Act

Own Correspondent

LONDON. — The British government yesterday welcomed the repeal of the Group Areas and Land Acts.

But the lifting of trade sanctions against South Africa has been blocked by a Danish coalition of centre-left political parties, which has denied the EC the necessary consensus on the issue.

Centrist parties in the coalition

indicated recently that they will change their opposition to April's EC decision to lift the sanctions once apartheid legislation has been repealed.

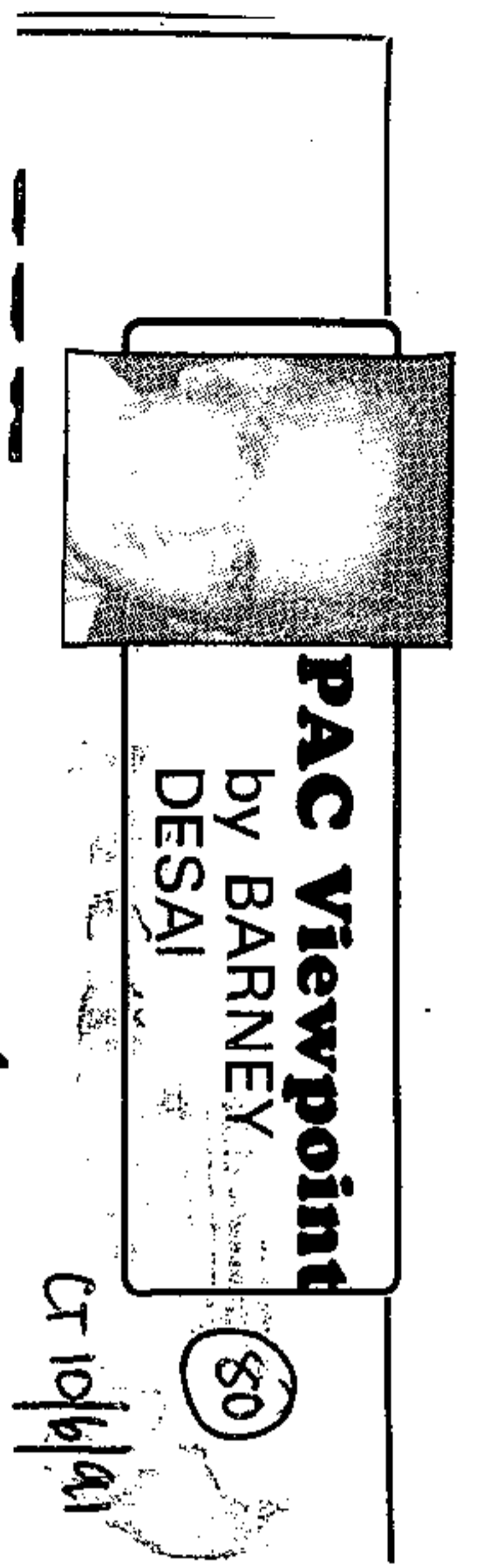
A British Foreign Office spokesman said: "We have in general terms welcomed the process of dismantling the various apartheid provisions in South Africa, and this applies to each individual step in the process."

He declined to say whether

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Britain, which has headed moves within the EC to lift sanctions, would be communicating with the Danes about their response to the repeal of the core apartheid laws.

A Danish government spokesman said indications of when the issue would again be discussed by the key Market Committee, which deals with EC affairs — including sanctions, would emerge later this month.

Why not go back just 41 years for reparation and justice?



EARLIER this year when Mr De Klerk announced the proposed abolition of the Land Acts, the PAC contended that it was absurd for the regime to assert that "the objective is to do justice to all citizens, also as far as rights to land are concerned; to broaden opportunities for all, while preserving lawfully acquired rights".

The PAC questioned "what was lawful about taking people's land with the barrel of the gun" and asserted that title acquired by illegitimate means remained illegitimate.

There is much to write about the land question as a whole, but I wish specifically to deal with Mr Kriel's statements, initially, that it was far too "complex" to deal with the injustices of forced removals and the Group Areas Act.

Now, presumably because of widespread criticism of insensitiv-

ity he says "we can look if we can put the clock back a bit, but there is to be no blank cheque and it is impossible to set a cut-off date of say 1948, five years or when Van Riebeeck landed".

Injustice

For the purpose of reparation and compensation he proposes a state-appointed advisory committee. If nothing else, his style is consistent with race domination — all advice and no consent!

An act of dispossession and injustice does not become less unjust with the effect of time. With 87% of the land in white occupation, I doubt whether "justice" as perceived by our rulers, can ever be done to people whose land is the subject of colonial conquest.

The land question can only be dealt with through a process of a new constitution created by a democratical-

ly elected Constituent Assembly. Government by Bunga — a discredited "advisory" system of the past — has long been consigned to the dust heap of history.

The process of change cannot be left in the hands of the perpetrators of white baaskap. It cannot concern itself only with dealing with the meagre 13% of the land — much of which is still controlled by his regime.

Perhaps, if the point has not been sufficiently aired already, we ought to look at the notorious Group Areas Act of 1950. A mere 41 years ago the Group Areas Board came into existence replete with a racist bureaucracy. Behind close doors they sat with red pencils and drew lines across maps — this for whites, that for Indians and this for coloureds.

The plan for Indians and coloureds amounted to economic geno-

lands (Soweto), and the place was renamed Triomf (for white occupation).

A coloured old-age pensioner (age 70) who had lived in Green Point since birth, hanged himself from a tree in his garden when the area was proclaimed white. The story of District Six is an eternal shame. Can there ever be compensation for the older residents who died broken-hearted after they were forced to move by the regime's edict?

Mr Kriel is on record as saying that the destruction of District Six was about "slum clearance". Talk to the people of the slums of Manenberg, Hanover Park and Lavender Hill and you talk to a mountain of misery.

His statement that when the Group Areas Act is no longer on the statute book a white seller could refuse to sell to a black buyer "because he does not like the look of your face", must disqualify him from ever holding public office in this country.

It would be appropriate to remind your readers that as a result of the Group Areas Act alone displacement for racial reasons took

place on a horrific scale. Mr Kriel, could the process of reparation as an act of good faith not go back 41 years?

Group removals

Traders — 2 771.

Places of abode (families):

Whites 2 418,
coloureds 83 691, Indians 40 067.

A total of 630 030 people were involved. (Land, Race, SA Group Areas and Land Acts. Institute of Race Relations 1987.)

Forced removals

Between 1960 and 1982 3.5 million blacks were forcibly removed. (Surplus Peoples Project 1960-1982, vol 1).

The PAC is for government by consent of the majority and not as vassals to an advisory committee.

The problems of forced removals cry out for justice with compensation. This regime is not capable of addressing the issue, nor that of the equitable redistribution of our wealth which is the only guarantee that we all enjoy a stable democracy which is caring and sharing.

[Barney Desai is national publicity secretary of the PAC]

cide and barbarous uprooting of long-established places of trade and of abode. They ravaged Johannesburg, Cape Town, Durban and scores of little towns.

Of course Africans were already in place on rubbish dumps called "locations" but there was Sophiatown, Martindale and Newclare where 117 072 families (conservatively divided by six would comprise 702 432 people) were forcibly removed to Meadow-

Filling vacant space will take time

THE abolition of the Group Areas Act is unlikely to create an increased demand for commercial and industrial property in the short term, but will allow the growth of business opportunities in the longer term, says Investec Property Group (IPG) MD Marc Weiner.

"In the present economic climate and mood, there appears to be a perception that it will take a long time for vacant space to be taken up."

"However, there is a thin dividing line between feast and famine in the SA property market, and improve-

ments in the economy will quickly absorb the excess." Thrusts which could change the post-apartheid picture will be growth of the industrial and commercial base through exports to Africa and the change by black entrepreneurs from the informal to the formal sector of the economy, he says.

"The existing industrial and commercial base is hampered by high interest rates, lack of business confidence due to political uncertainty and violence and sanctions limitations on exports, especially to Africa."

So far, any penetration of consequence by the small

15/0 am 18/6/91
black entrepreneur has been through the multi-purpose factory sites established by the Small Business Development Corporation.

Opening 80

The more far-reaching outcome of political changes will be the opening of markets in east and west Africa, as well as the front-line states.

"This will not happen overnight, but as demand for SA products and services from neighbouring countries increase, so the resources of manufacturers

will be stretched and they will have to expand production capacity."

Many of the firms routing products through third parties or agencies and depots in neighbouring states will be looking for increased space once they can start exporting directly from SA.

"This will result in export opportunities.

"Within the next decade, many of our retailers, especially those serving in the Third World component of our economy, will expand their operations into other parts of Africa," says Weiner.

Blacks will want share of action

THE repeal of the Group Areas Act makes commercial, industrial and retail development in black areas possible, says RMS Syfrets MD Pat Flanagan.

However, the inhabitants of these areas are going to want a share of the "equity action".

"Initially, the people will seek to learn from the skills held by the whites, but once this is achieved they will move on their own," Flanagan says.

Until this happens, there will be a period of uncertainty where skills will be bought, with the white property develop-

ment community playing a part in this development and learning period.

While investment in the townships is taking place — with between R40m and R50m already invested — there will be no rush of development, Flanagan says.

"Smallish office developments will take place to cater for the specialised man or business, with a greater participation by the banks and financial institutions," he says.

This will be a slow process, but new markets will develop.

However, for commercial and industrial devel-

opment to take place, municipal services such as electricity, water and roads have to be installed.

"The CBD has always been the commercial node, and its position will not be affected by the repeal of legislation.

"General services such as lawyers will remain in the city, so people will always need to go there."

The emergence of the mini-taxi industry has made the CBD accessible to the majority of black commuters, which can benefit the CBD and improve its appeal as a commercial node, Flanagan says.

18/02/91

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HOUSE OF ASSEMBLY

QUESTIONS

†Indicates translated version.

For written reply:

General Affairs:

Reclassification applications

381. MR L FUCHS asked the Minister of Home Affairs:

(a) What total number of persons in each category applied to be reclassified from one race group to another in the latest specified 10-year period for which information is available and (b) how many of these applications were unsuccessful in each case?

B1008E

THE MINISTER OF HOME AFFAIRS:

The statistics as required by the hon member is available only from 1 January 1983. From 1 January 1983 to 31 December 1990 the persons who applied for reclassification, and the applications which were unsuccessful, were as follows:

	(a)	(b)
White to Cape Coloured	109	23
Cape Coloured to White	4 538	1 083
Cape Coloured to Chinese	58	8
White to Chinese	12	4
Chinese to White	43	8
White to Malay	13	2
Malay to White	85	31
White to Indian	18	—
Indian to Cape Coloured	410	25
Cape Coloured to Indian	424	34
Indian to Malay	204	17
Malay to Indian	239	22
Other Asian to Cape Coloured	11	7
Black to Cape Coloured	2 517	690
Cape Coloured to Black	120	20
Black to Other Asian	24	9
Black to Indian	30	3
Black to Griqua	35	6
Cape Coloured to Malay	83	4
Chinese to Cape Coloured	8	1
Indian to White	29	13

Malay to Cape Coloured	96	4
Black to Malay	7	2
Griqua to Black	2	—
Cape Coloured to Griqua	9	—
Indian to Black	2	—
Indian to Other Asian	7	5
Griqua to White	1	—
Griqua to Cape Coloured	7	2
Other Coloured to Indian	2	—
Other Coloured to Black	1	—
Malay to Chinese	4	1
Chinese to Malay	1	—
Chinese to Indian	1	—
Other Asian to Indian	1	—
TOTAL	9 151	2 024

99-year leasehold scheme/freehold scheme

391. MR P G SOAL asked the Minister of Planning, Provincial Affairs and National Housing:

- (1) How many plots were (a) surveyed in each province of the Republic in 1990, and (b) are available, with a view to the (i) 99-year leasehold and (ii) freehold title scheme;
- (2) whether any of these plots have been sold; if not, why not; if so, (a) how many in each province and (b) in respect of what date is this information furnished?

B1031E

THE MINISTER OF PLANNING, PROVINCIAL AFFAIRS AND NATIONAL HOUSING:

Cape Province:

(1) (a) 9 860

(b) (i) 174 177

(ii) 1 009

(2) (a) Yes—3 400

(b) 31 December 1990

Natal

(1) (a) 2 562

(b) (i) 5 294

(ii) None

(2) (a) Yes—1 044

(b) 30 April 1991

Orange Free State

(1) (a) 10 718

(b) (i) 141 594

(ii) 20 399

(2) (a) Yes—21 842

(b) 20 May 1991

Transvaal:

As far as Transvaal is concerned, 32 applications for the establishment of townships in terms of the Black Communities Development Act, 1984 (Act 4 of 1984) were received during the period 1 January 1990 to 31 December 1990 of which 6 applications were approved in principle (Regulation 16) which resulted in 1903 erven being made available. These applications were all submitted by private developers and the Transvaal Provincial Administration does not have any information available in order to determine whether or not the erven have been surveyed.

It should also be mentioned that a further 31 applications which had been received previously were also approved in principle during the said period, which resulted in a further 56 979 erven being made available. Of the said 31 townships, 8 have already been declared as approved townships which means that those erven were surveyed at the time of declaration (2 401 erven). The surveying dates of these erven are not available.

On the receipt of applications for township establishment, no indication is given as to the scheme according to which the erven will be disposed of (99 year leasehold or title-deed).

During the period 1 January 1990 to 31 December 1990, the Transvaal Provincial Administration established 5 townships in terms of section 6A of the Prevention of Illegal Squatting Act, 1951 (Act 52 of 1951) with a total number of 34 450 residential erven which were surveyed. These erven are at present being let to the occupants thereof.

Black local authorities: bridging finance

402. Mr H J COETZEE asked the Minister of Planning, Provincial Affairs and National Housing:†

(1) (a) What amounts in bridging finance

(c) (i) None

(ii) 31 March 1991

(2) Depending on the availability of funds as it may annually be allocated by Parliament.

Orange Free State:

(1) (a) Period 1977/78 to

31/12/1986

R63 772 019

Period 1/1/1987 to

31/3/1987

R34 479 981

1987/88—financial year R38 579 937

1988/89—financial year R24 254 685

1989/90—financial year R14 867 535

1990/91—financial year R19 569 900

(b) Funds voted by Parliament.

(c) (i) R4 376 683

(ii) 31 March 1991

(2) Depending on the availability of funds as it may annually be allocated by Parliament.

Natal:

(1) (a) 1986/87—financial year R26 078 211

1987/88—financial year R22 115 360

1988/89—financial year R22 141 672

1989/90—financial year R18 344 568

1990/91—financial year R17 386 345

1991/92—financial year R30 600 705

(b) Funds voted by Parliament.

(c) (i) None

(ii) 31 March 1991

(2) Depending on the availability of funds as it may annually be allocated by Parliament.

White local authorities: bridging finance

403. Mr H J COETZEE asked the Minister of Planning, Provincial Affairs and National Housing:†

(1) (a) What amounts in bridging financing

were provided to White local authorities in each of the four provinces during the latest specified period of six years for which information is available, (b) from

what funds was this money provided and (c)(i) how much of the money has been repaid and (ii) in respect of what date is this information furnished;

(2) how does he intend providing funds for this purpose in future?

B1065E

The MINISTER OF PLANNING, PROVINCIAL AFFAIRS AND NATIONAL HOUSING:

Cape Province:

(1) (a) 1986/87—financial year R2 200 000

1987/88—financial year R2 183 000

1988/89—financial year R4 000 000

1989/90—financial year R8 160 000

1990/91—financial year R7 000 000

1991/92—financial year R5 000 000

(b) Funds voted by Parliament.

(c) (i) None

(ii) 31 March 1991

(2) Dependent on the availability of funds as voted by Parliament.

Orange Free State:

(1) (a) None

(b) Falls away

(c) (i) Falls away

(ii) Falls away

(2) Falls away

Transvaal:

(1) (a) None

(b) Falls away

(c) (i) Falls away

(ii) Falls away

(2) Falls away

Natal

(1) (a) 1985/86—financial year R5 000

1986/87—financial year R5 000

1987/88—financial year R5 000

1988/89—financial year R55 000

1989/90—financial year R415 000
1990/91—financial year R5 000

- (b) Funds voted by Parliament.
(c) (i) None
(ii) 31 March 1991
(2) Dependent on the availability of funds as voted by Parliament.

OFS: Votes Health services/community development

434. MR L F STOFBERG asked the Minister of Planning, Provincial Affairs and National Housing:†

- Whether, with regard to the Province of the Orange Free State: Estimate of Expenditure for the Financial Year ending 31 March 1992, he will subdivide the amount of (a) R510 946 000 under Vote 2—"Health services", and (b) R327 366 000 under Vote 4—"Community development", according to aims; if not, why not; if so, what are the relevant details?

B1139E

The MINISTER OF PLANNING, PROVINCIAL AFFAIRS AND NATIONAL HOUSING:

In order to give a meaningful reply to the question, my Department enquired as to the meaning thereof and it was indicated that the purpose of the question was to obtain the information per population group.

- (a) The amount of R510 946 000 under Vote 2—"Health Services" is provided for all population groups and cannot be subdivided per population group.
(b) The amount of R327 366 000 under Vote 4—"Community Development" has been provided solely for the Black community.

Vote No 26: Main Division 6

437. Mr A P OOSTHUIZEN asked the Minister of Planning, Provincial Affairs and National Housing:†

- Whether, with regard to Vote No 26—Planning, Provincial Affairs and National Housing, he will subdivide the amount of R601 439 000 under Main Division 6—"Urban development and housing aid", according to aims; if not,

HOUSE OF ASSEMBLY

Province of Transvaal: Vote 7

440. Mr W J D VAN WYK asked the Minister of Planning, Provincial Affairs and National Housing:†

- Whether, with regard to the Province of Transvaal: Estimate of Expenditure for the Financial Year ending 31 March 1992, he will subdivide the amount of R1 372 332 000 under Vote 7—"Community Development", according to aims; if not, why not; if so, what are the relevant details?

B1146E

The MINISTER OF PLANNING, PROVINCIAL AFFAIRS AND NATIONAL HOUSING:

In order to give a meaningful reply to the question, my Department enquired as to the meaning thereof and it was indicated that the purpose of the question was to obtain the information per population group.

- The amount of R1 372 332 000 under Vote 7—"Community Development" has been provided solely for the Black community.

Province of Transvaal: Vote 4

441. Mr W J D VAN WYK asked the Minister of Planning, Provincial Affairs and National Housing:†

- Whether, with regard to the Province of Transvaal: Estimate of Expenditure for the Financial Year ending 31 March 1992, he will subdivide the amount of R2 336 764 000 under Vote 4—"Health Services", according to aims; if not, why not; if so, what are the relevant details?

B1147E

The MINISTER OF PLANNING, PROVINCIAL AFFAIRS AND NATIONAL HOUSING:

In order to give a meaningful reply to the question, my Department enquired as to the meaning thereof and it was indicated that the purpose of the question was to obtain the information per population group.

- The amount of R2 336 764 000 under Vote 4—"Health Services" is provided for all population groups and cannot be subdivided per population group.

Province of Cape of Good Hope: Vote 10

442. Mr W A BOTHA asked the Minister of Planning, Provincial Affairs and National Housing:†

- Whether, with regard to the Province of the Cape of Good Hope: Estimate of Expenditure for the Financial Year ending 31 March 1992, he will subdivide the amount of R653 595 000 under Vote 10—"Community Services", according to aims; if not, why not; if so, what are the relevant details?

B1148E

The MINISTER OF PLANNING, PROVINCIAL AFFAIRS AND NATIONAL HOUSING:

In order to give a meaningful reply to the question, my Department enquired as to the meaning thereof and it was indicated that the purpose of the question was to obtain the information per population group.

- The amount of R653 595 000 under Vote 10—"Community Services" has been provided solely for the Black community.

Free settlement areas proclaimed

443. Mr P G SOAL asked the Minister of Planning, Provincial Affairs and National Housing:†

- (a) How many free settlement areas have been proclaimed since the promulgation of the Free Settlement Areas Act, No 102 of 1988, (b) where are these areas situated, (c) what is the size of each, (d) how many persons are living in each of these areas and (e) in respect of what date is this information furnished?

B1150E

The MINISTER OF PLANNING, PROVINCIAL AFFAIRS AND NATIONAL HOUSING:

- | (a) 13. | (b) and (c) Areas already proclaimed | Size |
|---------|--------------------------------------|---------|
| 1. | Midrand (Country View) (Transvaal) | 479 ha |
| 2. | Windmill Park (Transvaal) | 60,4 ha |
| 3. | Warwick Avenue Triangle (Natal) | 8,9 ha |
| 4. | Diepsloot (Transvaal) | 880 ha |

HOUSE OF ASSEMBLY

Areas already proclaimed	Size
5. Zonnebloem (Cape)	93 ha
6. Waterval (Transvaal)	211 ha
7. Zuurbekom (Transvaal)	1 375 ha
8. Messina Extension 8 (Transvaal)	35,43 ha
9. Knysna Extension 10 (Cape)	90 ha
10. Ottery/Wetton (Cape)	109 ha
11. Cato Crest (Natal)	101 ha
12. Zeekoe Vallei (Natal)	139 ha
13. Alwijn Balmoral (Uitenhage)	1 205 ha
<i>Total</i>	<i>4 786,73 ha</i>

(d) Unknown.
(e) 30 April 1991.

Consolidation: KwaZulu farms

446. Mr J A JORDAAN asked the Minister of Development Aid:†

- (1) Whether any farms purchased for consolidation purposes and transferred to the KwaZulu Government by the Government over the past 20 years, have been donated and/or transferred to King Goodwill Zwelethini by the KwaZulu Government; if so, (a) how many farms are involved and (b) what is the value of each farm;
- (2) what amount was spent directly or indirectly on these farms by the KwaZulu Government out of Treasury funds in each financial year over the past 20 years;
- (3) whether he will make a statement on the matter?

B1160E

The MINISTER OF DEVELOPMENT AID:

- (1) No farms have been donated and/or transferred to King Goodwill Zwelethini by the KwaZulu Government. As with other

Planning, Provincial Affairs and National Housing:†

Whether, with regard to the Province of Natal: Estimate of Expenditure for the Financial Year ending 31 March 1992, he will subdivide the amount of R908 079 000 under Vote 2—"Hospitals, Medical and Health Services", according to aims; if not, why not; if so, what are the relevant details?

B1183E

The MINISTER OF PLANNING, PROVINCIAL AFFAIRS AND NATIONAL HOUSING:

In order to give a meaningful reply to the question, my Department enquired as to the meaning thereof and it was indicated that the purpose of the question was to obtain the information per population group.

The amount of R908 079 000 under Vote 2—"Hospitals, Medical and Health Services" is provided for all population groups and cannot be subdivided per population group.

- Tribal Authorities several farms have been included into the Usuthu Tribal Area which is under the jurisdiction of the King.
- The following farms are affected:
Swartkop, Units 11 and 23 of Sterkstroom, Tokazi, Excelstior, Welgevonden, Portion of Driefontein, Jakkalsdane and Urtkyk.
- Only one farm, Subdivision 11 of Mkuzi West No 14403 measuring 1140 hectares was donated to "The King of the Zulu Nation" by the South African Development Trust in 1988.
- The value thereof amounted to R300 000.
- The said property was not registered in the name of the King personally but in his official capacity.
- (2) No separate accounts are kept in respect of the development of the various tribal authorities.
 - (3) No.

Province of Natal: Vote 6

454. Mr F J LE ROUX asked the Minister of Planning, Provincial Affairs and National Housing:†

Whether, with regard to the Province of Natal: Estimate of Expenditure for the Financial Year ending 31 March 1992, he will subdivide the amount of R301 111 000 under Vote 6—"Community Development", according to aims; if not, why not; if so, what are the relevant details?

B1182E

The MINISTER OF PLANNING, PROVINCIAL AFFAIRS AND NATIONAL HOUSING:

In order to give a meaningful reply to the question, my Department enquired as to the meaning thereof and it was indicated that the purpose of the question was to obtain the information per population group.

The amount of R301 111 000 under Vote 6—"Community Development" has been provided solely for the Black community.

Province of Natal: Vote 2

455. MR F J LE ROUX asked the Minister of

Lifting of Group Areas Act leaves an anomaly

The Argus
Correspondent

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ARG 26/6/91

JOHANNESBURG. — Home ownership in the new South Africa looks set to be just as anomalous as it was when the Group Areas Act was alive and well.

The old Act has left behind a legacy of closed corporations (CCs) which were registered by blacks seeking to provide a "white front" when buying a home in a white area.

Now, with group areas legislation dead and buried, there are hundreds of private homes registered as companies in Pretoria's deeds office.

And it seems many homes owned by blacks in white areas will remain that way.

The reason is that it is far cheaper to continue having a compulsory annual audit on a CC than to pay the cost of transferring a home from a CC into the owner's name.

"It makes sense just to keep the house under a CC," said a Johannesburg attorney. "Not only does the owner escape transfer fees, a home under a CC is cheaper to sell. There are less duties."

As the token white directors in CCs are no longer needed, there has no doubt been a lot of reshuffling of CC directors recently — leaving the real homeowner legally in control. The colour of a CC is determined by the colour of the majority directors, not by shareholding.

However, for some, nothing will do but to have the house registered under their own name.

"I want to put my house in my own name, but I refuse to pay thousands of rands in transfer fees. The reason I formed a CC was because of the Group Areas Act and now I have to pay more transfer fees to get the house under my name," said Mr Ervan Livingstone, a resident in Mayfair.

Considering that transferral on a house worth R100 000 costs about R4 000, it is no wonder that many blacks are opting simply to buy out the nominal shares of their white CC directors at the cost of R10 for legal services.

Act gone but CCs alive and well

By Helen Grange

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Apartheid written off

By ALAN DUNN
Political Staff

PRESIDENT De Klerk today signed apartheid's final death warrant, expunging South Africa's most hated laws from the statute books and consigning them to history.

At a ceremony in his office at the Union Buildings in Pretoria, he formally signed into law Bills passed by parliament this month, erasing four of the pillars of an ideology which made South Africa the pariah of the world for four decades.

In doing so Mr De Klerk keeps his word to the international community that apartheid would be gone before the end of June.

The historic event was expected to be witnessed by millions of television viewers and newspaper readers worldwide after requests from foreign and domestic news representatives to attend the signing ceremony.

Signed away today are the Land Acts of 1913 and 1936, the Group Areas Act of 1966 and the Population Registration Act of 1950, which MPs dubbed "the mother of all apartheid laws".

The Land Acts and Group Areas Act were scrapped by the Abolition of Racially Based Land Measures Act, which takes effect on Sunday.

While the Population Regis-

tration Act, which colour-coded South Africans and governed them accordingly, has been scrapped, the present register is to be retained until there is a new, negotiated constitution.

The government believes that the register is necessary to underpin the constitution and parliament until they go.

The register will be necessary, for instance, in the by-election later this year in Green Point, which will be a whites-only poll for a seat in the House of Assembly.

About 30 other Bills passed by parliament — about 137 were debated and approved in the session which ended on Friday — are also to be signed into law by Mr De Klerk today.

Among them are the Internal Security and Intimidation Amendment Bill, stripping the Internal Security Act of indefinite detention without trial and other repressive provisions which earned it international notoriety.

The new law has been hailed as tantamount to a return of habeas corpus to South Africa.

Another Bill under Mr De Klerk's pen is the controversial Interim Measures for Local Government legislation, allowing town and city councils to negotiate with civic organisations to come up with binding forms of non-racial local government.



President De Klerk

Group Areas

- GENERAL -

'95-'97

Redress for Group Areas victims?

PRETORIA. — Victims of the defunct Group Areas Act should be compensated by the return of their property or by suitable financial reparation, the South African Law Commission recommended yesterday.

In a report on group and human rights released here, the commission said the "historical denial of land rights" required special measures to deal with access to land. "However, it is also recognised that

some of the present owners purchased and developed property in good faith. A balance must therefore be struck."

The commission also supported affirmative action, considering it a manifestation of equality before the law.

At the same time it warned against "the danger implicit in the view that affirmative action is of a retributive nature".

The commission proposed that a

number of rights presently absent from the Bill of Fundamental Rights also be protected, including the right to marry and the right to have a family.

The commission strongly supported the protection of women's rights but contended that their interests were best served by the consistent application of the general equality clause in the constitution.

It said groups or minorities could best be protected by upholding the

rights of all individuals and by applying the prohibition on discrimination.

On the application of the Bill of Fundamental Rights, the commission recommended that these rights should mainly regulate the relationship between the state and the individual.

General principles on the relationship between individuals should rather be embodied in specific legislation, the commission said. — Sapa

'Group areas victims should be recompensed'

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ARCT 13/1/95
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Group Areas victims should be compensated — law commission

Victims of the defunct Group Areas Act should be compensated by the return of their property or by suitable financial reparation, the South African Law Commission recommended yesterday.

In a report on group and human rights released in Pretoria, the commission said the "historical denial of land rights" required special measures to deal with access to land.

Balance

"However, it is also recognised that some of the present owners purchased and developed property in good faith. A balance must therefore be struck."

The commission also supported affirmative action, considering it a manifestation of equality before the law.

At the same time it warned against "the danger implicit in the view that affirmative action is of a retributive nature".

The commission proposed that a number of rights presently absent from the Bill of Fundamental Rights also be protected.

These include the right to marry and to have a family.

The commission strongly supported the protection of women's rights but contended that their interests were best served by the consistent

application of the general equality clause in the constitution.

It again said groups or minorities could best be protected by upholding the rights of all individuals.

Regulate

On the application of the Bill of Fundamental Rights, the commission recommended that these rights should mainly regulate the relationship between the State and the individual.

General principles on the relationship between individuals should rather be embodied in specific legislation. — Sapa.

► More reports
— Page 7

Sapa 13/1/95

80

Health care targets far off

Josey Ballenger

(85)
BD 6/10/97

SUN CITY — Health care was an integral part of Africa's political, social and economic transformation and the SA government aimed to develop a unified health care system, North West premier Popo Molefe told delegates at an Africa-US conference last night.

"While significant steps have been taken in pursuit of this mission, a lot still needs to be done to make comprehensive primary health care accessible to all, especially the rural poor, the disabled, the elderly and children."

Decentralisation of health management, provision of quality drugs, the rationalisation of finances and services with a preventative, curative and rehabilitative orientation were necessary. A national health care system needed private-public partnerships to promote equity.

Government was consulting private practitioners and non-governmental organisations to develop policy.

Health Minister Nkosazana Zuma was to have been the keynote speaker at the conference but informed the or-

ganisers yesterday she would be unable to attend.

Wits University molecular immunology professor Malekgapuru Makgoba said SA's "raging" health debates were similar to those in other African nations, the US, UK, Latin America and India.

However, "in SA, this is about the new order versus the old order; the African National Congress's primary health care model versus the National Party-led hi-tech curative medicine model, which has recently been adopted by the liberal establishment".

He called for a balance between the two approaches to prevent the latter model inducing a "subtle euthanasia" of poor people.

Calling the medical establishment "one of the most conservative, arrogant and holier-than-thou professions", he said it needed transformation as more than 90% of SA's 23 000 doctors were white, while only 80 specialised in community health "in a country where 80% of the population is black".

The conference, which runs until Wednesday, has drawn 480 delegates.

Health care 'needs better infrastructure'

87
BD 13/10/97
Josey Ballenger

US-STYLED managed care was a financially sound, "accountable", quality health care system but would be ineffectual in Africa without the implementation of broader social services, health experts agreed at an African-US conference last week.

Africa needed the infrastructure to handle the amount of patients who eventually would be drawn to managed care as opposed to "fee-for-service" systems, said Ramona Tascoe, senior consultant to the US-based Kaiser Permanente International.

Providers would have to ensure adequate infrastructure, accommodation, transport and staff in order that managed care could work in SA on a broad or sustainable basis. "You usually get just one shot with a campaign to bait people, and you need to get them to feel comfortable and return," she said.

Managed care organisations are networks of physicians, hospitals and clinics which are monitored by independent administrators. In SA, US Healthcare and Sanlam, and the US United Health-Care Corp and Southern Life, have teamed up to offer managed care programmes. Locally run Interpharm and Medicredit are owned by US firms.

Also addressing the International Medical Exchange conference in Sun City, Allen Herman, the dean of Medical University of SA's new school of public health, said primary care — the early treatment and prevention of illnesses — would continue to be in a state of "crisis" in Africa without proper health education and improved social conditions.

He pointed to tuberculosis — of which SA had the highest rate in the world — as an epidemic "disgracefully managed in the past" which was still largely unaddressed because there were not enough public health care physicians in the areas most afflicted.

New plan for registering range of health products

SMY 13/10/97 (85)

Electronic database to provide consumers with information

BY JANINE SIMON
Medical Correspondent

Health products including homeopathic, Chinese herbal and traditional African remedies are about to come under the wing of an enterprising new safety and quality control system.

The new electronic listing system will be administered by the Medicines Control Council (MCC) and is expected to be finalised by the end of the year.

The introduction should end months of in-fighting and delicate negotiations over appropriate controls in the complementary health industry.

Health products are neither food nor medicines, but until now, rules governing the quality of items swallowed by humans applied only to those two groups.

The industry has also had to deal with a flood of unregistered health products in the past three years, and faces a three to four-year delay in obtaining MCC registration.

Consumers currently have few guarantees of safety, and little objective information about health products, because the MCC strictly controls the medical claims made about any product.

The new system allows a wide menu of approved claims about the medicinal value of each product to be printed on the label. It also monitors manufacturing processes, which determine the stability, purity, strength and shelf life of a product.

The system is considered a world leader because of the broad range of disciplines covered - African traditional, Chi-

nese herbal, Western herbal, Ayurvedic, energy substances, aromatherapy, homeopathy and nutritional supplements.

Recommendations on a listing system for five of these - Western herbal products, homeopathic remedies, nutritional supplements, Ayurvedic medications and Chinese herbal products - were accepted last month by the complementary medicine committee, a statutory subcommittee of the MCC.

The recommendations are due to be ratified by the MCC later this month.

The system will work by placing the substances in each discipline which have been approved for use by pharmacopoeias (medicinal reference texts) or the Australian, German, French or American regulatory bodies on an electronic database.

leave the country if this exemption were not granted.

state had the right to charge citizens for obligations made compulsory for citizens and permanent residents.

Shisana seeks probe embargo

BD 16/10/97

(85)

Linda Ensor

CAPE TOWN — Health director-general Olive Shisana has asked Parliament's public accounts committee, whose deliberations and documentation are normally open to the media, to keep certain matters under wraps pending the outcome of investigations by the police and the Health investigating unit.

The information to which she referred was contained in the 500-page reply to questions posed to the department by the committee arising from the 1995/96 auditor-general's report.

Shisana referred to specific pages of the auditor-general's report without identifying which issues were under investigation.

These pages dealt with the department's unauthorised expenditure of

R30m paid to consultants to "fast track" clinic building without complying with state tender board directives; payment of R15,54m to 1 779 consultants for an audit of health facilities funded from RDP monies; and the payment of R10,5m to a theatre company for the production of the Sarafina II HIV/AIDS play in contravention of state tender board directives.

In the letter addressed to committee chairman Ken Andrew this week, Shisana said the unspecified matters were sub judice, and requested that the hearing on the health department's accounts, scheduled for later this month, be delayed until the investigations had been finalised.

The committee, however, was reluctant to accede to this request and has approached the state law advisers for an opinion.

Defence body excludes press for second day

Soweto's dust danger ignored

(85) (85) MHG 17-23/10/97

A report on the effects of 'low-grade' asbestos sheeting used in Soweto houses has been put aside, writes Andy Duffy

A report that claims Soweto residents are exposed to lethal asbestos fibres has been gathering dust in the Department of Health for nearly two years. The report, compiled by the department's National Centre for Occupational Health (NCOH), found levels of asbestos pollution in some Soweto homes nearly 10 times higher than accepted safety levels.

But the findings, produced in 1995, have not been explored with further research. Johannesburg's Southern Metropolitan Substructure, which is responsible for Soweto, says it is not aware of the report.

Questions have instead been raised about the report's accuracy — mainly by Everite, the company contracted by the previous government to supply asbestos roofing for low-cost houses in Soweto and other townships.

The report followed three years of research by NCOH chief auxiliary safety official Enoch Mogomotsi, regarded as a world expert on tracing asbestos fibres. He stands by his findings.

Another consultant, who worked on the latter stages of the investigation, says Everite threatened legal action if the report was released — a claim the company denies.

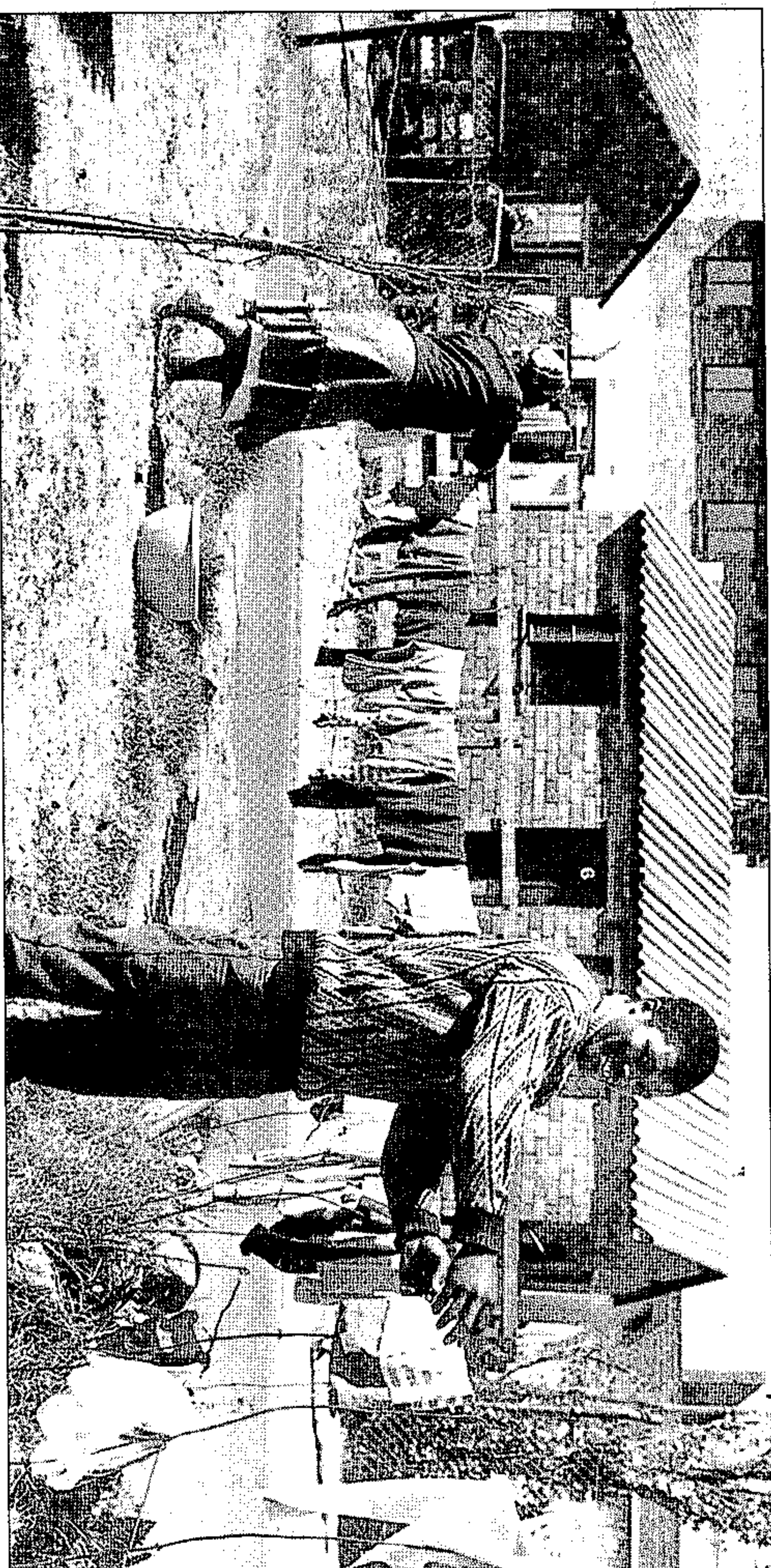
Everite supplied most of the asbestos roofing used in nearly 70% of the low-cost houses in Soweto; it also supplied roofs in Langa in the Western Cape.

The listed company sold asbestos materials, made with the more dangerous blue and brown asbestos, until 1985, when the dangers of such fibres became known. The asbestos products it currently sells contain around 10% of the "safer" white asbestos.

"Asbestos has proved to be a cost-effective material for affordable housing," says Brian Gibson, Everite's asbestos adviser. "It is extremely popular."

The players agree, however, on one key point: the danger of such materials rises greatly when it ages, or when it is tampered with.

Some of the roofs in Soweto date back more than 40 years; few of the houses have ceilings so the material sits exposed in the house; and



Holding their breath: Some of the asbestos roofs in Soweto date back more than 40 years. The material is very dangerous as it ages

few residents have called on professionals to undertake routine maintenance.

Mogomotsi's work formed part of an overall air-monitoring project in the township, run by Professor Harold Annegarn of the School of Research Centre at Wits University. The funds for the project were provided by the southern council's predecessor, the Medical Research Council and Everite.

Everite asked the NCOH to undertake the study as part of an overall audit on the performance of the company's materials.

Mogomotsi, who lives in Soweto, ran the study in 10 locations across the township, picking asbestos roofing in good condition and bad. In many cases, the asbestos had crumbled or cracked, and been patched up.

The results of the samples he took inside the houses shocked him. In one, he came across a reading of 0,9 fibres per millilitre of air — against a guideline figure of 0,1.

"It was much higher than it's supposed to

be," says Mogomotsi, "but that's what I found. I gave the report to Everite, and they were definitely not happy with the result."

Annegarn says Mogomotsi's report indicated that asbestos fibres were a problem. The findings could not be taken as definitive, he says, but showed that further research was needed. But, he adds, the whole project ground to a halt soon after Mogomotsi's report, "under circumstances that are still unclear to me".

Everite threatened legal action if the report was released — a claim the company denies

Mogomotsi wanted to extend the research to look at reported cases of asbestos-related illness in the area. The NCOH, however, has many research projects clamouring for its minimal resources.

The nearby Chris Hani Baragwanath Hospital says most of the asbestos-related disease cases it has picked up — asbestosis and mesothelioma — are among patients who grew up near asbestos-mining areas, such as the Northern Cape.

Gibson has thick files of similar research

done all over the world, each coming in with figures a fraction of those found by Mogomotsi. He adds that even in Everite factories, the figure is no higher than 0,2 fibres per millilitre. "I did make some comments about the [NCOH] report," says Gibson. "I said I found the results very surprising. I was very surprised that they should be so high. And we left it at that."

Gibson says he believes Mogomotsi's findings were never officially published, and had they been then, "we would have had to emphasize that we had doubts about their accuracy".

Former NCOH director Tony Davies who supervised the investigation, says he had concerns about the methods used. But he says the report shows there are "significant" risks posed by the older roofing in Soweto, particularly when householders had done repairs.

He also says South Africa has played a major role internationally in identifying the dangers of asbestos — for which Mogomotsi is owed much of the credit.

Mogomotsi adds that most people in Soweto do not know the dangers of the material.

Bubble, bubble, toil and trouble

Muti industry a headache for conservationists

CHARL DE VILLIERS

SOUTH Africa's R2-billion muti industry is a legal minefield for thousands of healers who often use protected or endangered species in their ancient craft.

A visit to several muti shops this week revealed merchants who seemed completely unaware that much of their stock was potentially illegal — ranging from a live freshwater turtles to crocodile skin, whale femans and indigenous plant bulbs.

Illegal possession of endangered species carries fines of up to R10 000 or two years in jail in terms of the Western Cape's nature conservation ordinance.

Phillip Kubekeli, president of the 1 500-strong Western Cape Traditional Healers' Association, says all his members' activities are above board.

He has publicly condemned poachers who have stripped bark in Kirstenbosch and slaughtered hundreds of waterbirds near Khayelitsha.

But conservationists this week warned that virtually no aspect of South Africa's wildlife heritage was immune from regulation — whether it was trading in bits of wild animals run over on a road, or removing endangered cycads.

"The fact is, we can really throw the book at them. But there

is patently a massive difference between a small-scale dealer and the poacher who walks around with a shopping trolley full of giant girdled lizards, a Red Data Book species," Cape Nature Conservation spokesman Paul Gildenhuys said this week.

The Sunday Times, accompanied by Kubekeli and SA Museum zoo-archaeologist Dr Graham Avery, this week visited muti shops in Langa, Khayelitsha and Macassar.

Several animals or remains — including live tortoises, crocodile skin, a vulture's foot and dead leguan — were classified under Appendix 2 of the international Cites convention which regulates trade in wildlife and wildlife products.

The impact of muti-gathering on South Africa's natural resources is a major headache for conservationists, who this week appealed to traditional healers and their suppliers to stick to the law when collecting and using animal and plant material.

"We must respect the value of traditional medicine, but procurement of natural resources has to be legal," Worldwide Fund for Nature (SA) conservation director Dr Rob Little said on Friday.

"Unfettered removal of any natural resource, even for respectable use, is unacceptable," he said.

Muti nurseries have been set up in KwaZulu-Natal and Gauteng to replace the use of wild plants.

"We don't thoroughly under-

stand the needs of the healers, and the situation varies from region to region," Little said. In the Western Cape, the Kirstenbosch botanical gardens offers healers plant material when available, and the SA Museum has a similar service.

Cape Nature Conservation this week urged muti dealers to inquire about the availability of animal or plant resources, but warned that no-one was immune from the law.

"We cannot afford to make exceptions, and we again appeal to the Western Cape Traditional Healers' Association to give us a list of species they need. We're keen to co-operate," Gildenhuys said.

Kubekeli said animal parts were selected in terms of the outstanding features of the live species.

"Each and every animal has significance, be it for its behaviour or strength," he explained.

Baboons, for example, were highly regarded for their ancestral status. Baboon hair and hands were valued ingredients.

Kubekeli insisted that his members did not kill animals for muti. "Healers only use carcasses of animals which died naturally or, for example, were run over."

Seals, as evidenced by the pelts and skulls found in the muti shops, were a popular source of medicine.

But Kubekeli says muti-collectors need permission from the Department of Sea Fisheries before they can use dead seals.

ST(CM) 19/10/97 (85)

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Zuma's plan to slap social health levy on firms, taxpayers outlined

Pat Sidley

EMPLOYERS and employees would be forced to pay a levy into a social health insurance plan envisaged by government, in terms of a discussion document being circulated.

The plan will compel tax-paying salaried workers to pay for their hospitalisation needs at state facilities.

Payments would be calculated as a fixed percentage of the payroll for employers, and might be in the region of 2%-4%. The plan had the potential to

generate R3bn for hospital care, the document said.

The document, laying out a draft of the plan, is being circulated among Health Minister Nkosazana Zuma's political allies, including the trade union movement. It was referred to in the Congress of SA Trade Unions' submission to the Katz commission hearings in Parliament last week.

Although the scheme is intended to run in tandem with the re-regulation of medical schemes, its formulation has been shrouded in secrecy.

It is also to run alongside a plan government apparently intends to introduce for a grander social security system to ensure that those with the means fund their own pensions, unemployment provision and other social welfare aspects.

Outlining how the social health insurance system would work, the discussion document says "the legal obligation will be for formal sector employees earning above the income tax threshold to be insured against the costs for themselves and their depen-

ents for care in public hospitals".

One of several methods can be used:

- Direct membership of the scheme;
- Indirect participation of the scheme using "reinsured" schemes; and
- Membership of registered medical schemes which are not reinsured.

The establishment of a social health insurance fund is envisaged, to be controlled by a new statutory authority. A board of trustees and management is described, with use of health industry experts and representatives, but without consumer representatives.

The "reinsurance" option would require registered medical schemes to reinsure themselves with the scheme for the expected use of public hospitals by their beneficiaries. In other words, the medical schemes would forward-fund the scheme, the document said, helping to pre-fund hospital care.

Medical schemes that do not opt for reinsurance will be billed "patient by patient" for hospital treatment. This will cost more but is likely to appeal to schemes with high-income earners unlikely to use state health care.

New alert on Klip cholera

Star 27/10/97

(85) (85)

The cholera count in the Klip River is still very high as raw sewage from broken, overflowing and blocked sewer lines continues to seep into the river at several points, Rand Water has warned.

According to Rand Water spokesman Karl Lubout, the sewage finding its way into the river comes from informal settlements along or near its banks and from several sewer lines which follow its course.

Recent tests in the river showed a high count of E.coli bacteria, indicating presence of human and animal faeces in the river.

Lubout said certain areas were more contaminated than others and

he advised people in the Klip River area between Alberton and Meyerton to avoid contact with river water.

"Although there is no sign of typhoid in the water, tests show the cholera count is still too high," Lubout said.

Water in the Vaal River and Vaal Dam was not affected by the problem and was safe to use for recreation such as boating and fishing.

"Over 10 million people in and around Gauteng use our tap water and will not be affected by any pollution. Rand Water does not draw water from the Klip River to supply its consumers," Lubout said. - Staff Reporter

GROUP AREAS - CAPE

APRIL - DEC.

HOUSING

WHITE ELEPHANTS

Taxpayers are spending R2 413 a month to guard seven ministerial mansions in Cape Town. But the mansions have been unoccupied since they were completed nearly two years ago at a cost of almost R5m.

The seven houses — in Walmer Estate, a "coloured" group area on the boundary of District Six — were built for ministers and deputy ministers of the House of Representatives. But they refused to occupy them as a

protest against the Group Areas Act.

In a written reply tabled in parliament last week to questions by the DP's Peter Soal, the new Public Works & Land Affairs Minister Jacob de Villiers said the future of the houses remained unclear. "It is considered expedient to keep this matter in abeyance until the Act has been repealed."

Meanwhile, however, De Villiers says the State is investigating the possible sale of the houses if they are not needed for official purposes. Nearly a year ago, former Public Works Minister George Bartlett told parliament that his department was investigating

the sale or letting of the houses.

Work on the "White Elephants of Walmer Estate" began in 1987. After a string of construction and contractual problems, they were finally completed in mid-1989 — by which time Labour Party ministers had decided not to move in. The original contract price was R2,6m, which escalated to a final cost of nearly R5m.

The houses, set in a heavily fortified compound on the lower slopes of Devil's Peak overlooking Table Bay, vary in size from 251m² to 331m² space. The compound, includes a pool and tennis court. ■

Museum plan to preserve the memory of District Six

81

By JILYAN PITMAN

A CULTURAL museum and art gallery will be opened in District Six when money is available.

Subject to raising R10 000, a building will be leased to house the photographs of the late Jansje Wissema, the photographer who recorded District Six immediately after the proclamation on February 11 1966 that it was to be demolished.

The museum will serve as a venue for art exhibitions and cultural events throughout the year. Patrons for this project include Owen Cardinal McCann, Archbishop Desmond Tutu and Nadine Gordimer.

Mr Robin Edwards, a trustee of the District Six Museum Foundation, which was formed two years ago, said: "We wish to perpetuate the memory of the tragedy of District Six and to provide a non-prescriptive forum for the

promotion of art, especially township art, in Cape Town."

Mrs Naz Ebrahim, a trustee of and public relations officer for the museum, said: "We will hold our first exhibition to raise funds for our permanent home at the Forum gallery in Cavendish Square from May 17-22. We would like businesses to come forward to help us with this project."

Work by many well-known artists, including Tyrone Appollis, Hamilton Budaza, Peter Clarke, Fr Frans Claerhout, Peggy Delpport, Siphon Hlati, Leroy Lawson, Sheila McGregor, Nico Prins, Sue Williamson and James Yates will be exhibited.

Two works by Fr Claerhout and Peggy Delpport will be donated to the museum for later sale to raise funds for the project. Other artists are invited to submit works for sale.

For inquiries call Naz Ebrahim at (021) 633-4609.

White elephants of District Six

By DENNIS CRUYWAGEN
Political Staff

THE stigma hanging over District Six and the uncertainty about the future of the area could result in seven ministerial residences on the slopes of Devil's Peak being sold below their market value, according to estate agents.

Minister of Public Works and Land Affairs Mr George Bartlett said in parliament the government was considering selling the houses, built at a cost of R4,9 million for coloured cabinet ministers but never occupied, once the Group Areas Act was repealed.

Estate agents valued the residences at between R500 000 and R800 000 each.

One, who asked not to be named, said the houses were magnificent homes, but not in a great area.

"It's a very sensitive area and you don't know what's go-

ing to happen with District Six. Also it's very windy there," she said.

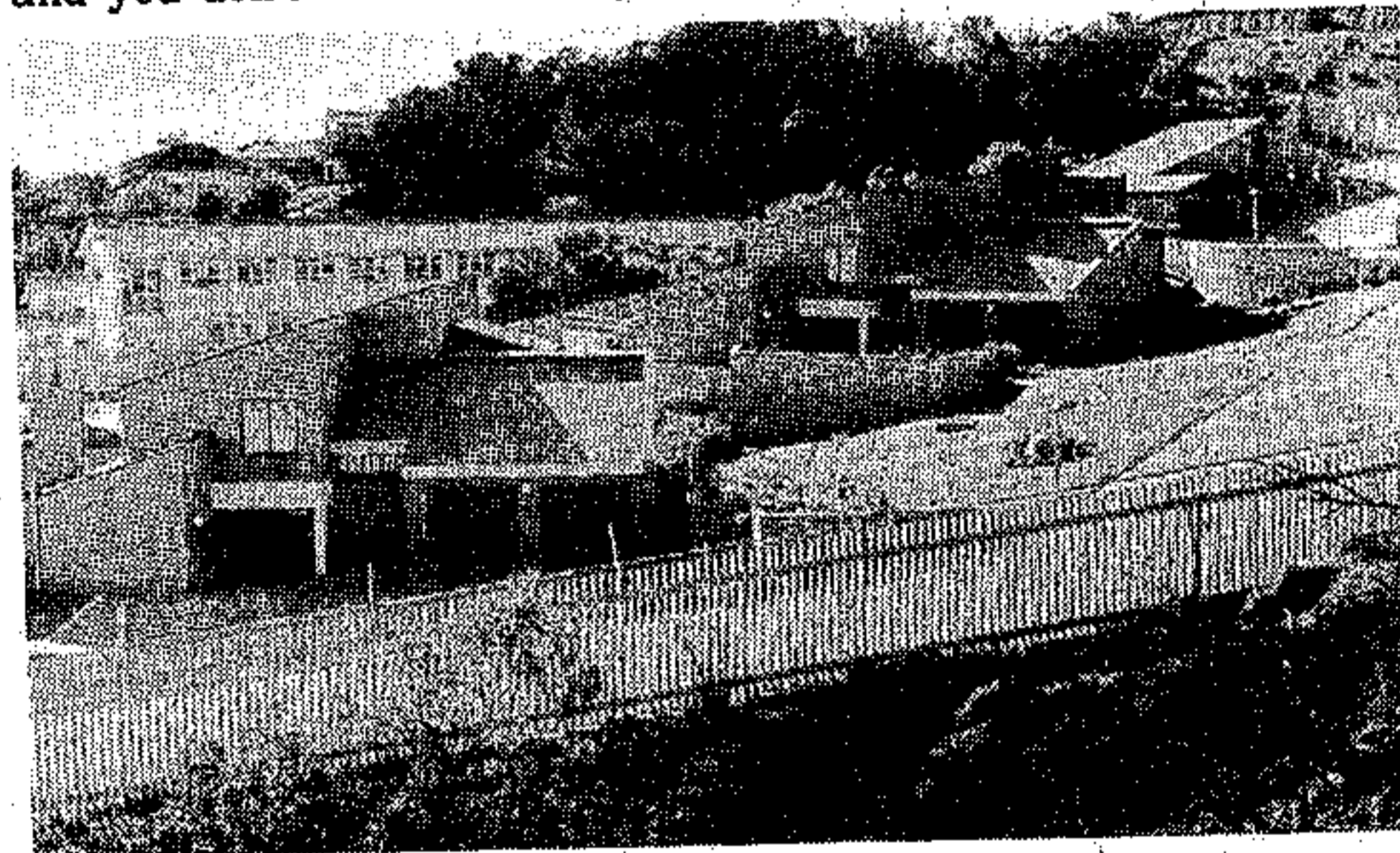
She speculated that the houses "look like they'll sell for R500 000", but for that price "you could buy in Bishopscourt, Constantia or Fresnaye".

Agent Mrs Margie Johnson was reluctant to value the houses because she had not seen them, but even if she had been inside, the stigma attached to them would play a role in her valuation.

She described property in District Six as "incredibly wonderful ground", but added that the area was a sensitive one which carried a stigma.

Agent Mr Braeme Kasmai said bluntly: "I don't think anyone wants to stay there."

"It's got a stigma attached to it. The only person who would buy there is a sucker from up-country. You can forget about selling there."



Some of the ministerial mansions built for coloured cabinet ministers on the slopes of Devil's Peak.

Ministerial mansions could go for song

By DENNIS CRUYWAGEN
Political Staff

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Magnificent

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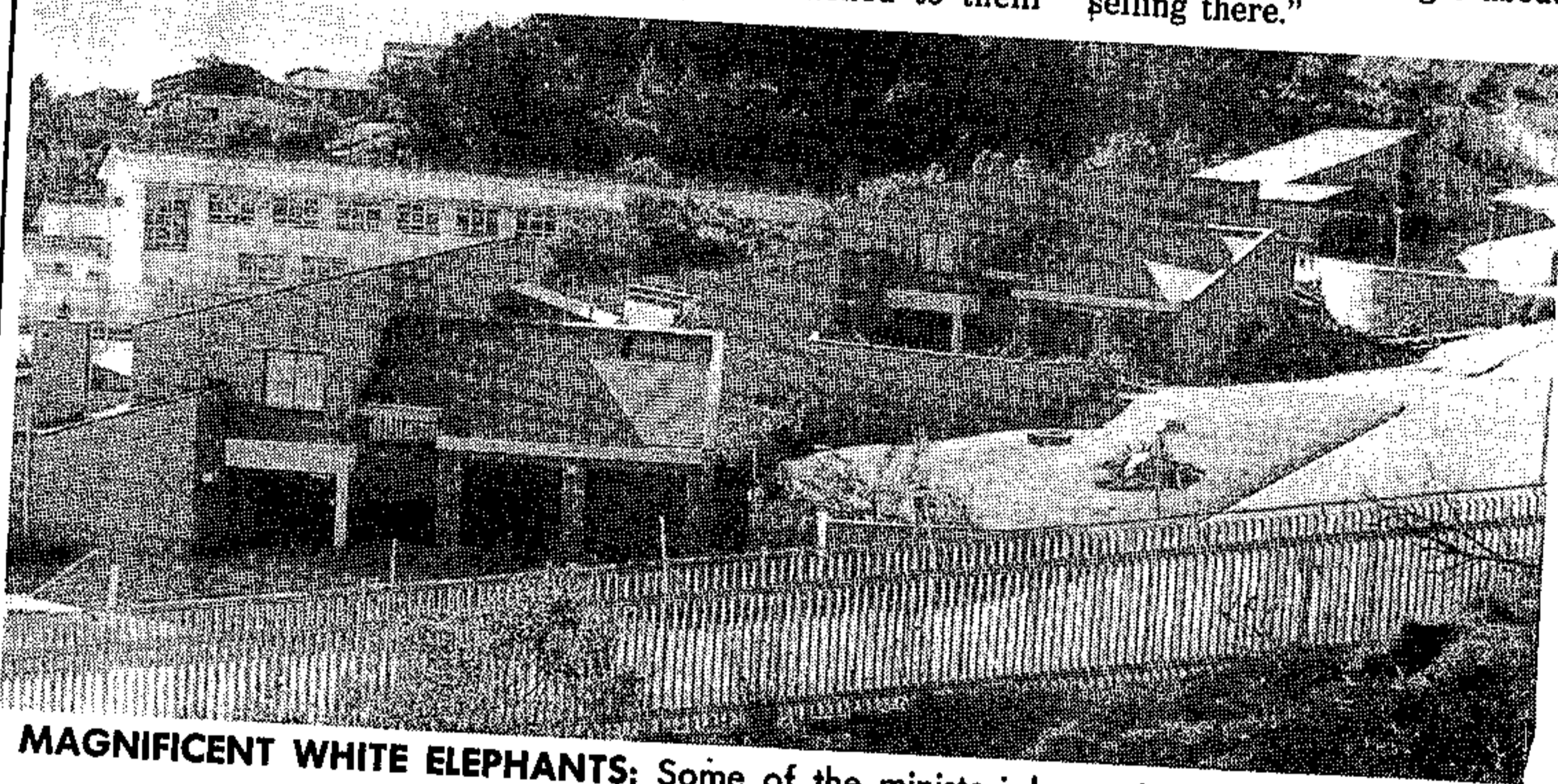
She described property in District Six as "incredibly wonderful ground", but added that the area was a sensitive one which carried a stigma.

Few would pay

Another agent, who asked to remain anonymous, said the residences would probably be worth about R800 000 each, but added that few people would "pay that much to live in District Six".

Agent Mr Braeme Kasmai said bluntly: "I don't think anyone wants to stay there."

"It's got a stigma attached to it. The only person who would buy there is a sucker from up-country. You can forget about selling there."



MAGNIFICENT WHITE ELEPHANTS: Some of the ministerial mansions built for coloured cabinet ministers on the slopes of Devil's Peak.

District Six stigma

CITY



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Lawyers launch probe into sale of Orania

ORANIA. — An investigation was launched yesterday by Lawyers for Human Rights (LHR) in Kimberley into the methods used by the government to sell the village of Orania in the North-Western Cape to Professor Carel Boshoff.

And yesterday Prof Boshoff of the Afrikaner Volkswag lifted the veil of secrecy over the purchase of Orania, which will be officially opened on April 13 as the first Afrikaner-only town in South Africa.

Prof Boshoff, who is the leader of the secessionist Afrikaner Volkswag movement, was reacting to news of the LHR investigation. He said the Department of Water Affairs in

August 1990 had published the sale of Orania as a "personnel village" which could be bought on public tender.

His organisation had placed a bid at that time — which was too low. The village, which is registered as a farm, was instead snapped up by a businessman, who founded a company called Orania Bestuursdienste (Orania Management Services).

Prof Boshoff said later that year they were offered the property by this businessman.

He said Department of Water Affairs officials contacted him after the sale to advise him they had arranged for the transfer to other towns of their employees at Orania.

"We were not aware of the fact that there were quite a few unemployed, homeless families living within this community as well," he said.

This weekend, one week before the official opening of Orania, the last 11 coloured families were moved out.

The families vacated their homes with the help of the Department of Water Affairs and lorries driven by Orania residents.

Most of the 64 coloured families, who had lived and worked in the Northern Cape village for the past 23 years, left against their will, but said they had resigned themselves to the inevitable.

Many also said they were very bitter about the lack of help from the House of Representatives in obtaining their own municipality before the property was sold.

Their parliamentary representatives did help them obtain jobs and houses elsewhere, however.

The community did receive various offers from wine farmers in the Western Cape, but had turned them down as they wanted to stay together as a community.

The families were moved to Warrenton, Luckhoff and Grabouw throughout the month, where newly-built homes were provided for them.

Food aid for Orania families

Sidan 9/4/91 (80) (127)
ORANIA's last 11 coloured families, forced to move to Warrenton in the Transvaal from the Afrikaner-only town in the north-western Cape at the weekend, were given a month's supply of food by welfare workers.

However, all 11 family heads are unemployed and have no cash to start looking for jobs, pay rent or renovate the core housing they were assigned.

Jan Stellenberg, spokesman for the 11 families, said the houses were not complete inside. (NA)

"We left fully completed houses, whereas these are merely shells with bathrooms. And what will we use for transport money to go job-hunting, or pay the rent with? All of us are quite desolate."

The community has approached Lawyers for Human Rights (LHR) in Kimberley for financial assistance.

Afrikaner Volkswag head Prof Carel Boshoff said: "We offered to let them (the families) stay until the end of March, and also offered to help them move, which we have in fact done. We do not believe that it is correct to blame our organisation." — Sapa.

Lawyers probe removal of Orania families

AKG45
9/14/91 (81)

JOHANNESBURG. — An investigation has been launched by Lawyers for Human Rights in Kimberley into the methods used by the government to sell the village of Orania in the north-western Cape to Professor Carel Boshoff, leader of the Afrikaner secessionist Oranjewerkers organisation.

Mr Benny Palweni, director of the Lawyers for Human Rights' Northern Cape region in Kimberley, said he visited Orania on Sunday to investigate the manner in which the coloured community had been forced to move away.

However all the coloured families had already been moved by then, he said.

The last 11 families moved to Warrenton on Saturday and Sunday morning.

Human rights

Mr Palweni said his organisation was investigating whether Orania had been sold on public auction, and whether the removal of the coloured community had interfered with their human rights in any way.

"We feel that this is a socio-economic issue, and that this, moreover, may not have been an isolated incident. We are also investigating similar occurrences elsewhere in the region," he said.

Some of the residents interviewed by Sapa before their move on Saturday said they had been renting their homes through the hire purchase system, and were promised that they would be allowed to buy them outright by 1991.

Many former residents also suspected that the Oranjewerkers were being used as a convenient public scapegoat to hide the fact that the House of Representatives had not provided proper legal protection to the coloured community before the property's sale.

Artisan Mr Jan Stellenberg said the 64 former Orania families had wanted their own independent municipality, but instead the property was sold without any advance consultation with the residents.

Last coloured families move from their land

ORANIA. — One week before the official opening of Orania, the country's first exclusively-Afrikaner commune, the last 11 coloured families were moved out at the weekend.

The families vacated their homes — many still containing large, antique coal stoves — with the help of the Department of Water Affairs and lorries driven by Orania residents.

The telephones of the 64 coloured families, who had lived and worked in the northern Cape village for the past 23 years, were cut off on Friday.

UNHAPPY ABOUT LEAVING

Most of the families left against their will, but said they had resigned themselves to the inevitable.

Many said they were very bitter about the lack of help from the House of Representatives in obtaining their own municipality before the property was sold by the Department of Water Affairs.

Their parliamentary representatives did however help them obtain jobs and houses elsewhere.

The community received various offers of homes and jobs from wine farmers in the Western Cape — but had turned them down as they wanted to stay together as a community, according to Mr Jan Stellenberg, one of the last men to leave late on Saturday.

He said they had been paying R80 a month on what they believed to be the hire purchase of their homes.

With legal municipal status, they had wanted to turn Orania into a retirement village for all the workers who built the dams and canals of the Orange River irrigation scheme over the past quarter of a century.

"All of us have spent many years here, building all the dams and canals of the Orange River irrigation scheme.

"The least they could have done for us in turn was to create a retirement village for the coloured workers," Mr Stellenberg said.

Mr Jacob Minnies, an operator at the department, and Mr Petrus Visser, a medical assistant at the clinic, also confirmed the community's belief that they were paying for hire-purchase homes.

"We were paying R80 a month towards the hire purchase, and were told we would be able to buy our homes by 1991. It came as a real shock to us when we saw on television several months ago that the farm had been sold to Professor Carel Boshoff," said Mr Visser.

Mr Pier Kakora, a carpenter, said he and his colleagues had built all the houses now to be occupied by Afrikaners.

Stay together

The families were close-knit and this month turned down several offers of homes and jobs from Western Cape farm owners because they wanted to remain together as a community.

The Orania community has been scattered nevertheless: 17 families this weekend moved to new homes at Warrenton, a suburb of Warrenton, and other families moved to Hope-town, Luckhoff, Petrusville and Grabouw.

Mr V J Dyker, principal of the Warrenton Primary School, said he had heard of the plight of the Orania community through the news media several weeks ago, and had immediately offered them accommodation. — Sapa.

The artisan for the Department of Water Affairs said it was especially difficult for the old people, who now had to resettle in another community.

The families were moved to Warrenton, Luckhoff and Grabouw throughout the month, where newly built homes were provided for them.

"We had all hoped to retire at Orania one day, and talked of founding our own municipality, as was done by the coloured workers at P K Le Roux village nearby.

"All of us have spent many years here, building all the dams and canals of the Orange River irrigation scheme.

"The least they could have done for us in turn is to create a retirement village for the coloured workers," he said.

ORANIA ALMOST FULL

Meanwhile, plans to develop Orania are going full steam ahead.

Twelve of the 134 housing units remained unsold.

The town has a fully independent infrastructure, with paved roads, 64 hectares of farmland under irrigation, a sewerage farm, piped water, Eskom sub-station, church, telephones, primary school, large swimming pool, sports fields and tennis courts, as well as industrial sites. — Sapa.

Sale of 'whites only' Orania to be probed

Star 9/4/91
KIMBERLEY — An investigation has been launched by Lawyers for Human Rights (LHR) into methods used by the Government to sell the north-eastern Cape town of Orania to the Afrikaner Volkswag (AV) for the establishment of an all-white state.

Benny Palweni, a director of the LHR, said yesterday he had visited Orania at the weekend to investigate the manner in which coloured residents had been forced to move.

AV leader Professor Carel Boshoff yesterday disclosed details of Orania's purchase. He said the town would be officially opened on Saturday as the first Afrikaner-only town in South Africa.

The Department of Water Affairs in August 1990 had published the sale of Orania as a "personnel village" which could be bought on public tender.

His organisation had placed a bid which turned out to be too low.

(81)
The town, which is registered as a farm, was bought by a businessman who founded a company called Orania Bestuursdienste and offered the property to the AV.

A consortium of businessmen who supported the secessionist ideal took over the original tender and the registered company in January this year.

Former residents vacated their homes with the help of Water Affairs and in trucks driven by Orania residents.

87

Cape Times, Saturday, April 6 1991 3

Leave black neighbour alone, court tells white

Staff Reporter

THE Supreme Court yesterday granted an interdict restraining a white Zonnebloem flat tenant from assaulting and threatening his black neighbour or calling him a "kaffir".

In papers before the court Mr Oscar Sibusiso Masina alleged that his neighbour, Mr Johan Viviers, of 102 Omega Block, Centreville Flats, Constitution Street, Zonnebloem, repeatedly assaulted him in the passage outside the adjacent flats on April 3.

Mr Viviers had also twice threatened to kill him, thrown refuse at his front door and said black people "mustn't live amongst whites" but should "go and live in Khayelitsha", Mr Masina said.

Zonnebloem forms part of what was formerly the predominantly coloured District Six.

The incidents are alleged to have been sparked when Mr Masina's girlfriend giggled after seeing Mr Viviers standing in the passageway in his underpants, aiming a rifle at a nearby block of flats.

Mr Masina said in a sworn statement that he was afraid to return to his flat for fear of being assaulted and indicated his intention to sue Mr Viviers for a total of R40 000 damages.

The return date for the application is April 18.

Mr Justice R M Marais presided. Mr W R E Duminy, instructed by Mr P Faber of Sonnenberg, Hoffmann and Galombik, appeared for the applicant.

Evictions add to jostle for township housing

CME-1107 4/4/91
810 304

by CLAUDIA KING

A SPOKESMAN for the Ocean View Management Committee has accused Noordhoek landowners of "embarking on a crusade to rid the area of all blacks and browns before the Group Areas Act is scrapped".

Evictions

The acute housing shortage in Ocean View, where 1 200 locals are on a waiting list for accommodation, has been highlighted again by a spate of letters received by the committee's housing office from surrounding landowners.

The letters are from people —

one of them in Noordhoek — who are subdividing their property and evicting others living there. They request the housing office to relocate the families.

The spokesman said: "Some of these people have been living and working on the farms for many years."

Removals

He said the last house built in Ocean View had been put up in 1985 by the divisional council and that since then "not even a dog box has been built".

Around the same time, he said, the House of Representatives had promised to see to providing ad-

ditional low-cost housing but that this had not yet materialised.

He said: "We're in a dilemma as more and more people are moving into the area, yet we sit with the problem of housing our own people — the true victims of apartheid — who were moved from their homes in Simon's Town, Noordhoek and Sunnydale by the Group Areas Act.

"Right now 144 plots have been allocated to private developers to provide housing for those who can afford to pay anything from R650 to R870 a month, which may solve some problems but will in turn create more — what we need urgently is affordable housing for the poor."

District Six: 81
Meiring is
'optimistic'
CAPE TOWN 28/5/79
Political Correspondent

HE was optimistic that District Six could be built into a new and vibrant suburb, the Cape administrator, Mr Kobus Meiring, said yesterday.

Replying to the debate on the Cape's budget in Parliament, Mr Meiring said the Cape Provincial Administration had not allowed itself to be threatened by anyone over District Six — nor had it excluded anyone from negotiations over the sensitive area's future.

"I have enough confidence in my fellow-man — including those who were on the receiving end of District Six — to say: 'We can make it work'."



SEARCH IS ON . . . estate agent Lucille Moffat helps Rondebosch East resident Michael Sauls and his nephews John, 3, and David, 4, look for a home in the area
Picture: AMBROSE PETERS

It's Show hour for black homes

SUNDAY has traditionally been the day for showhouse-viewing — for whites, that is.

Last Sunday was the first time black families openly spent the day viewing homes in areas previously restricted to whites.

The Sunday Times visited showhouses to see what the reaction was.

Few blacks were bothered about racial attitudes — and many were surprised at the poor value for money in the white property market.

Cape Town's Rob McKee, director of Seeff Property Organisation, said that, with the scrapping of the Land and Group Areas Acts now just a pen-stroke away, many black families found that "dream homes" in white areas left a lot to be desired.

He said: "A coloured family who recently visited one of our showhouses in Fish Hoek were shocked at the standard of the property. They were horrified at the lack of value for money."

Many sellers actively encouraged estate agents to show their homes to buyers of other races in the hope of getting higher prices.

And many people who had initially resisted



SALES TALK . . . Estate agent VJ Govender chats

By SHARON CHETTY, PETA KROST and KURT SWART

blacks moving into their areas were now welcoming them. They had discovered blacks invariably got straight to work on im-

proving their investment. This had happened in such white Cape Town suburbs as Rondebosch East, Welton and Ottery.

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It's Showhouse Sunday for black home-hunters

S/Times 24/3/91 (81)

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blacks moving into their areas were now welcoming them. They had discovered blacks invariably got straight to work on im-

proving their investment. This had happened in such white Cape Town suburbs as Rondebosch East, Wetton and Ottery.

The influx of middle-class buyers had upgraded former white areas, and initial resentment to the newcomers changed as whites discovered "their darker-skinned neighbours were people just like them".

Some whites even found themselves admiring, even envious of the shiny BMW's parked in their black neighbours' driveways, said Mr McKee.

Durban estate agents said the white property market attracted mostly civil servants, business people and other professionals with housing subsidies.

Typical of last Sunday's house-hunters were a middle-aged churchman and his family, who looked like any other prospective home-buyers in Durban's Westville suburb. The minister was reluctant to be named, for fear of "reprisals" from people in the townships.

"Township politics are hard to live with — there's no place for a family who want peace and quiet," he said.

Having lived in a nearby township all his life, he said: "I am not prepared to settle for just anything."

"I want a modern house with a beautiful garden and, most important, a two-car garage for my Mercedes and Cressida."

"I want to get out of the township and really start living. It's worth the extra I have to pay."

"I have not come across prejudice. To the contrary, estate agents seem to pay more attention to me because I'm black."

In white working-class Mayberry Park on the East Rand, near the Thokoza and Katshele townships, estate agents were hoping for a flood of black clients last weekend but few came.

"They are afraid of being victimised by local CP residents," said an estate agent.

Jeff van Rooyen, who is selling his Mayberry Park home, said: "Even if a black man offered me triple what I'm asking, I wouldn't sell to him. They must stay in their areas and leave us alone."

In Lakesfield, an elite area of Benoni, estate agent Lea Katsaras said she had sold a number of homes, including her own, to Indians.

"The attitude of people in this area is: If blacks and Indians can afford to live here, they must be respectable," she said.

In the Cape, self-employed painter and renovator Michael Sauls moved into white Rondebosch East from the Cape Flats several months ago.

Last weekend he visited show houses, looking for a house for his sister who has spent 22 years in voluntary exile in Italy.

"Because of the changes taking place, she and her Italian husband have decided to return," said Mr Sauls.

"The people here have been very nice to us. Our car got stuck over Christmas and our white neighbour offered to drive us around — no problem."

Aida Geffen, owner of Aida Developments, said: "There are only about 200 000 blacks who can afford the high prices in Johannesburg's northern suburbs. Those who wanted to move have already been absorbed into these suburbs."



SALES TALK . . . Estate agent VJ Govender chats to Henry Galela (left)

Picture: TOM EDLEY

By SHARON CHETTY, PETA KROST and KURT SWART

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Elite

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District Six: guinea pig in the land rights battle

6/20/91 20/3/91

81



FOR TWO decades District Six has been a symbol of apartheid. Now, as the laboratory of post-apartheid inner city development, it has become one of the first frontiers in the battle for land rights and reparations.

Last July the ghost suburb became a target of the ANC's campaign to highlight the national housing crisis by moving squatters onto unoccupied urban land. Private development plans were disrupted, and in an effort to resolve the matter Cape Administrator Kobus Meiring called a meeting of all interested parties.

At about the same time, rumours of the scrapping of Group Areas legislation began firming up, clearing the way for an end to the boycott which had started in the 70s after government declared District Six a white suburb called Zonnebloem and forcibly removed its inhabitants.

The outcome of the administrator's meeting was the formation of a committee comprising the ANC, the Cape Town City Council, private developers and land owners, to co-ordinate the restoration of District Six into a low rise, high density suburb affordable to the people who had

once lived there and replicable in other urban areas.

In the eight months that have followed, the process has often teetered on the brink of deadlock over the status of privately owned land.

The ANC, backed by the city council, has demanded that the state donate all its land in District Six to a central kitty and expropriate private sector land (about 20% of the suburb) at the values at which it was bought. It argues that the goal of affordability will be achieved only through making land available at substantially written down values.

Underlying the demand is the notion that government is indebted to the families of people relocated from District Six to inferior townships (44% of property in the suburb was owned by coloured and Indian people when it was reclaimed) and that private investors, who bought land at discount prices, should not be allowed to profit from the injustice.

The private developers believe they are being held responsible, unjustly, for government's actions and have vowed to defend their position

LESLEY LAMBERT in Cape Town

in court if attempts are made to expropriate them at below market value. They are also threatening to end a temporary moratorium on property developments, because conditions upon which they agreed to suspend their activities — a moratorium on the payment of rates and an undertaking of fair compensation in the event of expropriation — have not been conceded.

This leaves the ball in government's court. While it seems certain that state land in District Six will be provided free of charge or at a low price, it is unlikely to concede to demands which compromise private owners and the free market system.

Some government officials may concede that the NP has a moral obligation to make reparations to people who received inadequate compensation for land and homes taken from them. But the official line is that overlapping and contradictory claims would make it difficult, if not

impossible, to implement a reparations programme.

The bottom line, however, is the precedent which a decision in District Six would set for the other cases of dispossession, and its financial implications.

More than 3.5-million black South Africans are estimated to have been forced from their land. Some received compensation at the time but others, like the Fingo people in the Tsitsikamma Forest, had their land — in this case ancestral land registered in trust for the community — taken away without receiving anything in return.

For those who were paid out, the value of the compensation has been severely eroded by inflation and rising property values.

If government uses the financial and "complexity" arguments to dismiss the claims in District Six, the ANC will show its bargaining card — the renewal of threats to fill the suburb with squatters and disrupt private developments — thereby laying to waste an opportunity to transform the symbol of despair into one of hope.

The symbolic power of such an outcome would be significant, given District Six's wide exposure. Government has indicated it is as eager as other participants to keep the project on track and to make the best use of the opportunity it presents as a laboratory for post-apartheid inner city development.

Regional Development Minister Arnie Venter has been appointed to investigate the renewal of the suburb and Administrator Meiring has hinted that an acceptable compromise is being considered.

One option is land swaps — the allocation of equally valuable land in an area which has not been targeted for development in return for the contested private land. Government has already tested this measure in a relatively small exercise to reorientate the Cape Technikon away from District Six, and is considering its wider application.

If such a solution is approved, one thing is certain: it will be presented as a solution exclusive to District Six, and not as a precedent for other cases.

REVIEW

The wit & wisdom of Hernus Kriel...

THE SUNDAY MORNING ASSESSMENT

By Norman West

THIS Sunday is the first since the passing of the controversial Land Acts and Group Areas Acts that blacks can take a Sunday drive into any suburb and check out show-houses to buy — "if the landlord likes your face".

This is one example of the curious — some would say insensitive — choice of words Minister of Planning, Provincial Affairs and National Housing Hernus Kriel used to sell the five land reform Acts to SA and the world through special press briefings last week.

When a black journalist asked whether the government planned to protect blacks from being refused the right to buy property on the basis of race and colour, Mr Kriel replied: "A private owner can refuse to sell you a house or rent you a flat if he does not like your face — it is his right."

About District Six — where more than 40 000 "coloured" families were forcibly removed in terms of the Group Areas Act and their homes demolished by bulldozers — Mr Kriel took a deep breath and said:

"You must please remember, District Six has become a symbol, a symbol that has nothing to do with the facts. District Six, the land there, was owned by whites. Go and have a look at who owned District Six."

"It was not a Gregoire Boonzaaier painting. It was a damn disgrace and a dangerous place to live. It was a slum that was unbelievable, and none of those white landlords were prepared to spend money on those places and do a redevelopment scheme there."

Standards

"District Six would have gone down and even become worse than it was at that time. And I want to make it quite clear — the people of District Six were (later) housed under better circumstances than they had lived in District Six."

Surely "better housing" could not include the gang-infested suburbs on the Cape Flats like Hanover Park and Lavender Hill?

"Yes," said Mr Kriel, adding for good measure: "I would rather stay in Parow, a distance from Cape Town, than live in Cape Town in a hole" (the old District Six).

How will "standards and norms" be determined in terms of who may live within which communities? Mr Kriel said no Conservative Party town council in Boksburg would be able to stop any person of any race from buying or occupying property anywhere.

Could a white landlord prevent a black from exercising his free market privileges in the new "land-reformed" SA?

Mr Kriel: "Yes, a landlord can stop you, but that happens all over the world, my friend... The local authorities can determine what norms and standards will qualify any person

□ To Page 2

Kriel's wit and wisdom

□ From Page 1

to live in a particular community — but that is not a backdoor to apartheid.

"It is just that — say, for instance, in Parow — I would not want a backdoor garage next to my house — not because I am white but because I am a South African citizen."

Could the government not take steps to stop landlords discriminating against tenants because of their skin colour?

Mr Kriel replied: "There are two aspects: if you look at the courts, before we started legalising apartheid — that is by the introduction of the Group Areas Act, the Separate Amenities Act and those (other) Acts — what happened was that the courts had found it was illegal to discriminate on the grounds of race."

"Therefore, the moment you remove those (apartheid) Acts from the statute book, then those court judgments (before the legalising of apartheid) still stand."

"I believe people can then be taken to court because they are discriminating on the grounds of colour."

"But I have another problem. In America they have laws that state you cannot discriminate on the basis of race and colour. But can you tell me if there is race discrimination or not?"

Why can't SA have an anti-race discrimination act?

"I will tell you why it won't work (in SA). People are clever. People can find a hundred and ten reasons for not renting or selling that property to (a black)."

"I maintain that those (overseas anti-race discrimination) laws are not worth the paper they're written on. No law in the world is going to get rid of race discrimination."

"Only people through their actions and change of hearts can put an end to race discrimination. No law. We have discrimination, not only on the basis of colour — look at anti-semitism, all over the world. I

speaking to my Jewish friends. It is alive and well all over the world.

"There are cases handed down in courts that point to the fact that, if you are discriminated against on the basis of race, you can resort to common law, and I believe if you can prove your case, you can win your case."

How about banks and building societies which would not grant blacks loans to buy land or properties?

Mr Kriel: "Can I put it to you this way. At present, banks and building societies do discriminate against black applicants."

"If a fellow is black, he does not get a loan. Do you know why? Because the (black) people do not pay their mortgage bonds. So there is discrimination."

"If you were to pass an anti-discrimination law it would render building societies bankrupt and, in any case, they will still lie and cheat (lieg and bedrieg). They will still not grant loans until there is an undertaking that people would repay those financial institutions."

"Another reason for refusing to finance blacks could be where financial institutions already have an 80 percent backlog in repayments and they therefore decide they do not want to invest in that (black) area because the ANC was intimidating people to refuse to pay their bonds," said Mr Kriel.

Sowing seeds for a white state

(81)

AFRIKANERS with a whites-only vision of the future are settling in the small north-western Cape rural town of Orania, sowing the seeds of an independent white state and turning their back on the emerging non-racial South Africa.

Unlike their forefathers who moved inland from the southern tip of Africa to escape British rule last century, the new

breed of Afrikaner "trekkers" are not bringing black or Coloured servants.

They dream of an all-white Afrikaner homeland which would not tolerate the presence of other races and would depend entirely on white finance, industry and labour.

They have taken the first steps by buying Orania, a deserted farming town, which they hope will become the capital of a white homeland called Orandia.

Orania and Orandia are the brainchild of Carel Boshoff, an avuncular former theology professor and son-in-law of Hendrik Verwoerd, one of the principal architects of hardline apartheid when it was introduced in 1948.

"Time is running out for Afrikaner identity and self-determination in this new South Africa," Boshoff said, referring to President FW de Klerk's reforms to abandon race segregation and give the vote to the black majority.

Sowetan 13/3/91

"An independent Afrikaner state would accommodate those who fear whites would have as uncertain a future under a black majority government as other whites have had in the rest of Africa," Boshoff said.

Future

Orania is situated on the banks of the Orange River about 150km south of the diamond mining town of Kimberley.

It was founded in 1968 when the Government's

Department of Water Affairs began building dams and developing canal systems from the Orange into adjacent farming areas.

When the project was completed in January 1989, the white workers and their families left behind 90 pre-fabricated houses, a primary school, a church, post office and other facilities.

Most of the town's structures are falling apart, paint is peeling from buildings and the gardens are overgrown.

Boshoff and his conservative Afrikaner Volkswag (Afrikaner Nation Watch) movement bought the town recently at an auction.

They have already prepared for the future by giving about 400 Coloureds living in the neighbouring Grootgewag township until the end of this month to pack up and go.

Families

"This is the first Afrikaner town in the world. We bought the land, not the people. We have given them (Coloureds) until March 31 to get out. If they are not out by then, we will take steps," said Orania caretaker Thys Fick.

Restrictions are already in force, preventing non-whites from entering or moving around in the small town.

Six white families have already settled and more than 30 of the houses have already been sold to supporters of an independent Afrikaner homeland.

"I do not miss their (black) labour or their faces. We are very excited about our town," said one of the town's first occupants, who declined to be identified.

Study

Last year, Boshoff completed a study to prove the viability of the homeland. A question and answer sheet he produced asks rhetorically why blacks could not work there.

The answer: "Once you allow a small number of foreign workers it will create enormous political and social problems. Through the years, they will acquire certain vested rights and as their numbers grow, it will become more difficult to withhold those rights by way of legislation."

Orandia would stretch from the southern edge of the vast Karoo desert to South Africa's border with Namibia, and from just west of the diamond mining town of Kimberley through to the Western Cape coastline, incorporating several established towns.

The area has three of the country's biggest dams, ample farming, a power grid, roads, railways and an airport at Upington.

Although part of the potential homeland is desert, Boshoff believes it could be turned into a lush paradise and could eventually accommodate more than three million people.

Vision

But non-white inhabitants of the proposed Orandia currently outnumber whites by four to one. At least 300 000 would have to be moved to keep the area white.

Boshoff insists that non-whites will not be forcibly removed but "they will be encouraged to go and live where their labour will be required".

His vision of Orandia is not only that of an economically viable white state, but of an ecological paradise.

Among the crops expected to be grown are cereals, potatoes, vines, peaches and apricots.

The latter-day trekkers are ridiculed by their more liberal Afrikaner brethren, who believe that the future lies in multi-racialism and an undivided South Africa.

But Boshoff's supporters are unmoved. "We are not going back in time. We are not practising rigid apartheid. We are just fighting for what our ancestors left us, our culture, language and religion," Fick said. - *Sapa-Reuters*

Fingos challenge white's land sale

By BARRY STREEK *CHL-71-4 1/3/91*

A GOVERNMENT decision to allow a white owner in the Tsitsikamma area to sell land which black people were forced off at gunpoint in 1977 is to be challenged in the Supreme Court.

The Fingo people, who were granted the land in the 1850s by the British government because of their loyalty, claim their eviction was illegal.

The Tsitsikamma Exile Association said yesterday the land still belonged to them, because the order that removed them in 1977 had been found to be null and void by the Appeal Court.

The Minister of Agricultural Development in the House of Assembly, Dr Kraai van Niekerk, said this week that permission had been granted to one of 19 white farmers who were sold the land in 1983 to sell his property — despite a restriction on them not to sell for 10 years.

The TEA said: "We find this outrageous."

Their lawyer had written to Dr Van Niekerk and asked for a meeting about their ancestral land before it was sold off, and he had told them they need not be concerned because the resale would not take place.

If Dr Van Nierkerk intended going ahead with the sale, the TEA will apply to the Supreme Court as a matter of urgency to stop any further dealing in the land until the courts had determined the rights of the parties involved.

Bo-Kaap anger over sale of council land

RESIDENTS in Cape Town's Bo-Kaap area have reacted angrily to plans of the Cape Town City Council to sell land in the area to developers.

Residents at a meeting in Bo-Kaap this week warned the area would become like District Six and be available only to "yuppies".

An executive member of the Bo-Kaap Action Group, (Bokag), Mr Patrick De Goede, said the council was selling part of the nature reserve in the area to private developers to offset the costs of providing houses.

De Goede said the Council had renegeed on promises:

- To provide 56 derelict houses at R1 000 each to present or former tenants, on condition they were renovated to council standards within two years;
- That 62 new houses would be erected in Schotshe Kloof and be further subsidised by the Council if their cost exceed R30 000; and
- That sites with floor slabs would be sold to present or former tenants at R5 000.

De Goede said estate agents "have started moving and prices have soared".

"Three years ago the prices of the houses was R51 000, now it has risen to between R115 000 and R130 000 on all properties. Nobody in Bo-Kaap can afford the high bond repayments on these amounts," De Goede said.

Bokag recently met with the Council which is expected to respond to the community's demand by March 4.

A spokesperson for the council, Mr Ted Doman, said the cost of the houses erected was much more than originally envisaged.

Doman said that one contractor had even gone bankrupt. As the costs of the building were so high and the government only subsidised R30 000 a house, the council was set to lose a lot of money.

Deputy City administrator, Mr Attie Van der Merwe, said the allegations that the council was not living up to its promises were incorrect.

He said money was simply not available to build the houses required in the area.

"It is like being Robin Hood, robbing the rich to give to the poor," Van der Merwe said.

He said selling land to private developers was the only way to fund housing for Bo-Kaap residents as the state had no money.

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As the Act goes, whites arrive

By GLENDA DANIELS: Cape Town

81
WHITE property speculators are snapping up houses in Cape Town's Bo-Kaap, sparking community outrage and fears that the area's unique character as a traditionally Malay area will be irrevocably changed.

Spurred by the recent demise of the Group Areas Act and the desirability of properties lying within a stone's throw of the city's central business district, they are buying houses at prices which, though rapidly rising, still represent a bargain.

The issue has divided the Bo-Kaap's Malay community: attracted by the high prices they can now get for their homes, some residents are selling — while others want to preserve the area's character.

A meeting called by the Bo-Kaap Action Group to discuss the issue is scheduled for Monday. W/Mon 22/2-28/2/91

Community organiser Achmat Davids said: "It is not as if we are against people coming into the Bo-Kaap but let them be people who are victims of apartheid."

Clive Keegan, chairman of Cape Town City Council's town planning committee, said: "It is very tempting to sell the house you've lived in for over 50 years if the price has suddenly tripled."

The challenge facing the city council was to

find ways of controlling, or even preventing, gentrification from taking place, Keegan said. But he felt it might be "too late" to do anything to save the Bo-Kaap.

"The rich are moving in to take the place of the poor," he said.

"I would have thought the council would be concerned to maintain the inner city for lower-income people, for working class people to be close to their places of work."

National Monuments Council architect Lesley Townsend, who has been instrumental in helping restore the Georgian, Victorian and Edwardian buildings which render the Bo-Kaap an area of unique architectural significance, said the implications for the community were "disastrous".

"Land in the Bo-Kaap is extremely valuable and is now of enormous interest. People are keen to keep the land within the community and I can fully understand this."

The problem was that people were buying as speculators, Townsend said.

"It would be a different story if they wished to be integrated into the existing community."

As more properties changed hands, prices would rise far beyond the reach of Bo-Kaap residents living in rented accommodation, dashing their hopes of buying homes of their own in the area, Townsend said.

A crucial meeting next week on education between State President FW de Klerk and a delegation led by ANC deputy president Nelson Mandela will be faced with the stark realities of the schools' situation. The meeting, to be held in Cape Town on Monday, is expected to be decisive in the resolution of the deepening education crisis. **Musa Ndwandwe** reports:

EDUCATION in the country is set to take a decisive turn when the State President meets representatives of education, political, trade union and community organisations from all over the country on Monday.

The meeting is expected to urge the government to give "emergency attention" to the country's deteriorating education system and comes after the delegation presented a memorandum to Mr FW de Klerk about three weeks ago.

The memorandum called on the government to address the crisis in black schools and set the tone for a single education department.

'Breakthrough'

Many educationists say a successful meeting can be the "breakthrough" in resolving the education problems that have caused havoc at black high and primary schools for more than a decade.

This is also the first attempt of organisations like the ANC to place education high on the agenda and could have a major impact on the movement's negotiation strategies. Many educationists feel that coupling the resolution of the education crisis to negotiations is a move long overdue.

However, a daunting task lies ahead to reach parity in education.

About 36 000 extra classrooms will be needed to bridge the gap between white and black education.

This means about 1 500 schools need to be built at about R2,5 million each.

"If you speak about 36 000 classrooms, you have to speak about 36 000 addi-

POPULAR wisdom holds that the creation of a single education department to replace the present bureaucratic myriad will be a major move towards solving South Africa's education crisis.

This viewpoint will almost certainly be urged by the delegation of 30 imminent educationists, trade unionists, church leaders and representatives of political organisations — led by ANC deputy president Mr Nelson Mandela — who will meet State President FW de Klerk in Cape Town next week.

But is a single department the answer?

While most educationists favour a unitary education system, little consideration has been given to the practicalities of such a move. Many researchers doubt whether this is indeed the cure-all for the country's classroom chaos.

Complex

Even more doubtful is whether it will be possible to establish a single education department before the turn of the century.

The crisis facing education is complex. "While the education crisis in the country is everyone's concern, not everyone is aware of its magnitude," says Mr Pundy Pillay, an economist at the University of Cape Town.

Mr Ithron Rensburg, National Education Coordinating Committee (NECC) general secretary, agrees the problem is multidimensional.

"Four main elements of the crisis can be distinguished," he says.

"A crisis of provision, of quality, of management and, clearly related to the

EDUCATION

Stark realities of school crisis on agenda

South 21/2 - 27/2/91

tional teachers," one educationist pointed out.

"Apart from insisting on a bigger budget allocation, we will have to impress on the government that the situation demands emergency treatment," Brother Neil McGourk, a member of next week's delegation and principal of the Sacred Heart College, said.

Professor Jakes Gerwel, who will also be part of the delegation, recently asked for a "totally new logic" in distributing existing resources.

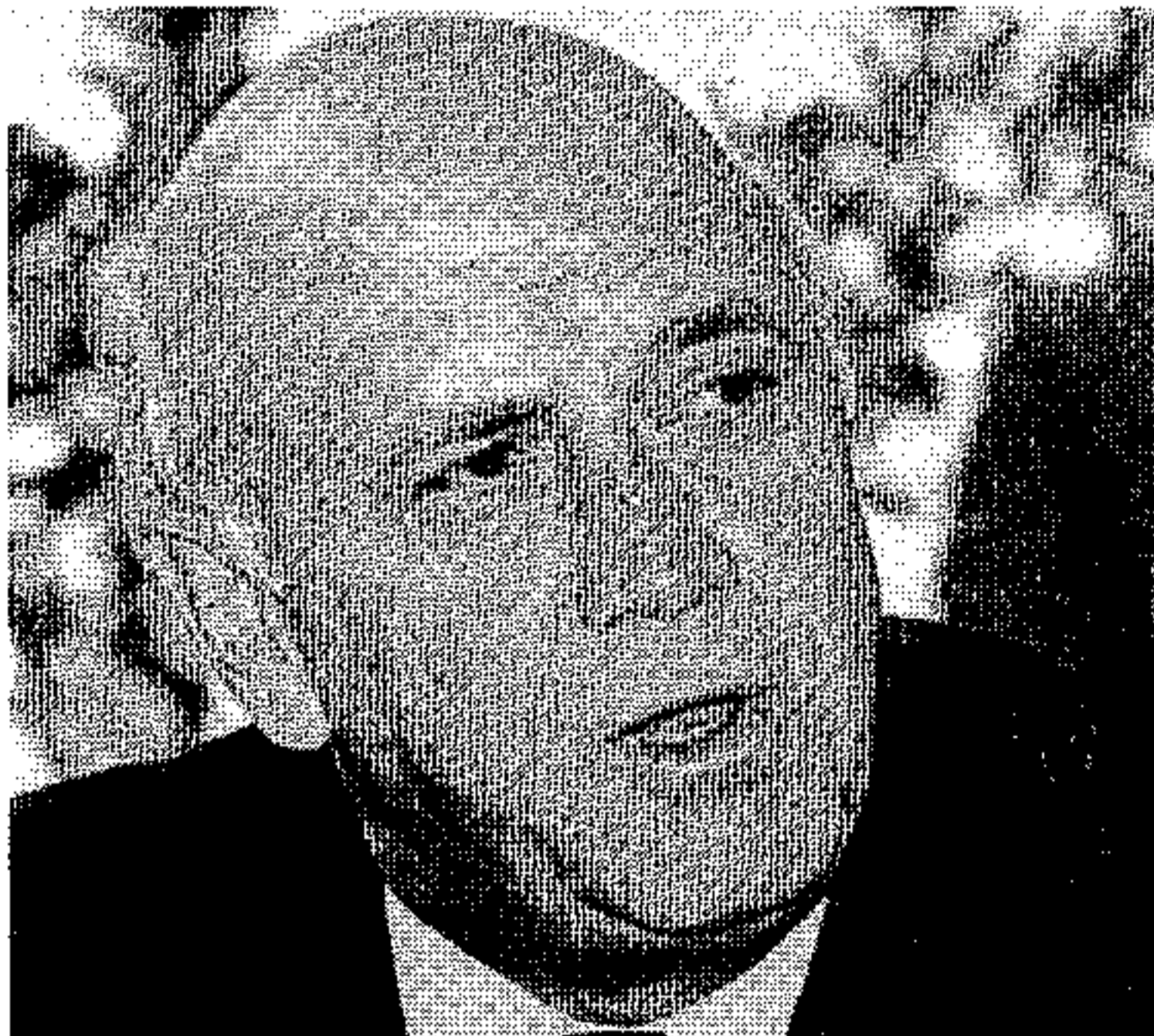
Collapse

Monday's meeting takes place amid fears that 1991 might see the further collapse of black education. As one educationist pointed out: "The situation is deteriorating all the time and the more you try to fight the backlog, the more disparities arise."

At present, the government allocates 19,5 percent of its total budget to education. While this is the largest budget allocation to a single item, researchers say it will have to increase threefold if the education backlog is to be addressed.

Close to six million pupils, registered with the Department of Education and Training are affected. However, there is a strong feeling among progressive educationists that intensified political input in the struggle for a free and equal education.

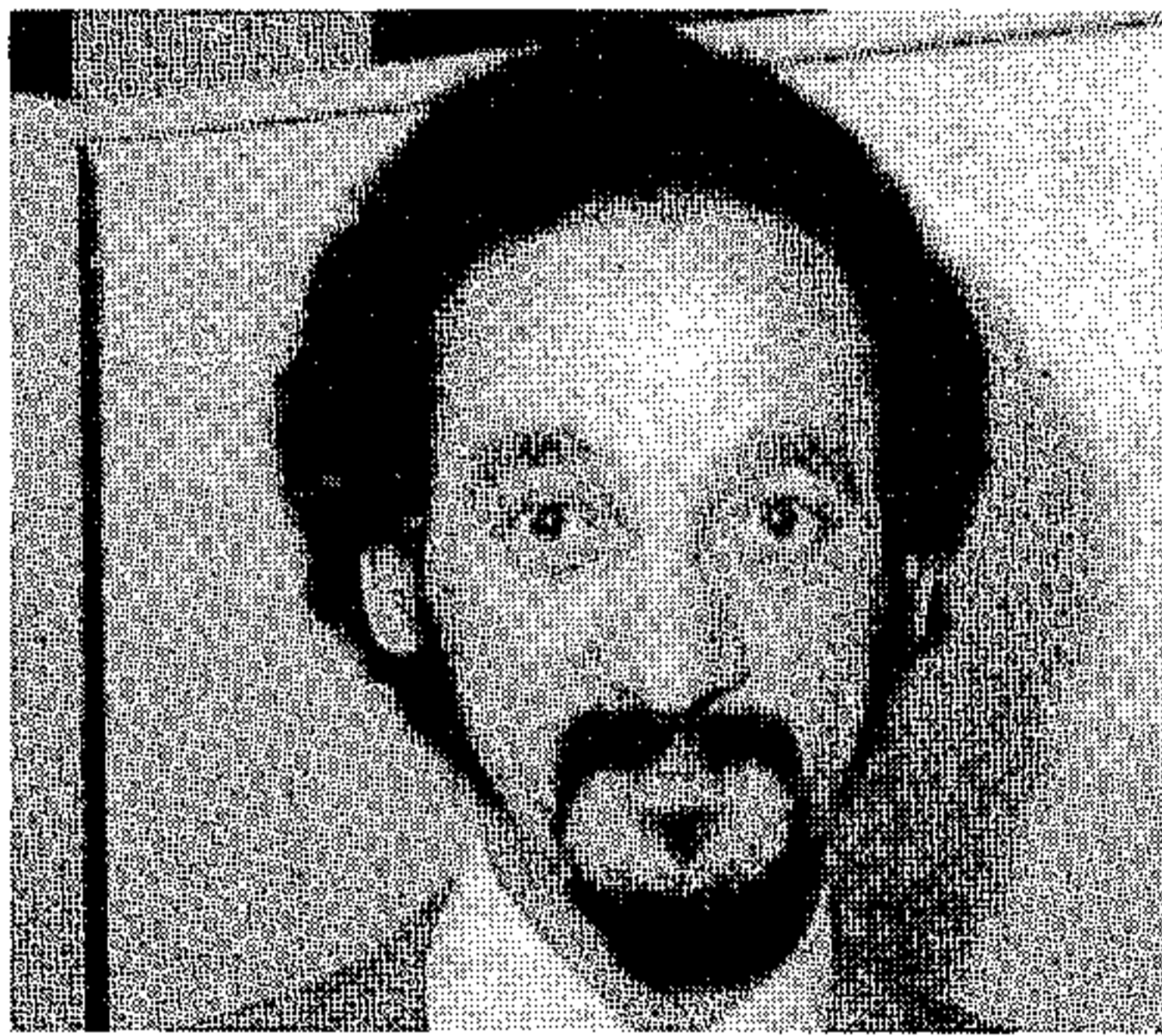
"A transformed education system cannot simply be brought about by administrative fiat. We will have to ensure the organic relationship with the sectoral organisations continue," said Mr Yusuf Sayed, UWC educationist.



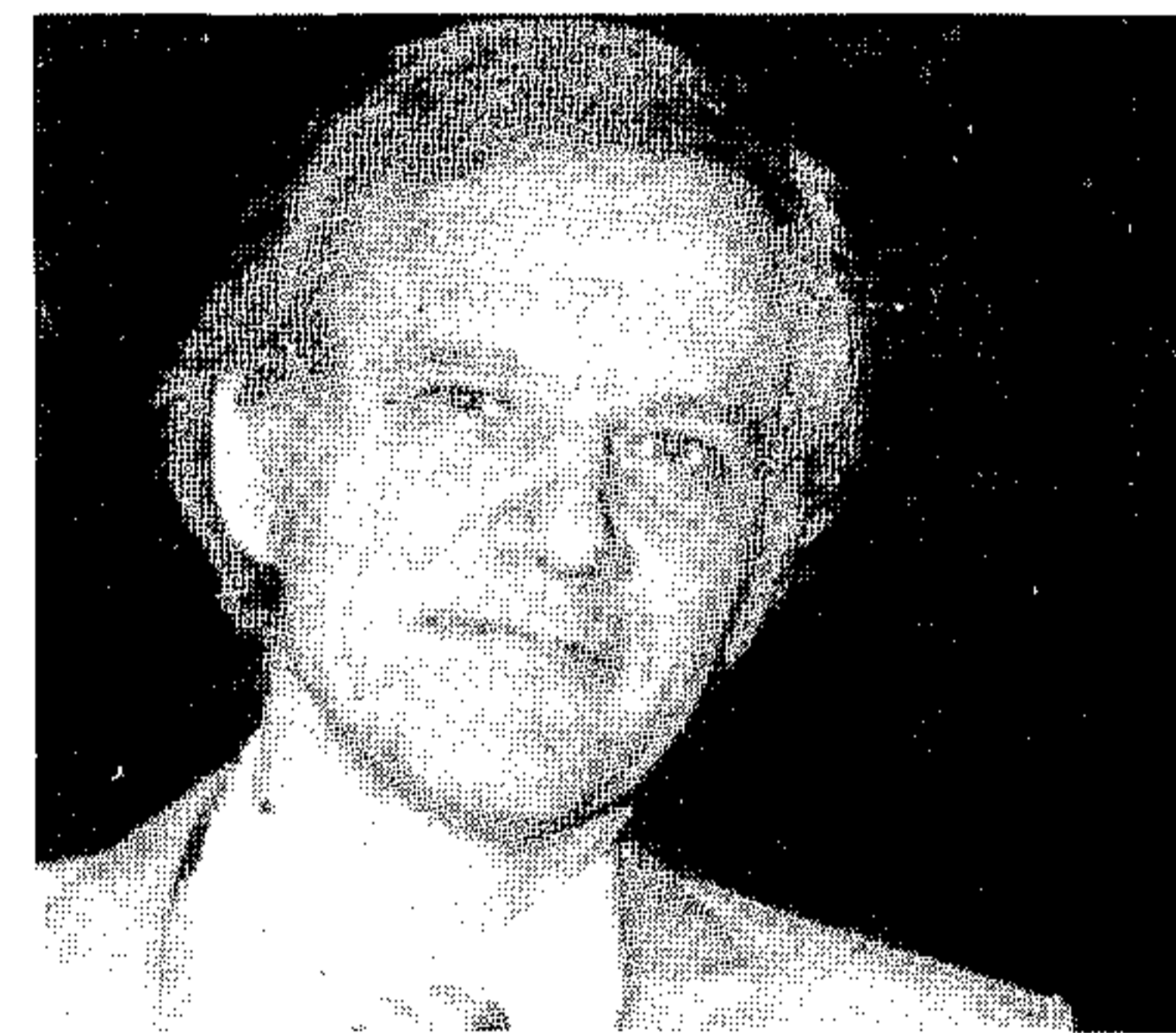
Mr FW de Klerk



Mr Nelson Mandela



Professor Jakes Gerwel



Dr Stoffel van der Merwe

Is a single education department the answer?

South 21/2 - 27/2/91

With the country's education system deeply in crisis, a position appealing to popular sentiment is that a single education department should be established. Doing away with duplications in the present 19 departments of education, it is believed, will elicit the much-needed funds for this to be achieved. Some economic and education experts, however, are less optimistic, reports **Musa Ndwandwe**:

first three, a paralysing crisis of legitimacy and morale."

Economists maintain the provision element is the decisive factor. It is because of financial constraints, argues Pillay, that parity in education is impractical.

While acknowledging that a single education department will reduce some of the inequalities, Pillay says this alone will not iron out all discrepancies.

"Because the degree of underdevelopment is so great, serious inequalities will still exist between urban and rural areas and between rich and poor."

Research on funding has revealed a gloomy picture.

Mr Servaas van den Berg, a researcher at the University of Stellenbosch, says that establishing parity in per capita spending on social services such as edu-

cation, pensions, health and housing, would cost R75bn, which is more than the government's entire 1990-91 budget.

"Given the difficulties of raising taxes in a period of economic decline, it is hard to imagine a future government being able to raise that sort of money for social services," he said.

According to Interfund, an influential London-based fundraising consortium, parity in education spending between whites and blacks in 1990 would have cost the government an extra R25,56bn.

A similar amount would be needed to eliminate the backlog in other social services.

"One of the major challenges that faces the progressive education movement is to define what it means by a single education system and how it intends to con-

solidate the 19 racially-divided and ethnically-fragmented education departments into a single one," says Mr Yusuf Sayed, a lecturer in education at the University of the Western.

The question of responsibility is central to the debate.

The progressive education movement maintains it is the government's responsibility to provide equal education for all citizens.

"The education crisis is the responsibility of the government and it is responsible for its resolution," said Rensburg.

In his parliamentary opening speech on February 1, De Klerk outlined the government's view. He hinted at the possibility of establishing "distinctive or autogenous education, conducted within a single system by those who desire it".

This is viewed by the progressive education movement as a move towards privatising education. "Privatisation of education, whatever form it takes, places the burden of education on the local population, further burdening those sectors of our society who have already been disadvantaged," says Sayed.

But economists suggest that people must brace themselves for paying for their education to supplement the state's limited resources.

Pillay suggests several alternatives which involve calling upon the communities to participate not only in the decisionmaking and management of the school system, but also in providing resources.

Increase

"One suggested way to increase the resources available for education is to impose selective charges or to increase charges if fees are already present," says Pillay.

"The rationale of the argument for raising fees is that the resources generated by increased private contributions could be used to redress some of the imbalances in the education system."

While the progressive education movement has not formulated any blueprints, it also favours the idea of community participation.

"The process of formulating alternatives is not simply a technical exercise and as such cannot be left in the hands of experts," says Sayed.

"This is a political task and must involve parents, students and teachers," he says.



DESPERATE: District Six today remains a barren and windswept monument to apartheid's folly

Twenty-five years after District Six, Cape Town's most famous suburb was declared white, the area's future is still the subject of intense debate. Chiara Carter reports

TWENTY five years after District Six was proclaimed a white area and its residents ordered to move, the future of Cape Town's most famous suburb still hangs in the balance.

When the bulldozers moved into District Six, they demolished not only a thriving inner city community but the heart of Cape Town itself.

All that remained in the wake of the demolition squads was a barren wasteland that in the ensuing years served as a bitter monument to the ravages of apartheid.

Yet, although its buildings were gone, the spirit of District Six lived on in the memories its former inhabitants took to new townships on the sandy Cape Flats.

Throughout the years attempts to redevelop the area floundered in the face of implacable opposition from a community which viewed the area as "hallowed ground".

Abolition

Now, the imminent abolition of the Group Areas Act means the major objection to redeveloping District Six has fallen away. Given the critical housing shortage, redevelopment has become crucial.

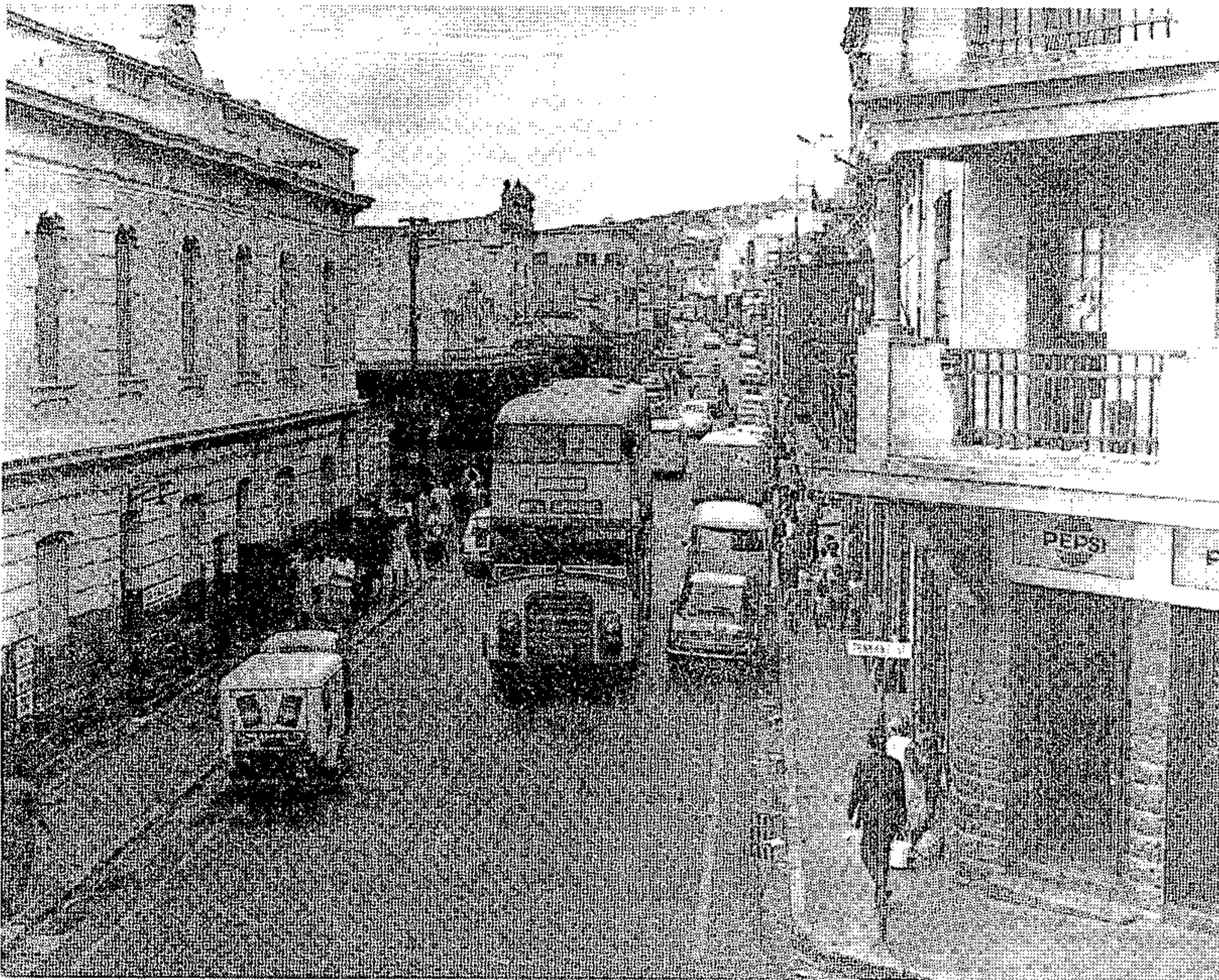
However, the key question is, what kind of District Six will emerge? Will it become yet another yuppie suburb or will it reverse the pattern of apartheid cities and become a home for working class people in the heart of the city? And, if it is developed as an essentially working class area, will it be a replica of countless Cape Flats townships, a vast squatter camp, or a model of post-apartheid inner-city regeneration?

Last year, as private developers were poised to build accommodation for relatively affluent homeowners in District Six, the UDF threatened a squatter occupation of the land as part of a campaign to highlight the desperate demand for housing in South Africa.

A major confrontation was averted when, after the intervention of the Cape Administrator, Mr Kobus Meiring, interested parties, including private developers, the UDF and ANC, the Cape Town City Council and the Cape Technicon, agreed to negotiate the future development of the area.

A working committee chaired by city councillor Mr Clive Keegan was established and the private developers, meanwhile, agreed to a voluntary moratorium on construction.

What will rise from the ashes of District Six?



ALIVE: Hanover Street was a bustling thoroughfare in District Six

One major player absent from the committee, however, was the Hands Off District Six Campaign (Hods) which had played a key role in opposing earlier plans to develop the area.

Hods spokesperson Mr Anwar Nagia said Hods had not accepted an invitation to participate in the committee as it was not interested in planning the "leftover crumbs" of District Six.

Nagia said Hods felt it was incorrect to plan the future of the area "behind closed doors" and was calling for a consultative conference where all interested parties — including all Capetonians who have been dispossessed of land — could participate.

However, the campaign viewed the concept of low cost housing with suspicion and would prefer it replaced by

"affordable housing". They also suspected the authorities of attempting to exclude the really poor and disadvantaged, including squatters, from the area.

The ANC and UDF, who are represented on the committee, want the area developed for working class occupation — a major reversal from the pattern of urban development in South Africa where the poorest people have been pushed to the periphery of cities.

"District Six could be a model for the development of post-apartheid South African cities," commented Mr Basil Davidson, a planner who, as part of the Development Action Group and the ANC regional executive, is part of the District Six committee.

Davidson says ideally the area would be developed as high density housing,

probably with three-storey walk ups and facilities like schools and playgrounds.

However detailed planning cannot progress until there is clarity about who will be paying for the development and how much land is available.

Mr Meiring, the Provincial administrator, is on record as saying that the development of District Six should as far as possible make provision for all sectors of the community — a viewpoint shared by the Cape Town City Council.

According to Professor Dave Dewar, spokesperson for Headstart, a nonprofit making company established by BP SA to examine regenerating the inner city, District Six holds out the opportunity for "redevelopment as a genuine partnership".

Headstart has at the request of the

RENDESVOUZ: The legendary Seven Steps, meeting place for lovers and gangsters alike

committee undertaken analytical studies on District Six and will be reporting its findings shortly.

Quite simply it doesn't pay private developers to construct working class housing.

The CPA has warned that the state would not be able to provide funding outside its current housing policy to develop District Six.

CPA public relations officer Mr Van Heerden Heunis said: "It is state policy to make serviced sites available. It is no longer state policy to build houses and the state does not have the capacity to do so."

"Given this policy, the administrator does not foresee a situation where the state would finance a housing project in District Six."

The ANC/UDF, however, want the state to foot the bill for constructing housing, mostly for rental, for working class people.

"We believe the state should accept responsibility for redeveloping the area, partly as a way to redress the crimes it committed in the name of apartheid when the inhabitants were pushed out and partly because we think the state must be responsible for housing the poor," Davidson explained.

Even before the question of funding is addressed, planners need to know how much land is available.

Dominates

At the moment the Cape Technicon, the largest land occupier, dominates the landscape and it shows no sign of changing its plans to expand on the lines of a suburban campus — something of an anomaly in an urban area.

State-owned flats in the area are presently being sold to private owners while would-be developers are paying rates for land they cannot develop.

In an attempt to iron out these issues the working committee has requested a meeting with the relevant Cabinet ministers and according to Mr Heunis the matter will be discussed soon by a top-level meeting of Cabinet ministers and the State President.

Heunis, while not ruling out the possibility that the state might buy out the private developers, said it was not possible to assess the extent of such expropriation until this meeting took place.

He said the state was not expected to intervene in the Technicon's plans as it was regarded as an important educational institution which needed to expand to meet the needs of its students.

The redevelopment of District Six could be a phase in a broader inner city housing development which would help ensure that housing for lower income people remains available in neighbouring areas like Woodstock.

If the planners have their way the redevelopment of District Six will be symptomatic of a healing process for the mother city, a painstaking reconstruction of the city's heart.

Meanwhile, with planning on hold until acceptable conditions for redevelopment are hammered out, District Six remains a scar on the city centre, its ghosts unexorcised.



TURNING THE SOD... The Mayor, Mr Gordon Oliver, turns the first sod of a housing development in District Six on Saturday. With him are, from left, Mr Ian Sims, Mr Tony Deaking, and the Administrator of the Cape, Mr Kobus Meiring.

Picture: BENNY GOOL

Dist 6 housing project hailed

Staff Reporter

HUNDREDS of people attended the turning of the first sod of an "innovative and revolutionary" low-cost housing development at Springfield Terrace in District Six at the weekend.

The project was hailed as the first step in rehabilitating District Six and bringing back working class families to the city centre.

Speakers at Saturday's event included Mayor Mr Gordon Oliver, Administrator of the Cape Mr Kobus Meiring, former BP chief executive officer Mr Ian Sims and BP executive officer Mr Tony Deaking.

Mr Oliver said the project was a "beacon of light" for the city.

He had been concerned at "upper-income" development taking place in District Six at the expense of lower-income people, Mr Oliver said.

According to a spokesman for Headstart Developments, a non-profit organisation, 22 houses in Springfield Terrace were in a bad state of repair and had been bought by a private developer who planned to build townhouses on the site.

The 22 families faced eviction and Headstart subsequently bought the houses — some had no electricity, running water or toilets. After more than 100 meetings with the residents, plans

were finalised for the development of 126 townhouses and 64 rental units.

"We wanted to show how people of moderate income could stay in the city. The development was 'costed down' to the last cent," the spokesman said.

Mr Clive Keegan, chairman of the Cape Town City Council's town planning committee, said the project was a very important step towards the rehabilitation of the inner city and an indication of the role the private sector could play.

"I look forward to it being the precursor of the redevelopment of Cape Town to enable working class people to return to their traditional residential areas close to work," he said.

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NEWS



— TIME STANI

The road to Orania, where, right, the Afrikaners hope to use the Orange River on the town's boundary to create a tourist and retirement area that will attract whites from all over South Africa.

Report and pictures by
GRAHAM LIZAMORE, Weekend Argus Reporter

THE *voorryers* did not canter up to Orania on steaming horses. They arrived in gleaming BMWs and Mercedes Benzes to examine first-hand the new Afrikaner Shangri-La.

The 160 km drive from Kimberly to Orania must have filled these descendants of the Voortrekkers with hope that their land of milk and honey, the Boere Nirvana, had at last been found.

On either side of the tar road bisecting the softly undulating Karoo landscape dotted with its peculiarly-shaped hills, mielies stood tall as a trekker's shoulder. In the distance lay the wide and deep Orange River.

The Karoo was green and lush. Recent rains and miles of irrigation systems had turned the normally harsh semi-desert into the promised land.

Orania is the property of the Afrikaanse Volkswag, headed by the messianic former theologian, Prof Carel Boshoff, son-in-law of Dr Hendrik Verwoerd — the architect of grand apartheid.

It was previously owned by the Department of Water Affairs and since work on the P K Le Roux dam and other construction work finished two years ago, Orania stood empty until it was bought by a Mr Pieterse and subsequently by the Afrikaaner Volkswag at a reported R1.05-million. It is the first part of a grand scheme to create an Afrikaner Volkstaat or homeland in the sparsely populated western Cape.

Orania is a former site camp of some 80 grey prefabricated houses, many of them not habitable — and all of them needing paint and repairs.

Ghost town

Part of Orania is a ghost town. The silence is eerie as you stand before the town hall.

Across the road the Olympic size swimming pool is half-filled with green water. Next to the pool are the tennis courts with sturdy karoo weeds forcing the cracks apart.

A silver haired, wide-hipped couple stood next to their BMW staring at a prefab set in a garden filled with weed and festooned with rubbish.

They were happy to see me.

"Wilkins," he said thrusting out a fleshy, Pretoria civil service hand. When he heard I was a reporter he smiled. "Lyk vir my na baie werk, ne?" (Looks like a lot of work).



White isle

His wife, perspiring heavily under the karoo sun, studied the property with hard eyes.

"Ja, nee," she said and heaved herself back into the airconditioned car. She may have been wondering if it was Afrikaner heaven after all.

Orania has two suburbs, white Orania and black Grootgewaag.

The former may be dead but the other is alive with laughing children, dogs barking, fowls clucking and a school bell ringing.

Mr Thys Fick, the dorp supervisor, can't understand why these people don't want to leave. After all, he says the Professor bought the town and not the "bruinmense" living in it.

He says he has gone to the trouble of securing work for them in Aughrabies and Springbok but they are not prepared to go.

Local farmers, who need labourers during harvest time are prepared to pay the workless as much as five rand a day, but even then most of them refuse to work," he points out.

"They're just being spiteful," said the former irrigation farmer, who has become a sort of PRO for inquiring Afrikaner "volk".

The entrance qualifications for Orania are uncomplicated. You must have money to buy your prefab, which costs from R30 000 upwards; you must speak Afrikaans; you must not employ

black labour and of course... Mr Fick says he has enquiries and at least six town. This includes for or plan to start enter repairs, a shop, a fur auto electrician.

Permission had all 60 hectares of the tot "Soon Orania will be Afrikaners all determine and way of life," he said.

"Here men and women paradise. Come back sparsely packed with curried fish, baked sauce and Joko tea — age.

Bottle, a former resident his wife Sus in Hope own the cafe at Orania.

Like the other Oranians the time when right a holiday house or 1.

Their dream is to live on the Orange River. There is talk of van parks, hiking trails.

A matter

However, the matter miles has to be settled.

A community filled with Africa where colour get out by the end of the year kaans and helped to build the town.

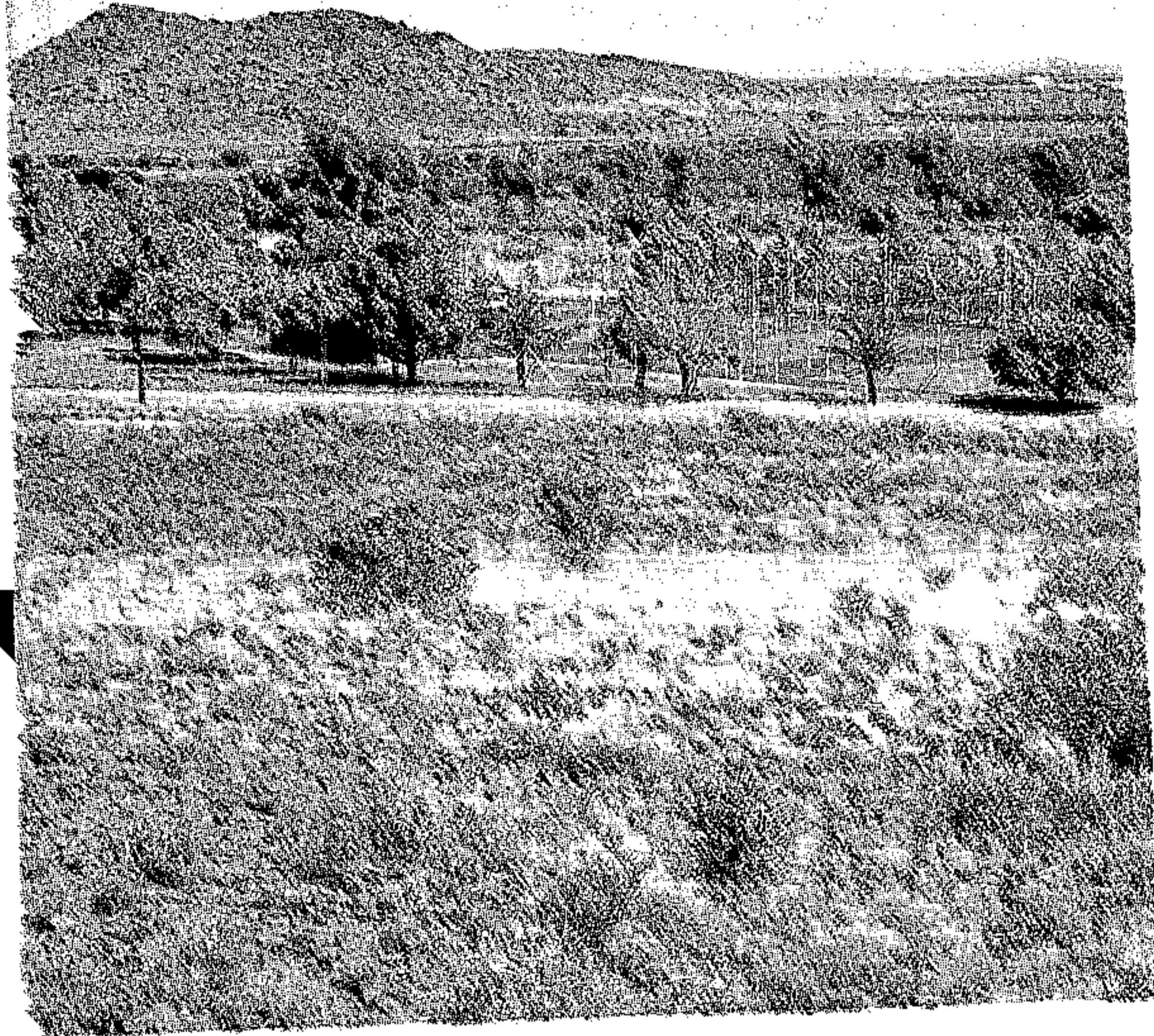
Mrs Hendrina Thys' husband was a carpenter 20 years and like the others is now completing the now completed Roux dam, he is also a member of the town council.

"Where must we live for 10 years," she asked Headmaster Piet.

disbelief and says the school has served the town from April they must be prepared.

By the end of the year, the sea of homeless Afrikaner Volkstaat, perched on the edge of the Orange River, falls to pieces.

...S STILL IN A SILENT ORANIA



One of the mothers, Mrs Siena Oliphant, is frantic with worry knowing that in six weeks' time they are going to be thrown out of Grootgewaag.

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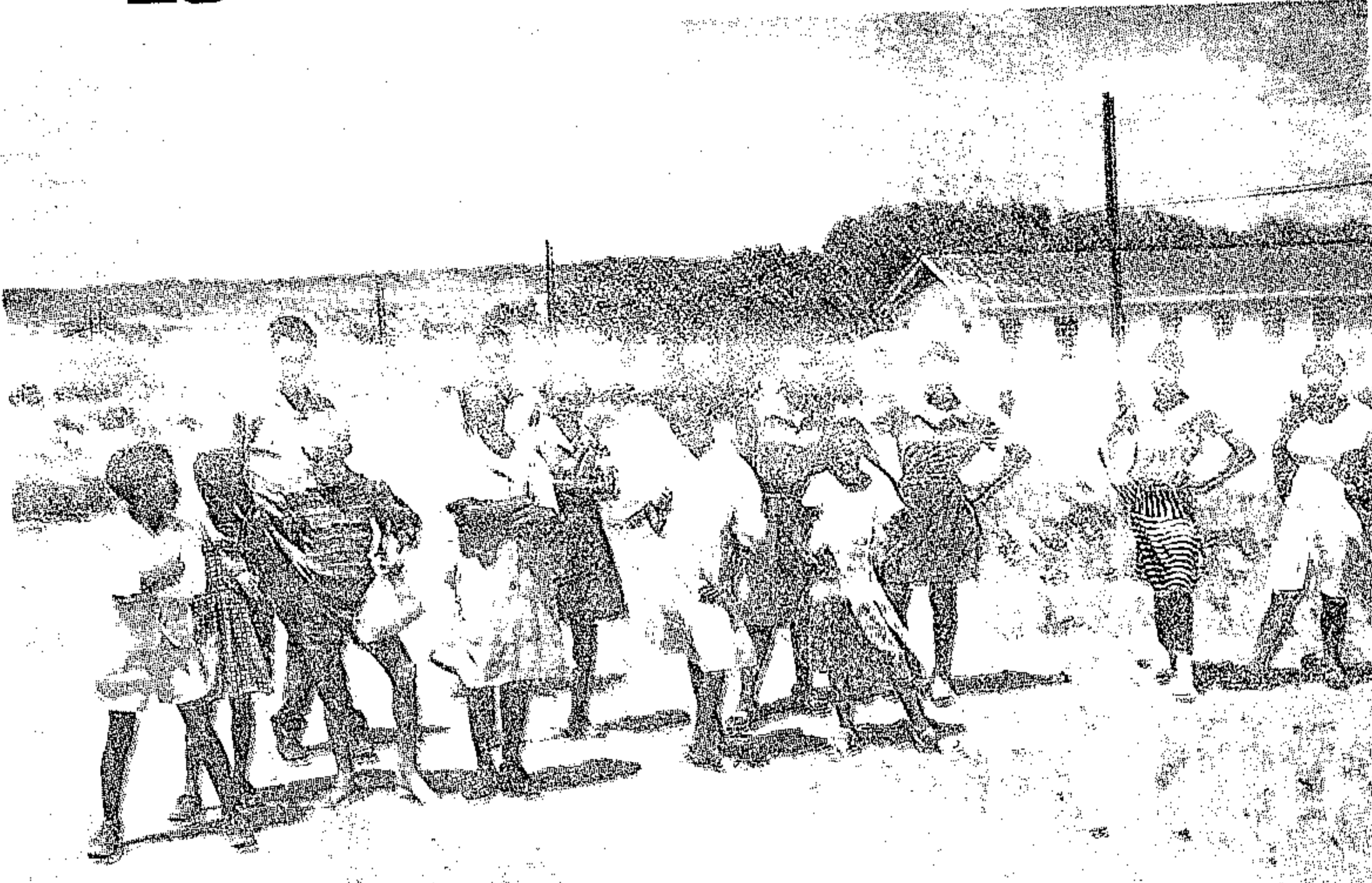
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..."I have 170 children. This
...community for 20 years but
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...rch a settled group will be
...s black suburb to join the
...nd jobless while the Afrika-
...aps like the tattered prefab
...s in the new South Africa.



Almost 170 children will have to leave the Grootgewaag primary school because the Afrikaner Volkswag who bought the town and the school want them out

Bottie Bothma and his wife Sus rely on coloured patronage but are waiting for the day when whites will flood into Orania.

HISTORIC SUBURB SEEMS SET FOR YUPPIEDOM

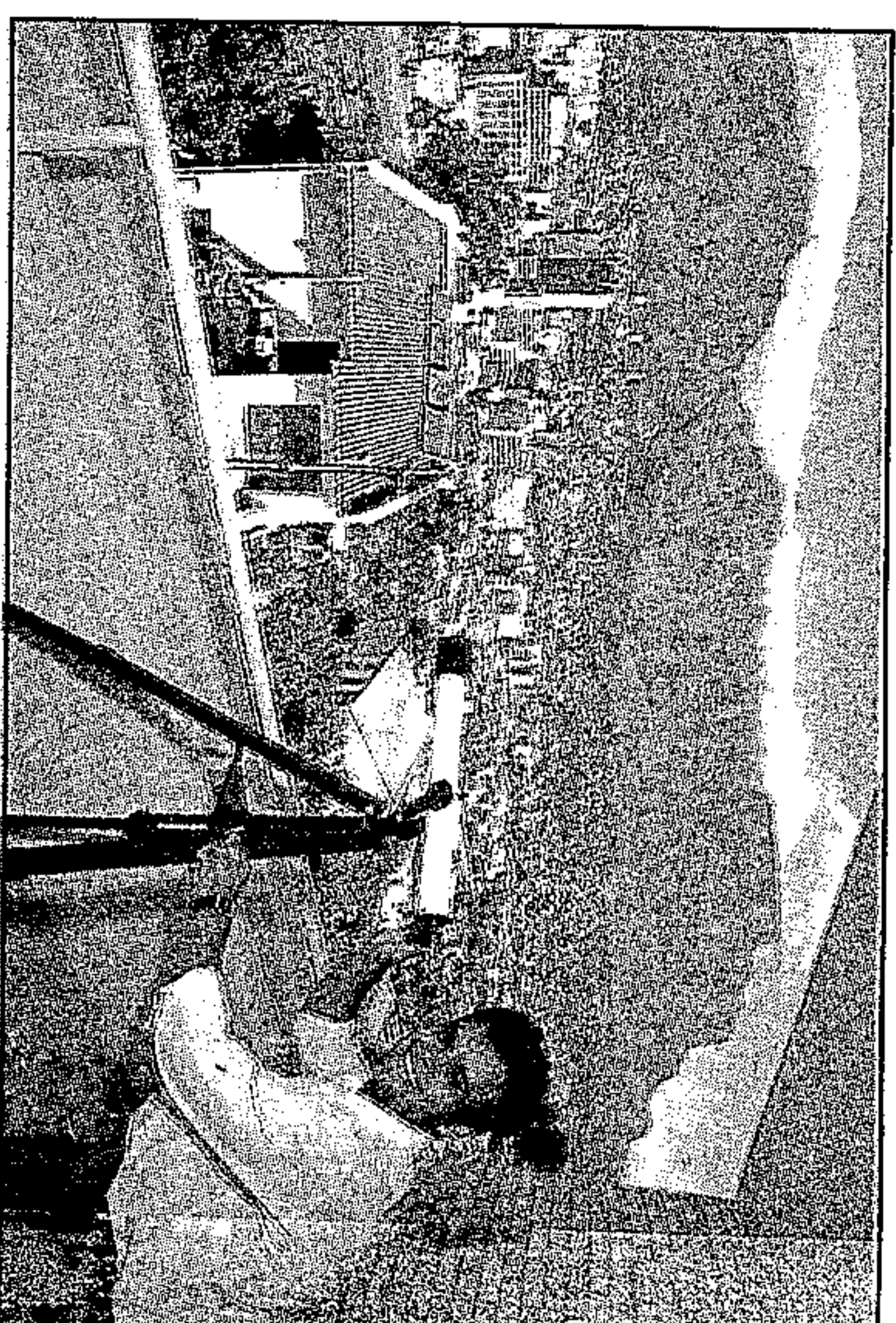


□ Left: Members of the Koopman family and their friends at their historic house in Rose Street.

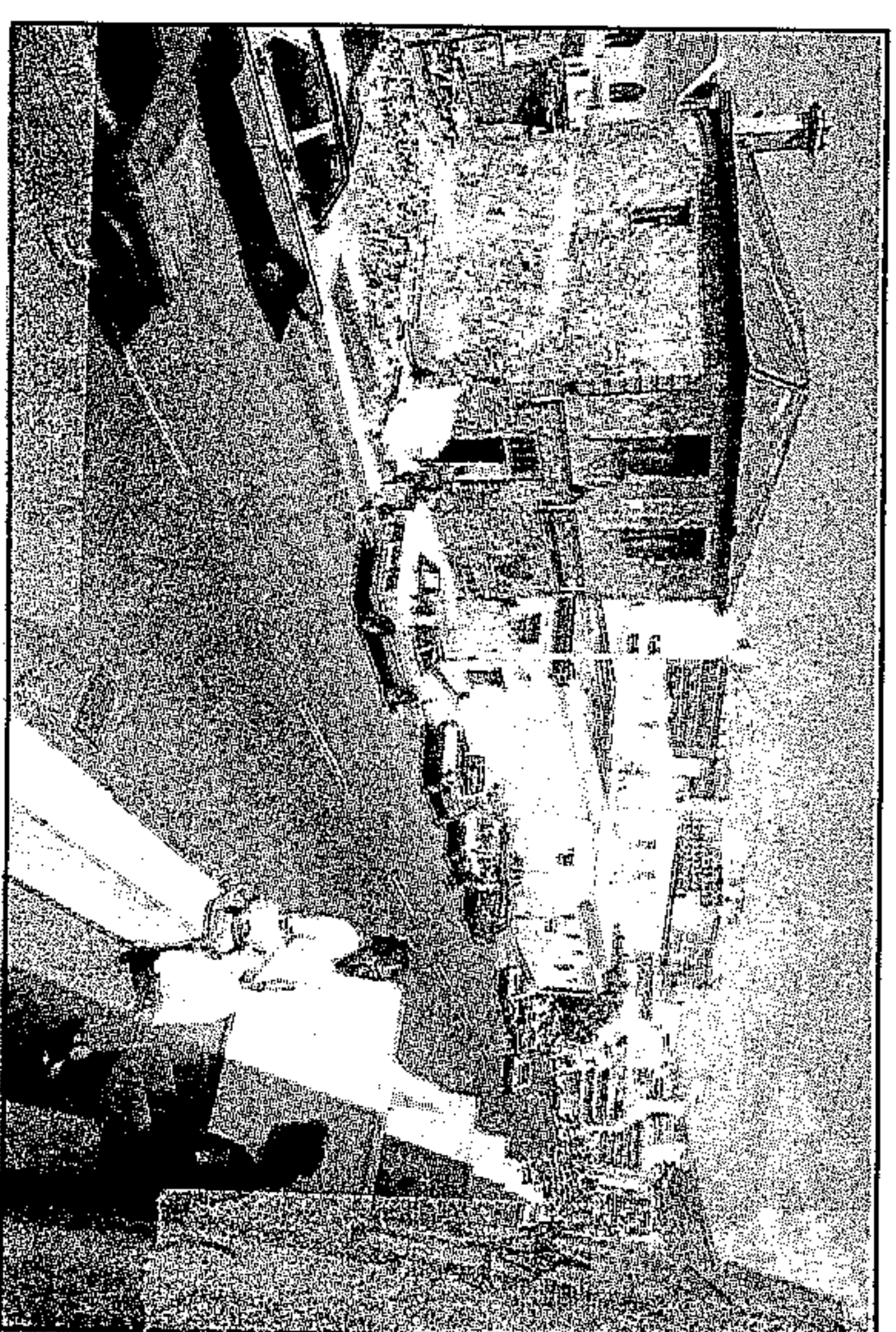
“White neighbours would be welcome,” they said, “but we would never sell our house.”

□ Top right: Life, and a view, at the top. Dharmesh Jaga on the verandah of his father’s luxury home at the top of Bo-Kaap. There’s land in the area with similar views — at a price.

□ Right: Sisters Fahliema Jansen, 18, and newlywed Tauhrah Fredericks on the stoep of their parents’ restored Georgian cottage in Wale Street, minutes from the city centre. “We want whites in Bo-Kaap,” they agreed.



Pictures: ANDREW INGRAM, Weekend Argus.



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Bo-Cape of the future?

ARE white speculators about to turn Cape Town's historic Bo-Kaap into a chi-chi property gold mine, or will the crumbling of the Group Areas Act see the birth of a unique integrated suburb?

Report: JANIS FRASER, Weekend Argus Reporter

While the first trickle of whites are moving into other so-called coloured areas around the country, Bo-Kaap's unique terraces of Georgian and Victorian cottages and spectacular views — plus its situation right on the city doorstep — set the area desirably apart.

Bo-Kaap was settled by white artisans in the 18th century. It has the largest single concentration of pre-1840 architecture in the city. Over the years "Malays" moved in and mosques were built, tucked away in narrow lanes. For the past 100 years or more it has been called the Malay Quarter.

A year ago, few whites knew their way around Bo-Kaap. "They're cruising the streets like piranhas now," said a local businessman with a wry grin. He's put up a family plot on the hill for sale at R170 000.

Controls needed

Mr George Hofmeyr, director of the National Monuments Council, which has control over 52 houses at the heart of the Bo-Kaap, said: "One is concerned about the unique character of the area, with its mosques, being changed."

He said it would be unfortunate if established families were tempted to sell their homes for what they thought were high prices as they would never be able to get homes so close to town.

A spokesman for the City Town Planning Department said the influx meant that controls would have to be imposed. "We are not opposed ... but it should not be disruptive or destructive to the historical or living environment."

As far as the locals are concerned, the attitude over the influx of whites is positive. Schoolgirl Fahima Jansen, 18, speaking for her family said emphatically: "I want them here."

Her mother said they had bought their attractive three-bedroomed Georgian cottage in Wale Street, one of several restored by the city council, two or three years ago for R65 000. It considered expensive.

It's the kind of home many whites would covet at twice the price. The original facade has the typical paved front area — screened by a wall — which looks out over Cape Town and the mountain beyond. A walk to town takes minutes.

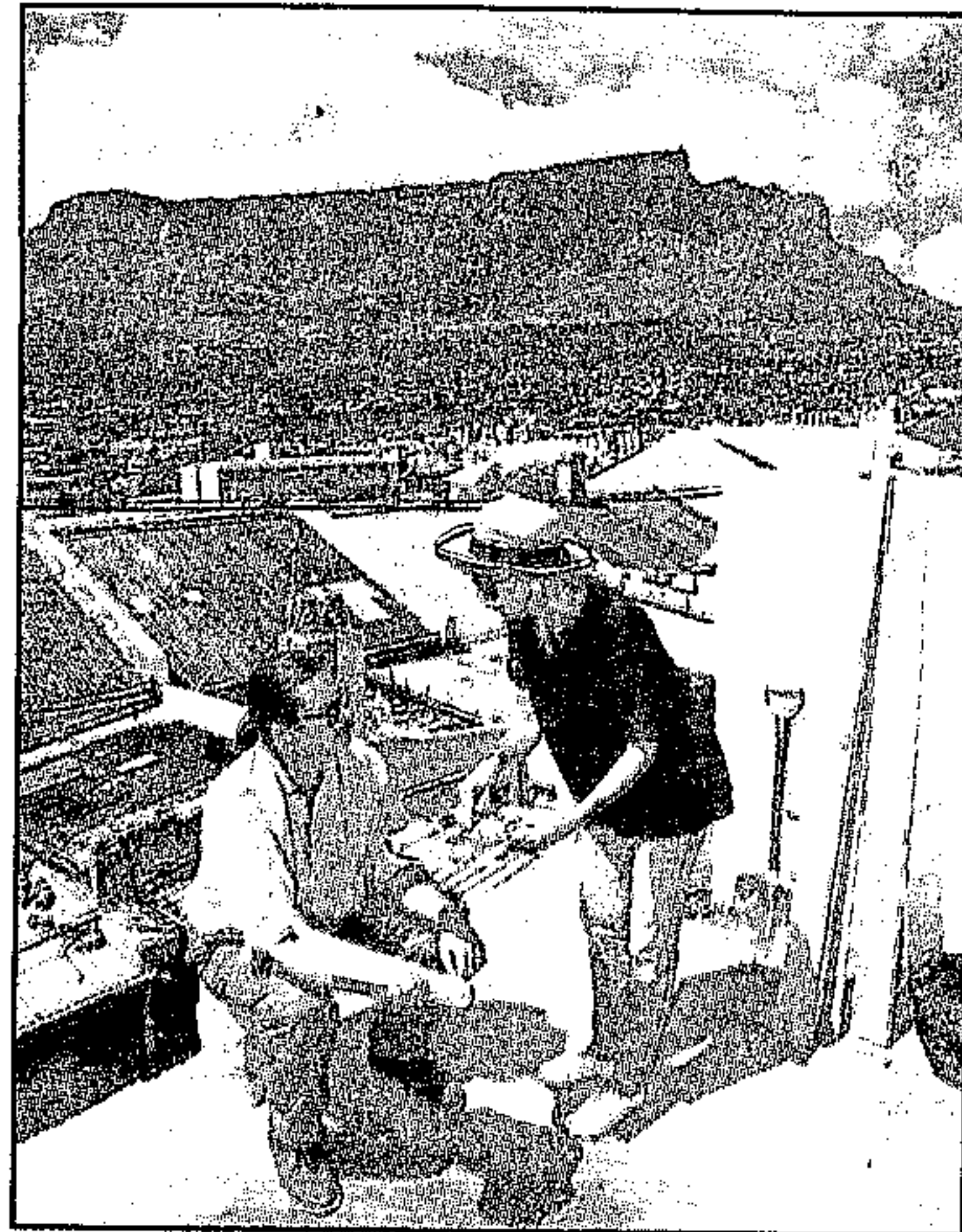
Would welcome whites

"We would welcome them but we wouldn't sell our house," Mrs Jansen said.

The Koopman family, who live in a roomy Georgian terrace house in Rose Street, agreed they would welcome white neighbours.

Mrs Latief Koopman, born here 60 years ago, thought it would be a good thing. "That's the way we were before they changed everything."

Mr Sedick Paleker, whose father owns a near-



Picture: ROY WIGLEY, Weekend Argus.

by butchery, echoed that view. But he said he thought whites would find it difficult to buy — certainly not at bargain rates. Few locals would want to move, whatever the price they were offered, from a suburb which has eight mosques.

"One European guy bought a house up the road for R270 000."

Mrs Miriam Misbach — who lives higher up — has put up a vacant plot for sale adjoining her home. She'd happily sell it to a white — at the right price. She said she turned down an offer of R500 000 for both properties.

Deluged with enquiries

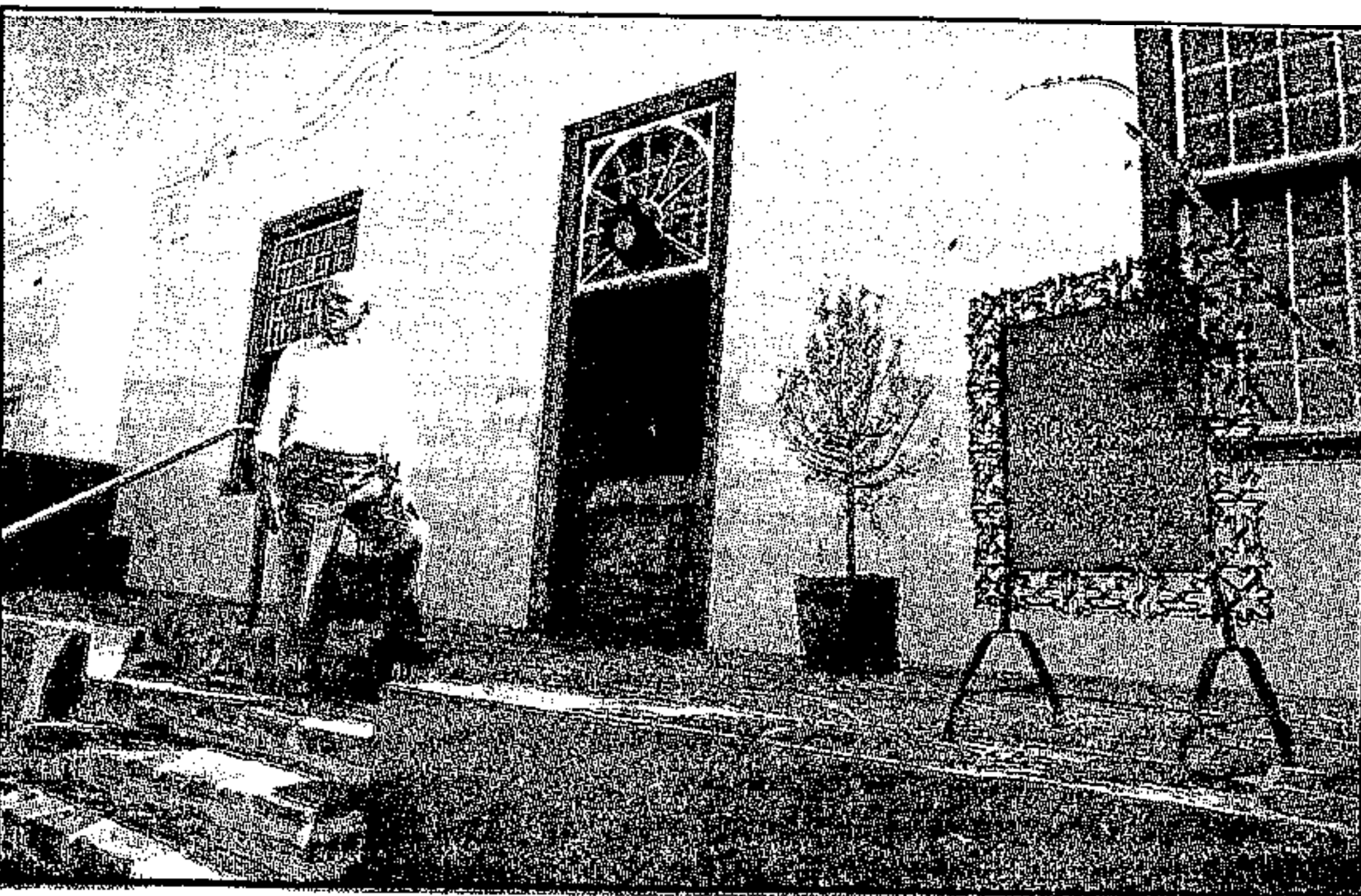
One white prospective Bo-Kaaper who can't wait to move in is Miss Carla de Villiers. She said when she came to Cape Town from Johannesburg she couldn't get enthusiastic about her estate agent's beat at Green Point.

Then she discovered Bo-Kaap, before the white market became an element, and was hooked. She left her job and began renovating cottages full-time. She has been deluged with enquiries from people asking her to find them a house here.

She and lecturer Jan van der Westhuizen recently bought a house in picturesque Lion Street. Originally two semis they decided to convert it back into two cottages.

They've retained the Victorian facade but have opened the back with glassed-in patios to give a breathtaking view of the mountain and city. Spiral staircases give access to the lower area.

Already there has been an offer of almost R200 000 for one cottage.



□ Above: A million dollar view for R60 000. Carla de Villiers and Jan van der Westhuizen with their turnabout conversion. Carla will be the first white person to move into Lion Street.

□ Left: Curator Mr Achmat Johnson outside the beautifully restored Bo-Kaap museum.

State must take over District Six, says ANC

By ESANN van RENSBURG
and CLIVE SAWYER

Staff Reporters

THE African National Congress and the United Democratic Front have warned that they will occupy parts of District Six if the government does not expropriate the privately owned land.

ANC Western Cape publicity secretary Mr Trevor Manuel made the announcement yesterday after ANC and UDF delegations met Cape Provincial Administrator Mr Kobus Meiring to discuss efforts to re-plan District Six.

Mr Manuel said the meeting was attended by private developers, the CPA, government officials, Cape Town City Council, the Zonnebloem Action Committee and the Western Cape Civic Association.

MINISTERIAL TALKS

In a statement released after the two-hour meeting Mr Meiring said the council was asked to provide the Administrator with a "comprehensive perspective" on the intended redevelopment.

The report would then be discussed by the Administrator, the Minister of Planning and Provincial Affairs, other ministers and President De Klerk.

Mr Meiring described the meeting as "cordial" and said all parties agreed that discussions with the ministers and Mr De Klerk should be requested as a matter of urgency.

But Mr Manuel said the CPA

told the meeting it did not have money to expropriate District Six. He accused the CPA of not having "the political will".

"We will now go back to the community. If the government refuses to implement the development of District Six, the people will have to explore all options available to them."

Mr Manuel said President De Klerk's intentions were not filtering through to his government departments.

"People are being denied basic family rights," said Mr Manuel, referring also to the fight for housing in Villiersdorp.

Mr Manuel said circumstances surrounding District Six and the Villiersdorp question showed Mr De Klerk's intentions bore little relation to reality.

Said Mr Thomas Jansen, a member of the ANC and the Villiersdorp Civic Association: "The municipality promised they would make plans to provide the community with houses, but nothing has come of it."

Occupation of District Six being considered — ANC

By PETER DENNEHY

THE ANC would consider occupying land in District Six following a "disappointing" meeting with the Administrator of the Cape, Mr Kobus Meiring, ANC publicity secretary Mr Trevor Manuel said yesterday.

He said the government had shown no intention of expropriating District Six land from private owners.

"If the government is going to refuse in its persuasive and honeyed way to implement development in District Six, then we are sure people will explore all options, including occupation of the land," Mr Manuel said.

Mr Meiring said in a statement after his meeting with the ANC delegation that all had agreed that "discussions with the responsible ministers and the State President should be requested as a matter of urgency".

The purpose of these discussions would be to get the redevelopment of District Six underway, he added.

Mr Manuel said the land in question had been sold in the past six years for a total of R3,6 million, but the government had not indicated that it was willing to buy it.

There was a "vast chasm between the nice words of the State President and the way these intentions are carried out", he said.

Planning for the redevelopment could proceed no further in the face of uncertainty over where the houses would be built, Mr Manuel said.

Even the ability of the Council/ANC/Civics grouping to talk to outside agencies such as the Independent Development Trust or big business about the future of District Six was hamstrung "because we don't have the power as yet to expropriate land".

Assault: Man dies in hospital

MR Alex Powell, 82, a former mayor of Swellendam and president of the South Western Districts Rugby Union, died in Tygerberg Hospital yesterday.

He was seriously injured during an assault in his home on Sunday.

Mr Powell retired two years ago after serving on the SA Rugby Board for 33 years.

The president of the SA Rugby Board, Dr Danie Craven, said Mr Powell's death was a great loss to rugby.

A man was arrested and appeared in a Swellendam magistrate's court yesterday.

Police are looking for a second man. — Sapa

'No new land laws'

South
28/2 -
6/3/91

SPRINGBOK. — No new laws about land ownership should be made after the scrapping of the Land Acts until all South Africans could elect a democratic government, residents associations of 10 Namaqualand communities said in a joint statement this week. ~~Standard~~

Communal ownership and farming had to be protected against private ownership and had to be encouraged, with communal trust lands protected by a special clause.

"We welcome the scrapping of apartheid laws such as the Land and Group Areas Acts, but if nothing more is done to justly redistribute land, then this is another form of economic apartheid. 82 ~~82~~

"Our land claims must be considered on the basis of usage, birthright, inheritance, title deed, justice and productivity," the communities said.

Shock for home buyers as 'open' areas still closed

to/Argus
2/2/91

81

By CLIVE SAWYER
Weekend Argus
Municipal Reporter

THE promised free settlement area between District Six and Mowbray is still closed, because the measure has not yet been promulgated — leading to shock and humiliation for black home buyers.

A long wait could be in store for those who want to buy in the area without being legally entitled to do so.

In spite of vociferous opposition to the measure from all sides of the political spectrum, President De Klerk signed the declaration last year. But the measure was not promulgated.

Media coverage

The news comes against the backdrop of Mr De Klerk's announcement at the opening of parliament that legislation will be tabled to repeal the Group Areas Act. It is not known, however, how long this will take.

The announcement of the free settlement area, shortly after hearings in October last year, was given dramatic media coverage.

But potential buyers still have to face the humiliation of getting the signed consent of neighbours before applying for exemption in terms of the Group Areas Act.

City councillor and property agent Mr Ian Iversen said this came to light when he tried to help a black woman buy a property in Mowbray.

"Our attorneys told us we needed a Group Areas Act exemption permit before we could go ahead with the transfer.

"I had to take my client through the humiliation of visiting the neighbours and asking them if they minded if she moved in next door."

Councillor Ms Annamia van den Heever said she had spoken to a Free Settlement Areas Board official in Pretoria, who told her the notice had not been promulgated because the board was waiting for a Surveyor-General's report on where the boundaries of the area were.

Many who wanted to buy in the area objected in principle to applying for Group Areas Act exemptions, even though permits were issued almost as a matter of course.

'Waste of money'

The whole affair was "a scandalous waste of taxpayers' money", because officials flew from Pretoria for hearings, involving paperwork, airfares and accommodation costs, she said.

"The Free Settlement Areas Act was ill-conceived from the start and this underlines the absurdity of the exercise," she said.

A Free Settlement Areas Board official in Pretoria said the chairman, Mr Hein Kruger, would not be available to answer any questions about the matter until next week.

She did not know if and when promulgation would take place.

Victim, victrix of Group Areas

By BLAISE HOPKINSON
Business Staff

IF teachers weren't paid such a pittance Cape Town business would be much the poorer. And millions of people would have had to find some other way of getting about.

It is not often you meet someone like Mrs Pat Gorvalla — ex-teacher, mother and self-made entrepreneur.

Sole director of nine companies which together have a substantial turnover each year, Mrs Gorvalla is both a victim and a victrix of apartheid.

Taxi fleet

Hounded from her family home by Group Areas, driven out of her beloved teaching by the penurious salaries and forced to operate her businesses in "non-white" areas she has grounds for bitterness.

Instead she is positive, progressive and highly successful.

"When I started out in business I said to my husband there were three things I wanted before I could die peacefully. That was to own my own business, to have a trip overseas and buy a Mercedes."



WEARCO'S

2/2/91

~~2/2/91~~

81

Pat Gorvalla ... three milestones.

Yet, at 61 and with those three milestones far behind her, Pat is quietly contemplating another business adventure.

"I can't say much just yet but I am looking at some-

thing very interesting."

Her empire — a term she hates — spans a taxi fleet with more than 100 vehicles, garages, a panel-beating enterprise, properties, hair-dressing parlours, a florist

and "this and that".

While teaching high school and battling to make ends meet Pat bought her first taxi. And so the fleet grew.

● See page 3

Minister reverses housing decision

CAK TAP 1/2/91 Staff Reporter 81

THE Minister of Welfare, Housing and Works, Mr Sam de Beer, has overturned a Bellville city council decision to refuse to allow a coloured headmaster permission to buy a house in the white suburb of Boston.

Mr James Barker, headmaster of Northway Primary School in Ravensmead, said yesterday that his family was grateful the issue was resolved.

"We were feeling a little despondent. It was all rather degrading for us," he said.

His new R150 000 home is only five minutes' drive from his school. Mr Barker has already completed the purchase of the three-bedroomed house and the family will move into the neighbourhood at the end of this month.

The father of two said he had never expected a "no" answer from the city council when he applied to buy his dream house in November last year. "In view of the new South Africa, people should be able to stay where they can afford to live," he said.

His wife, Annie, a nursing sister at Tygerberg Hospital, and their two children were "quite pleased" with the minister's decision, he said.

FM 25/1/91

A PHANTOM BOOM



(81)

An expected residential property boom in Cape Town's Woodstock, Salt River and Observatory has not materialised — despite their having been declared free settlement areas in December.

Estate agents say predictions of prices soaring by between 20% and 40% (*Currents* December 14) were premature and over-optimistic. No such escalations have occurred.

Braeme Kasmai, of Seeff Properties, says open areas have affected neither prices nor demand for property. There has been a limited influx of blacks into the area. However, those who had wanted to move there, had done so two years ago.

According to Aziza Siers of Cosmopolitan Real Estate, reclassification hasn't led to any drastic changes in the suburbs as they have been *de facto* open areas for the past two years as a result of

the permit system and, before that, through close corporation purchases.

Clive Bergsdedt, of Steer & Company, feels people are waiting for the opening of parliament. "Some houses aren't fetching their asking prices because fussy buyers, though they have the money, would rather wait for the Group Areas Act to change."

Shirley Greenwall, of Southern Homes, who has operated in the area for 15 years, says she detects no change as a result of the latest developments.

"Prices have remained static. Buyers prefer areas which have been cleaned up and are financially a cut above the rest." Few want property specifically in the Observatory and Woodstock areas. There has been a rush, however, for property in Maitland and Brooklyn, where stands are bigger and homes newer.

Proses 14 1-2, 1991

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Vol. 307

PRETORIA, 25 JANUARY 1991
JANUARIE 1991

No. 12984

RECTIFICATION

Notice is hereby given that the regulation number in the preamble of *Government Gazette* No. 12861 of 14 December 1990 was inadvertently omitted. The number should read as follows:

Regulation Gazette No. 4597.

PARLIAMENT OF THE REPUBLIC OF SOUTH AFRICA

HOUSE OF DELEGATES

VACANCY IN THE ELECTORAL DIVISION OF MONTFORD

Pursuant to section 189 of the Electoral Act, 1979, I hereby declare that on account of the death of Mr Rishinand Ramnath Mahabeer on 7 January 1991, a vacancy has occurred in the representation in the House of Delegates of the Electoral Division of Montford.

G. P. C. DE KOCK,
Secretary to Parliament.
Parliament, Cape Town.
7 January 1991.

PROCLAMATIONS

81

by the
State President

of the Republic of South Africa

No. 5, 1991

DECLARATION OF A GROUP AREA IN TERMS OF SECTION 23 OF THE GROUP AREAS ACT, 1966, AT MALMESBURY, DISTRICT OF MALMESBURY, PROVINCE OF THE CAPE OF GOOD HOPE

Under section 23 of the Group Areas Act, 1966 (Act No. 36 of 1966), I hereby declare that the area defined in the Schedule hereto shall, as from the date of publication of this Proclamation be an area for occupation and ownership by members of the Coloured group.

357 — A

REGSTELLING

Hiermee word bekendgemaak dat die regulasie-nommer in die aanhef van *Staatskoerant* No. 12861 van 14 Desember 1990 per abuis weggelaat is. Die nommer moet as volg lees:

Regulasiekoerant No. 4597.

PARLEMENT VAN DIE REPUBLIEK VAN SUID-AFRIKA

RAAD VAN AFGEVAARDIGDES

VAKATURE IN DIE KIESAFDELING MONTFORD

Ooreenkomstig artikel 189 van die Kieswet, 1979, verklaar ek hiermee dat daar weens die oorlye van mnr. Rishinand Ramnath Mahabeer op 7 Januarie 1991, 'n vakature ontstaan het in die verteenwoordiging in die Raad van Afgevaardigdes van die kiesafdeling Montford.

G. P. C. DE KOCK,
Sekretaris van die Parlement.
Parlement, Kaapstad.
7 Januarie 1991.

PROKLAMASIES

van die

Staatspresident

van die Republiek van Suid-Afrika

No. 5, 1991

VERKLARING VAN GROEPSGEBIEDE KRAGTENS ARTIKEL 23 VAN DIE WET OP GROEPSGEBIEDE, 1966, TE MALMESBURY, DISTRIK MALMESBURY, PROVINSIE DIE KAAP DIE GOEIE HOOP

Kragtens artikel 23 van die Wet op Groepsgebiede, 1966 (Wet No. 36 van 1966), verklaar ek hierby dat die gebied omskryf in die Bylae hiervan, vanaf die datum van publikasie van hierdie Proklamasie, 'n gebied is vir okkupasie en grondbesit deur lede van die Gekleurde groep.

12984 — 1

Given under my Hand and the Seal of the Republic of South Africa at Pretoria this Third day of December, One thousand Nine hundred and Ninety.

F. W. DE KLERK,

State President.

By Order of the State President-in-Cabinet:

H. J. KRIEL,

Minister of the Cabinet.

4

**SCHEDULE
COLOURED GROUP**

Beginning at the northernmost beacon of Erf 5105, Malmesbury; thence south-eastwards along the boundary of the said Erf 5105, so as to include it in this area, to the southernmost beacon of Erf 2415; thence south-eastwards in a straight line to Beacon C on Survey Record E.2743/73; thence westwards along the boundary of the said Erf 5105 to the northernmost beacon of the last-mentioned erf, the point of beginning.

No. 6, 1991

5

AMENDMENT OF PROCLAMATION No. 219 OF 1955 UNDER SECTION 33 OF THE GROUP AREAS ACT, 1966.—EAST LONDON, DISTRICT OF EAST LONDON, PROVINCE OF THE CAPE OF GOOD HOPE

Under section 33 of the Group Areas Act, 1966 (Act No. 36 of 1966), I hereby amend Proclamation No. 219 of 1955 by the exclusion of the areas defined in paragraphs (1) and (2) of the Schedule hereto from the area defined in the Schedule thereto.

Given under my Hand and the Seal of the Republic of South Africa at Pretoria this Twentieth day of November, One thousand Nine hundred and Ninety.

F. W. DE KLERK,

State President.

By Order of the State President-in-Cabinet:

H. J. KRIEL,

Minister of the Cabinet.

SCHEDULE

AREA DB.1

(1) The area depicted by the figure A B C D E F G H J K On Proclamation Diagram SG 7130-88, being an area for proclamation over Erven 30458, 30457 and 30417, East London, Administrative District of East London, Province of the Cape of Good Hope, in its entirety.

AREA DB.2

(2) The area depicted by the figure A B C D E F G H J K L M N P Q R S T on Proclamation Diagram SG 7132-88, being an area for proclamation over Erven 30412, 30411, 2395, 30409, 30408 and 29060, East London, Administrative District of East London, Province of the Cape of Good Hope, in its entirety.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Pretoria, op hede die Derde dag van Desember Eenduisend Negehonderd-en-negentig.

F. W. DE KLERK,

Staatspresident.

Op las van die Staatspresident-in-Kabinet:

H. J. KRIEL,

Minister van die Kabinet.

BYLAE

GEKLEURDE GROEP

Begin by die noordelikste baken van Erf 5105, Malmesbury; daarvandaan suidooswaarts met die grens van genoemde Erf 5105 langs, sodat dit by hierdie gebied ingesluit word, tot by die suidelikste baken van Erf 2415; daarvandaan suidooswaarts in 'n reguit lyn tot by Baken C op Meetstuk E.2743/73; daarvandaan weswaarts met die grens van genoemde Erf 5105 langs tot by die noordelikste baken van laasgenoemde erf, die beginpunt.

No. 6, 1991

WYSIGING VAN PROKLAMASIE No. 219 VAN 1955 KRAGTENS ARTIKEL 33 VAN DIE WET OP GROEPSGEBIEDE, 1966.—OOS-LONDEN, DISTRIK OOS-LONDEN, PROVINSIE DIE KAAP DIE GOEIE HOOP

Kragtens artikel 33 van die Wet op Groepsgebiede, 1966 (Wet No. 36 van 1966), wysig ek hierby Proklamasie No. 219 van 1955 deur die uitsluiting van die gebiede omskryf in paragrawe (1) en (2) van die Bylae hiervan uit die gebied omskryf in die Bylae daarvan.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Pretoria, op hede die Twintigste dag van November Eenduisend Negehonderd-en-negentig.

F. W. DE KLERK,

Staatspresident.

Op las van die Staatspresident-in-Kabinet:

H. J. KRIEL,

Minister van die Kabinet.

BYLAE

GEBIED DB.1

(1) Die gebied voorgestel deur die figuur A B C D E F G H J K op Proklamasiekaart LG 7130-88, synde 'n proklamasiegebied oor Erwe 30458, 30457 en 30417, Oos-Londen, administratiewe distrik Oos-Londen, provinsie die Kaap die Goeie Hoop, in sy geheel.

GEBIED DB.2

(2) Die gebied voorgestel deur die figuur A B C D E F G H J K L M N P Q R S T op Proklamasiekaart LG 7132-88, synde 'n proklamasiegebied oor Erwe 30412, 30411, 2395, 30409, 30408 en 29060, Oos-Londen, administratiewe distrik Oos-Londen, provinsie die Kaap die Goeie Hoop, in sy geheel.

'Scarcely a ripple' in property prices of new open areas

By VIVIEN HORLER
Staff Reporter

DESPITE predictions of soaring property prices, there has been scarcely a ripple in Woodstock, Salt River, Observatory and part of Mowbray since the area was declared "open" last month.

A cross-section of estate agents said the two main reasons were:

- Most of the people of colour who wanted to live in the area had already bought houses there through close corporations or permits; and

- Others were waiting until the entire city was opened.

And one agent added: "Quite frankly, people who've lived in Mitchell's Plain aren't really interested in the sort of accommodation available in Salt River and Observatory."

'Crummy terrace'

"They want free-standing houses, bathrooms in the right place, garages and bigger gardens. They don't want to move to some crummy terrace."

Early in December, when District Six to Settlers Way was declared a free settlement area, there were predictions of a 40 percent property price rise because housing in coloured areas was at a premium.

Mr Braeme Kasmai of the Seeff Property Organisation, who sells in Woodstock-Salt River, said: "Coloured people have been here all along. There has been no mass invasion."

Mr Kasmai said the real move to Woodstock was coming from young white professionals. "The area is still undercapitalised. A lot of people who

rent in Tamboerskloof are buying in Woodstock, because the houses are of a similar type, they are still close to town, and prices are much lower.

Victorian gem

"I know of a gem of a Victorian house that's for sale for under R200 000 that would fetch about R450 000 in Tamboerskloof."

Mrs Marlène Palmer, who sells for Seeff in Observatory-Mowbray, said schools were also a factor. "I showed some houses to man this week who said he wasn't sure whether open schools would be a success, and his children would continue going to a coloured school. So he would need a house close to the school."

"The other thing is that many coloured people have either lived in semis for too long and want free-standing houses, or they're used to free-standing houses and don't want semis. And 80 percent of Observatory houses are semis."

Mr Ron Durbach, a director of Rourke and Gilmour, said the rise in prices in the area had happened before it was opened.

Buying power limited

"Prices will continue to rise, but in line with prices elsewhere. People in Woodstock, Salt River, Observatory and Mowbray aren't going to make a killing."

"Another factor is that people's buying power is limited by their incomes. Sellers can ask what they like, but if buyers can't afford the prices, they won't buy."

Mr Mike Bisset, executive director of Pam Golding Proper-

ties, said: "Our agents say that in many cases coloureds are not exactly knocked out by the quality of accommodation in the area. The houses are old, with little flow or outdoor living area."

"Many of the buyers are used to and are looking for modern houses and some have expressed surprise that whites are prepared to put up with the sort of accommodation they've got."

Rising sun too bright Down Under

The Argus
Foreign Service

MELBOURNE. — Australians have an inferiority complex when they compare themselves to the Japanese.

They believe the Japanese are significantly more gentle, better educated, richer and more powerful, successful and ambitious than themselves, according to a university survey.

The only positive factors they could find in the comparison were that they were more outgoing and more happy-go-lucky.

The study said the results showed that Australia still had a "cultural cringe". It always found it necessary to attempt to prove it was the equal of the rest of the world.

17/1/91

Argus

Reprivee for Kalahari Bushmen on game farm

By JOHN VILJOEN
Staff Reporter

AN enterprising farmer who has re-established a Bushman settlement on his Cedarberg game farm said the project was a "rescue mission" not exploitation of the little people as a tourist lure.

At Kagga Kama, 250km from Cape Town, Paarl farmer Mr Pieter de Waal, his father Willie and their partner Mr Pieter Loubser, proudly presented a band of 28 Bushmen they have rescued from abject poverty in the Kalahari.

The 28 made a bizarre entrance in two mini-buses to face a barrage of media attention at their new game farm home where they will work as guides and make traditional crafts.

San hunter-gatherer people disappeared from the area about 200 years ago.

"It is possible that people will think we are exploiting the bushmen," said Mr De Waal, "but we spoke to people who had who had regular contact with them and they assured us that their living conditions were just deteriorating where they were.

"They could not carry out their normal lifestyle. I have no doubt that they will be able to lead a better life in Kagga Kama than they did up north.

Living museum

They would be much more than a mere living museum exhibit. "Kagga Kama will benefit when people visit, but it doesn't only revolve around that. It is about giving the bushman a better existence.

"It is a rescue action to help the Bushman become self-sufficient again," he said.

Anthropology professor Mr Henrie Steyn from Stellenbosch University said exploitation of the Bushmen was possible, but he had faith in the project's owners.

"I'm sure they will be better off here. The owners are fully aware of the dangers of exploitation. I have faith that it won't happen.

"They have undertaken to keep in close contact with the Bushmen and their needs. If they see them being exploited they will have to make changes.

"This environment is very different from where they were but it is beautiful and I'm sure they will think so too."

Mr Dawid Kruijper, leader of



WHITE HUNTER: Mr Pieter de Waal, co-owner of Kagga Kama, makes for an odd sight among the Bushmen he has brought to the game farm.



ANCIENT ART: Ricky Kruijper admires paintings of at least 200 years old depicting Bushmen in a trance at a post-hunt feast.

the group of 28, said they had returned to the land of their forefathers. He found it hard to say if Kagga Kama was a better environment than the Kalahari — but it was certainly different. "I feel very happy here already, and all my people are happy," he said.



Pictures: WILLIE DE KLERK, The Argus.

ture. "It is a treasure house, an untouched outdoor museum," he said. But the location's fragile wealth would have to be handled with sensitivity if it was to survive.

"Not everybody comes here with preservation in mind. Visitors with a special interest in the spot will be sensitive, but those who are not must be prevented from damaging it, he said."

Mr De Waal first became aware of the community's plight a few years ago when they were shown on television living in pitiful conditions and surviving on handouts.

After further television attention he decided to intervene and the "rescue operation was launched.

"We went to the Kalahari five months ago and as a result of this expedition and as a result of a meeting we had with Dawid as leader of the group we have them here today," Mr De Waal said.

STALKING: Perched on a rock, hunters Hendrik Kruijper and Ricky Kruijper scan new horizons for game. Kagga Kama owner Mr Pieter de Waal has granted the Bushmen limited hunting rights.



SMOKE BREAK: A Bushman woman finds time to light up her first smoke in her new surroundings. Women among the group resettled from the Kalahari will be occupied making traditional crafts for visitors to Kagga Kama.

Bushmen resettled after years of poverty

Staff Reporter

A GROUP of Bushmen who wandered in the desert for years, were given a new lease of life yesterday when they were moved on to a game reserve near Ceres.

A local farmer, who was moved by their plight after seeing a television programme, came to their assistance.

The leader of the 28-strong group, Mr Dawid Kuiper, 56, said that he and his family had lived in abject poverty at Vanzylsrus, near the Botswana border.

After working for a tour operator at the Kalahari Gemsbok Park for three years, he was paid only R800. The

family survived on tips from tourists.

After the family had featured in a film, Mr Kuiper had been given a R3 000 cheque, which was later dishonoured. He has only R1 in his savings account.

Mr Peter De Waal, part-owner of the Kagga Kamma game reserve near Ceres, said that the men would be trained as guides on the reserve and the women would make traditional handicrafts and beads.

"We are on the brink of World War III, with nations poised to destroy nations. Yet paradoxically we are trying to re-establish a nation," said co-owner Mr Piet Loubser.

Blue Downs rail plan endorsed

CMT Draft 15/1/91 (81) 269.

By PETER DENNEHY

A REPORT which recommends that a R119-million railway line should be built through Blue Downs to connect Khayelitsha with Bellville was endorsed by a City Council sub-committee yesterday.

The utilities and works committee endorsed a report — by Mr Bernal Floor of the Transport Research Centre at the University of Stellenbosch — which said the 10km line should be built over three years from 1992.

The next step in the implementation of the report should be its acceptance by the full Cape Town City Council at the end of the month. After this, it will be submitted to the government.

Mr Floor was commissioned by the City Council in mid-1988 to do the study, which weighed up the merits and demerits of a conven-

tional rail link, a light rail link, a bus service, and a roadway reserved for minibus taxis.

Each scenario involved different amounts of capital investment and operating costs. Planners realised that the option chosen would influence the numbers and classes of people who would settle in the Blue Downs area in future.

The study found that the rail link would be the best option, despite the fact that it would not pay for itself. A complex formula was used to evaluate the social advantages of the scheme.

Homeowners in Khayelitsha would benefit if a rail link was built, as it was anticipated that their land values would increase as a result of the greater accessibility of Khayelitsha from the northern suburbs.

It was anticipated that about a third of the population of Blue Downs would be regular users of

the railway line as well.

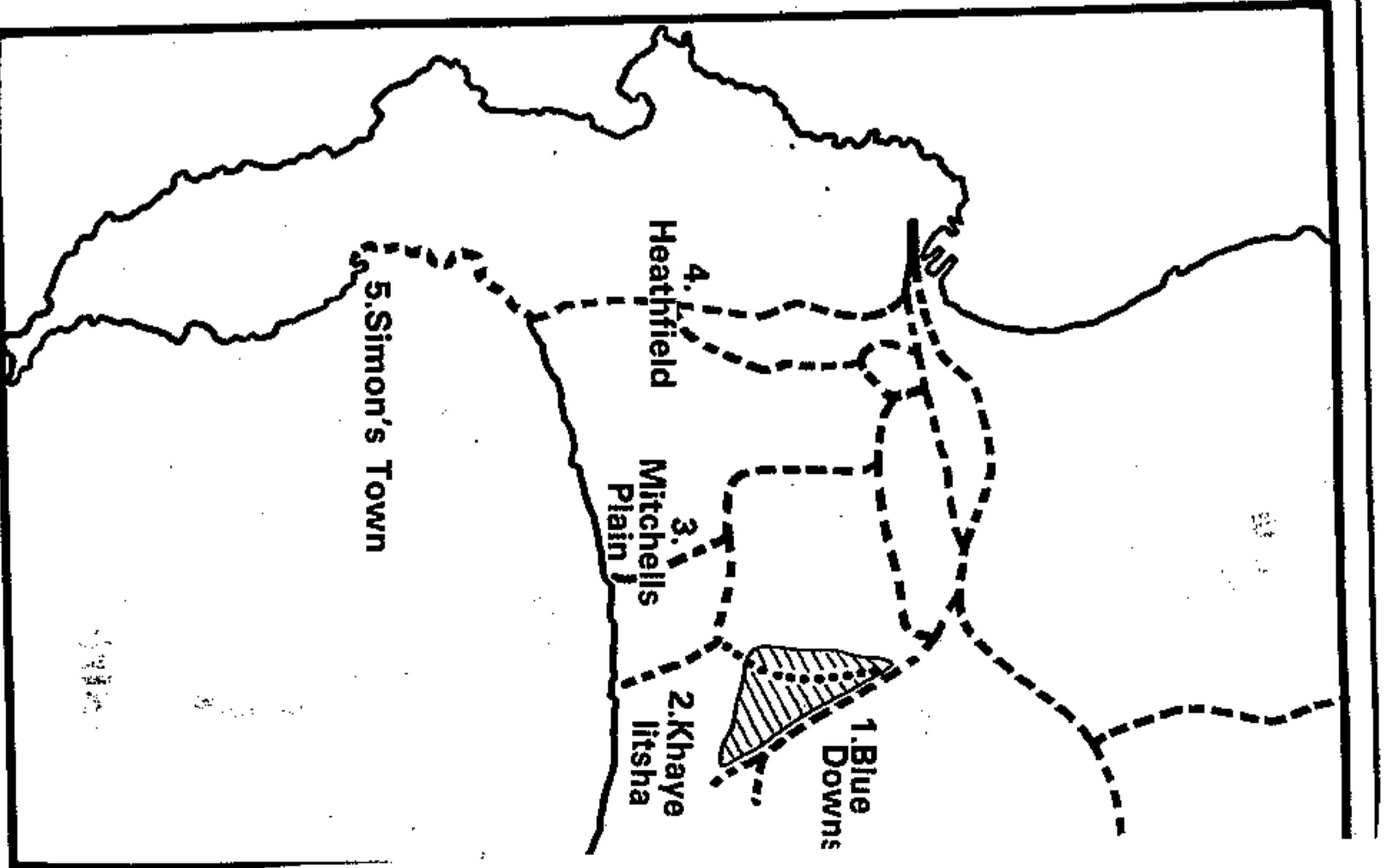
Mr Ivan Speed, Director of Metropolitan Transport Planning, said he was aware that the government was strapped for cash, but it was fairly likely that funds for the line would be made available "given the seriousness of the need to provide transport for the new urban migrants".

The new line would leave parts of the railway network closer to the city much less clogged, Mr Speed said.

At present, many rail commuters from Khayelitsha had to come in towards town before changing trains and going back out to the northern suburbs again.

"The social and economic benefits of a conventional rail link more than compensate for the capital and operating costs," Mr Speed said.

No property would have to be expropriated for the new line.



NEW LINE . . . The proposed 10km rail link is shown by the dotted line between Khayelitsha and the Bellville-Strand line. The existing railway network is shown by broken lines.

White 'influx' in Hout Bay coloured area

By PETER DENNEHY
Municipal Reporter

WHITE buyers are snapping up properties with views in relatively cheap, densely populated Hout Bay Heights — officially a coloured area.

Estate agent Mr Rob Willmot, who has sold several properties to white buyers, said there was an "influx" of whites to the area.

Among the buyers were a bank manager, an insurance broker, the director of a printing company, a university lecturer and someone from overseas.

Immediate neighbours had to consent to permits being granted. Mr Willmot said he had had no objections.

"Many are hurt that I even ask such questions," he said.

Yet about 18 months ago someone had said to him that it seemed unfair that whites should go to Hout Bay Heights when they had so many other properties from which they could choose.

'Very cheap'

Mr Willmot said about 60% of the entire population of Hout Bay was in the harbour area, which included Hout Bay Heights.

Among the attractions for white buyers were the relative cheapness of property in Hout Bay Heights and the fine views, he said.

"A three-bedroomed home on a plot of almost 700m² plot went for

R135 000 recently. That is very cheap for Hout Bay."

In "white" Hout Bay R135 000 would probably buy no more than a plot of that size.

Hout Bay Heights had "phenomenal" sea views, he said. Plot prices there averaged about R66 000 for 700m², and they would probably rise as the proposed development of the harbour into a yacht marina got under way, he said.

Permits took about five or six weeks to be approved by the Department of Constitutional Development and Planning.

It was ironic that one coloured man who had sold his house to a white buyer with a permit needed a permit himself as he was moving to Diep River.

Open areas — prices stable

By PETER DENNEHY

THE property boom predicted for Woodstock, Salt River and Observatory when they were declared Free Settlement Areas a month ago has failed to materialise, according to estate agents.

Mr Selwyn Epstein, of Maranzi Homes, who predicted an almost immediate 20% rise in prices, said yesterday: "I might have been slightly over-optimistic."

The market had resisted big jumps in prices, he said.

Other reasons why the price boom failed to materialise were the fact that prices seldom climbed significantly over the festive season, and the imminent removal of the entire Group Areas Act.

Another estate agent operating in Woodstock, Mr Braeme Kasmai, said the market had actually declined slightly in the Free Settlement Area, and several houses were not fetching the asking prices.

For example, he had two houses on sale in Chamberlain Street in Woodstock for R85 000 each, which he predicted would fetch slightly less than R80 000 each.

Housing market trends in the open area were no different from the trends elsewhere, Mr Kasmai said. Property prices in general were either holding firm or declining.

Mr Chris Ormrod of Cosmopolitan Real Estates pointed out that

even before the areas where reclassified, it was possible to beat the Group Areas Act through permit or closed corporation. Declaring Free Settlement Areas was therefore unlikely to produce a boom.

Mrs Shirley Greenwall of Southern Homes, the largest estate agent in Observatory, said she did not think that the suburb's new status had made "any difference whatsoever".

"I can't see that our prices have risen at all," she said. "If anything, they have stabilised."

Observatory had been a mixed area for years. What it needed to push prices up was a good clean-up and more trees in the streets, she said.

CAT 71418 8/1/91

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Land swap offered for District Six

CAPE TOWN — The Cape Provincial Administration (CPA) has reportedly offered to exchange land with the owners of property in District Six in a bid to consolidate the area for redevelopment.

Former Ilco Homes Cape director Fonny Meyeridicks said yesterday the CPA had begun to offer land in exchange for District Six land. This was confirmed by Faircape Homes MD Mike Vietri, who added that the process had since been delayed by complications.

He said the CPA had approached Faircape with an offer after private owners had written collectively to President F W de Klerk seeking clarity on the future of District Six.

However, Faircape learnt from the CPA this week that the 4 290m² of land it owns in District Six does not form part of the CPA's redevelopment plans and Vietri said he would be going back to De Klerk.

"We are facing difficult times and are paying R6 000 a month in interest for this land. We just want to have the whole matter settled so we can get on with our lives."

But CPA deputy director general Carel du Preez said that while discussions with private landowners had

B1 Day 16/5/77
LINDA ENSOR

been held, no offers had been made. He said investigations were under way and if exchanges did take place, this would not necessarily involve CPA land but could involve other government departments.

Consolidating the land into a pool is one of the main recommendations made in a report on the redevelopment of District Six submitted last week to Cape Administrator Kobus Meiring.

The report will be referred to Regional Development Minister Amie Venter for a final decision by the Cabinet.

Parcels

The report was compiled by a steering committee under the chairmanship of city councillor Clive Keegan and which represented a wide range of community organisations, property owners, the city council, the CPA and the House of Representatives.

The report says it is imperative that the parcels of land privately owned by such companies as Mountain Bay Development, Solomon Brothers and Faircape Homes

should be returned to a general land pool for redevelopment".

Also, more land surrounding the Technikon should be expropriated.

Creating a pool of land is critical, the report says, if the full potential of the area is to be mobilised. "Land consolidation will enable a much more cohesive form of development and will overcome problems of fragmentation."

If all undeveloped land is grouped into a land pool for redevelopment, the total area of District Six will be approximately 92,15ha of which about 62,8ha is vacant.

The area suitable for development (excluding planned recreational facilities) is about 50ha. At an average gross density of 100 dwelling units a hectare, about 5 000 new units housing between 20 000 and 25 000 people could be provided.

The report says that if only Technikon land and vacant land owned by the city council is redeveloped, then 19,15ha, or 1 950 potential units, would be lost. At best only about 7 500 people could be rehoused.

The committee believes that the most appropriate use for District Six would be as a residential zone for those of moderate income.

District 6: Mayor in plea to govt

THE city "cries out from the heart" for a solution to the District Six development impasse, Mayor Mr Gordon Oliver said yesterday.

Addressing a conference of the National Association of Homebuilders in the Cape Sun yesterday, he appealed to the various government ministers who were present "to heed our plea".

He said afterwards that the only way to provide affordable housing in District Six was for the government to buy up the privately-owned land there and hand it over to the council.

If the government were to make the land available for low cost housing, it would be "an enormous and powerful gesture in the present political climate".

Crossroads homes occupied illegally

(S1) ARGUS 20/5/01

By EDWARD MOLOINYANE
Staff Reporter

ABOUT 50 families have moved into badly damaged Crossroads houses abandoned during violence last year.

Town clerk Mr Ricky Schelchase said the Phase Two houses were being occupied without permission from the Crossroads Town Council.

The houses have been a source of conflict between supporters of Crossroads mayor Mr Johnson Ngxobongwana and those of his former right-hand man, Mr Jeffrey Nongwe. The dispute, which led to large-scale violence in Crossroads last year, was over who should be allocated the four-roomed houses.

Mr Nongwe's supporters, who called for the Crossroads council's resignation, alleged Mr Ngxobongwana gave the houses to his followers.

Mr Nongwe is the African National Congress branch chairman in Crossroads.

Violence over the allocations led to Mr Ngxobongwana's supporters fleeing to the bush at Faure, where most live in squalor.

The houses were targeted for attack and most were badly damaged with windows smashed, doors ripped off and, in some cases, roofs removed. Troops were sent in and they are guarding the properties.

Last month people began moving into the windowless houses but they are "unlawful occupants", says Mr Schelchase.

"A total of 109 houses have not been allocated to anyone as a result of damage and instability in the community."

Fifty were occupied "without any authority or permission from the council."

Mr Schelchase said "70 per cent" of the occupants were from the "Boy's Town" squatter camp and the rest from Crossroads.

But the new occupants, mostly supporters of Mr Ngxobongwana, said they were entitled to the houses because they had been "up to date" with their monthly R7 rentals.

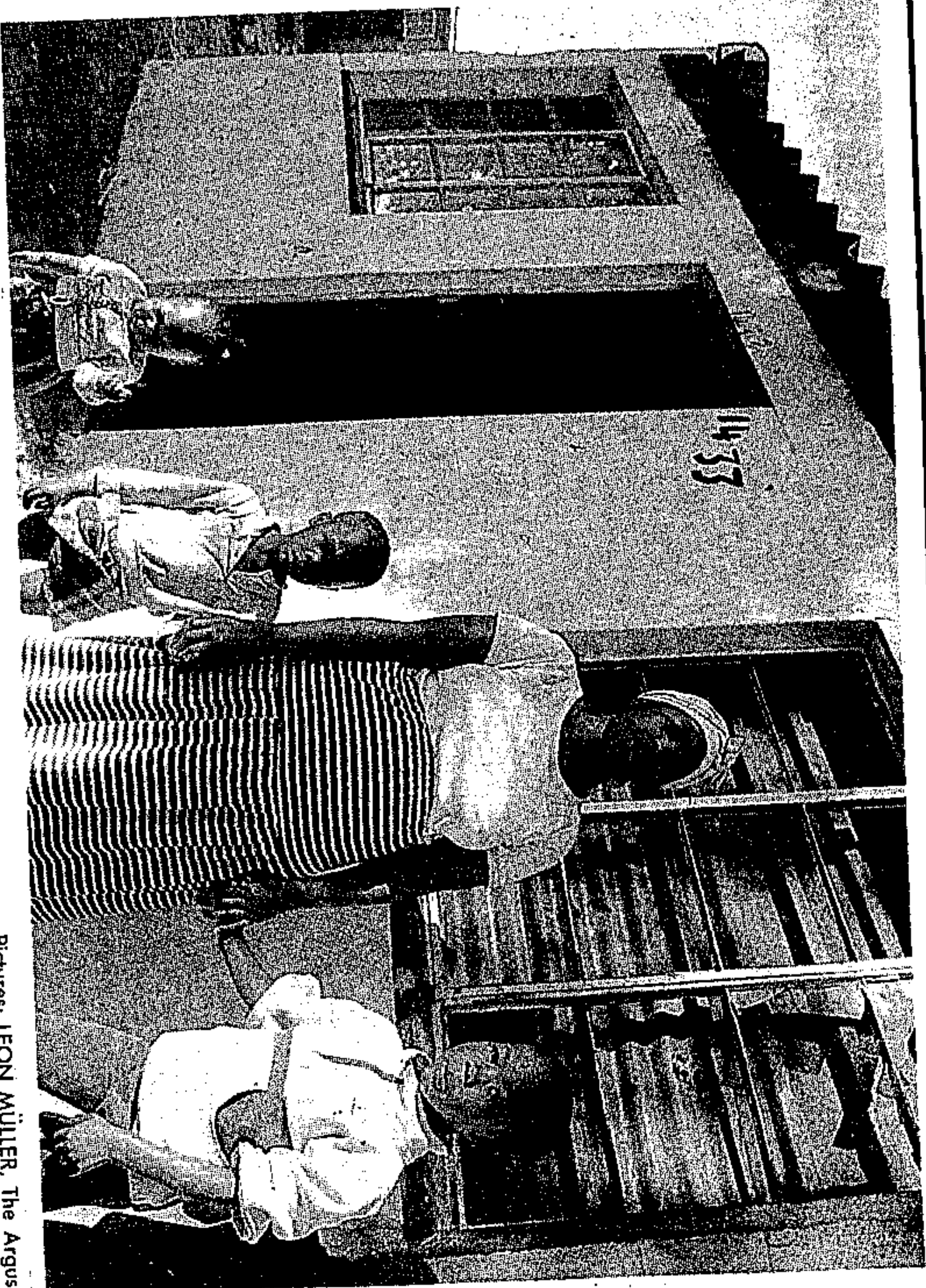
Some are using corrugated iron for doors and cardboard for windows.

Mrs Nokwanda Ruka, a Ngxobongwana supporter, said she fled after her shack and those of neighbours were burnt down last year.

Unlike others, she stayed with relatives in other townships and returned in March.

"I have been waiting since before I left and have been up to date with my rent. We were told before violence forced us to leave we would be allocated these houses.

"We decided to return, when it seemed everything was quiet because of the presence of the soldiers, with the intention of occupying any empty house. I am entitled to it," she said.



SMASHED WINDOWS: Mrs Nokwanda Ruka with her children Nozuko, Malikhaya and Roro outside her windowless house in Phase Two.

Pictures: LEON MÜLLER, The Argus.

District Six land could be returned

12/5/91
ARG 21/5/91

By MICHAEL MORRIS
Political Correspondent

STATE-OWNED property in District Six could be used to "put the clock back a little bit" in land reparations for people forced out of the area by the Group Areas Act.

This emerged yesterday at a Press conference by the Minister of Planning, Provincial Affairs and National Housing, Mr Hernus Kriel, and the Minister of Public Works, Land Affairs and Development Aid, Mr Jacob de Villiers, to announce a compromise Bill on land reform.

One of the issues the government has reluctantly accepted is the need for a process to assess claims for restitution of property lost by Group Areas removals.

With this in mind, the Cabinet has agreed to amend the Abolition of Racially Based Land Measures Bill to include an advisory Land Commission.

Mr Kriel summed up the difficulties in meeting claims for land reparations by saying South Africa could neither afford a complete restoration of land to its original owners, nor determine a cut-off date against which to assess claims without being entirely arbitrary.

However, while the government believed restitution was not practical or financially viable, it was not insensitive to people who had been disadvantaged.

State property and other land bought by the government could be used to meet claims and anybody who felt aggrieved could present their claim to the proposed Land Commission.

Mr Kriel said the government was constantly buying land for urbanisation and where there was land belonging to the State, as in District Six, "we will look to see if we can put the clock back a little bit".

● The chairman of the National Party study group on provincial affairs and planning, Mr Paul Farrell, yesterday welcomed the new Bill conceived "in the spirit of negotiation politics".

He said the accommodating attitude of the government was praiseworthy, and was bound to temper emotions in the land debate.

Mr Farrell said the NP was satisfied that the new approach to norms and standards would be effective, without being discriminatory.

However, the Conservative Party spokesman on planning, Cape leader Mr Jan Hoon, expressed deep disappointment at the new Bill.

He said the original Residential Environment Bill was intended to protect standards in white residential areas, but the government had given in to pressure from other parties and had dropped it.

District Six to be 'returned'?

81 CT 21/5/91

Political Correspondent

THE government strongly hinted yesterday that it might be prepared to provide financial help in returning District Six back to its original inhabitants.

The Minister of Planning, Provincial and Land Affairs, Mr Her-nus Kriel, ruled out a broad programme of restitution for individuals affected by forced removals on the grounds that this would not be practical or financially viable.

However, he added that in cases where the land still belonged to the state — such as District Six — “we can look if we cannot put the clock back a little bit”.

Political Staff

THE government has given the green light for the appointment of an advisory commission on land allocation to address claims of people dispossessed in terms of the Group Areas Act of 1950.

Plans for the commission were tabled yesterday in the Abolition of Racially Based Land Measures Bill which replaces two of the package of five land bills tabled earlier this year.

The government yesterday withdrew the two bills — one repealed the Group Areas Act and the Residential Environment Bill, made provision for the maintenance of norms and standards — and replaced them with a single bill embracing both principles.

The aim of the tactic is to circumvent Labour Party objections to the Residential Environment Bill.

By including a chapter in the bill providing for the maintenance of standards, the government has effectively forced the LP to support the

Govt group to

hear claims of dispossessed

81 CT 21/5/91

measures, or be seen to be voting against a bill which repeals the Group Areas and Land Acts.

At present, the Labour Party representatives on the standing committee are bound by a caucus decision to oppose any measure aimed at protecting residential areas, listing standards in existing grounds that they are aimed at the protection of whites.

Addressing the media yesterday, Planning and Provincial Affairs Minister Mr Hernus Kriel spelt out the proposed Land Commission, saying it would advise the State President on:

● Identification of land belonging to the state which had not yet

been allocated for a specific purpose.

● Identification of rural land, with a view to its acquisition and use for agricultural purposes.

● The development of this land within the financial means of the state.

● The orderly allocation of land with due regard to the claims of people disadvantaged by the application of the Group Areas and Land Acts.

The bill will be put before the standing committee tomorrow and is expected to be placed on the Order Paper for debate within the next 10 days.

Mr Kriel announced at a press conference yesterday that the cabinet had decided to set up an Advisory Commission on Land Allocation to advise the government on, among other things, cases where land had been lost as a result of the application of the Group Areas and Land Acts.

'No blank cheque'

The commission, to be appointed by the State President, would consider the cases of all those who felt aggrieved, but the government would not agree to blanket restitution, he said.

Mr Kriel emphasised that the government could not afford to turn back the clock to a particular cut-off date. “It is impossible to set a cut-off date of, say, 1948,

five years ago or when Van Riebeeck arrived.”

It was also not possible for the government to give the commission a “blank cheque” for the purchase of land or back a “complete restitution” position.

However, the government was “not insensitive” to the cause of people or communities who were possibly disadvantaged in the past, he said.

In reply to a question, Mr Kriel cited District Six as an example of where the state might be prepared to used land it already owned to resort to restitution measures.

In addition, the state was constantly in the process of buying up land which could be used to settle communities who were moved in the past.

ARGUS 23/5/91

War of words erupts over township houses

By EDWARD MOLOINYANE
Staff Reporter (81)

A WAR of words over the occupation of the controversial Phase Two houses in Crossroads has erupted between town clerk Mr Ricky Schelhase and ANC branch chairman Mr Jeffrey Nongwe.

In an open letter to Mr Schelhase, Mr Nongwe said the allocation of houses to families supporting "your puppet mayor" Mr Johnson Ngxobongwana could lead to renewed violence.

The badly damaged Phase Two houses were abandoned after fighting between followers of Mr Nongwe and Mr Ngxobongwana over their allocation last year.

However, about 50 families recently moved into them and Mr Nongwe alleges the move has the blessing of Mr Schelhase, who he accuses of stirring violence in Crossroads.

"The people of Crossroads have suffered untold misery and violence over the past 10 years and you are the only common denominator still in place," Mr Nongwe wrote. "The

violence since last year has centered on the hundreds of houses built by the Cape Provincial Administration."

He said people who were moved to the Boy's Town camp to make way for the new houses were led to believe by they would return to those houses.

"We have now been meeting for some weeks and I informed you that Boy's Town residents still wanted their promised houses and you indicated 109 would be available for them.

"But your puppet mayor, with your blessing I assume, saw fit to allocate those houses to people other than residents of Boy's Town," the letter said.

Mr Schelhase said he had had various meetings with Mr Nongwe since February to discuss the issue but no "acceptable compromise could be reached".

He accused Mr Nongwe's supporters of most of the violence, including attacking and vandalising the houses.

"During 1987 and 1988 Mr Nongwe was one of the primary

advocates for the institution of this very local authority he now denigrates.

"I agree that the past 10 years have been characterised by violence and misery. As the "common denominator" still in place, I could nevertheless achieve great strides in the development of this community, albeit under very difficult circumstances," Mr Schelhase said.

He said the only precondition for a resident to be allocated a new house was that he should have no outstanding debts to the council in the form of service charges.

"The first 20 completed houses stood vacant for more than three weeks because Boy's Town residents claimed they were warned by Mr Nongwe not to pay rent or service charges to the council," he said.

Mr Schelhase said 742 houses had been allocated, "74 percent" of them to residents of Boy's Town.

"The council as an administrative institution is not responsible for any violence. The community is divided into two opposing factions.

"Because of the irreconcilable attitudes and incompatibility of vision among all the leading elements in Crossroads, my administration has become trapped in a dilemma. No matter what my office should decide on this matter or whatever action it takes, the result would prove negative either way and has the potential to cause untold violence and further misery."

Govt may help in resettling of District Six

Political Staff

(81)

CAPE TOWN — Government hinted yesterday that it might be prepared to provide financial assistance in returning District Six to its original residents.

Planning, Provincial and Land Affairs Minister Her-nus Kriel ruled out a broad programme of restitution for individuals affected by forced removals on the grounds that this was not practical or financially viable. *B/Dam 21/5/91*

However, he said in cases where the land still belonged to the state — such as District Six — “we can look if we cannot put the clock back a little bit”.

Kriel announced at a news conference yesterday that the Cabinet had decided to set up an Advisory Commission on Land Allocation to advise the government on, among other things, cases where land had been lost as a result of the application of the Group Areas and Land Acts.

The Commission, to be appointed by the State President, would consider the cases of all those who felt aggrieved, but government would not agree to blanket restitution, he said.

Kriel emphasised that that government could not afford to turn back the clock to a particular cut-off date. “It is impossible to set a cut-off date of, say, 1948; five years ago or when Van Riebeeck arrived.”

Kriel said the Advisory Commission would not have the power to expropriate land but this did not mean that government “cannot buy land on the open market or acquire land in another way”.

He said 112 000 hectares of land had been bought by the state for urban settlement since 1986.

Fingo Villagers miss out on buying back original homes

w/mant 7/6-13/6/91

By BEVERLEY GARSON: Grahamstown
HOUSEHOLDERS whose homes in Fingo Village were expropriated under the Group Areas Act 20 years ago have lost their chance to get their houses back on preferential terms.

Some 246 titles were expropriated, and now most of these houses are being offered under open tender.

The Rini Town Council had advertised for the original owners to claim their houses back. They were offered the houses at the same amount they were paid in compensation.

However, only a small number took up the offer, Rini town clerk Chris Muller said this week. He could not give an exact figure.

"Since March last year we have advertised in all newspapers and put up notices informing people that they could make claims on any of the houses that have been expropriated.

"Councillors were also told to inform residents in their wards that these houses should be claimed by their original owners," Muller said.

He said people were given 60 days within which to lay claims to their houses in Fingo Village but most original owners did not.

Fingo Village was one of the few areas in the country where black people

could own land.

However, in 1970 this land was expropriated because the landowners were to be moved to Committee's Drift. In 1982 the government called off the forced removal after a long struggle by the community.

In May last year the chairman of the Fingo Village Ratepayers' Association, BB Zondani, said the Rini town council had resolved that the original property owners should be given 60 days to buy back their properties.

Zondani could not be reached for comment, but in earlier reports he is quoted as saying that people living in the Fingo Village properties would get first preference to buy them.

He said: "Original property-owners are free to buy their homes back again — even those outside Grahamstown — and must contact the Rini administrative office if they are interested in buying the properties."

Muller said the original property-owners claiming their properties back only had to pay the amount they were compensated when the houses were expropriated.

He said no loans or subsidies were made available by the council to enable the original property-owners to buy their properties back. — ANA

81

'Over 71 000 people lived in District Six'

Political Staff (81) CT12/6/91

MORE THAN 71 000 people were living in District Six before the area was declared white and razed, the Minister of Housing in the House of Assembly, Mr Sam de Beer, disclosed yesterday.

In 1960, the total population of District Six was 71 426, he said in reply to a question, which was tabled by Mr David Dalling (DP, Sandton).

Following the rezoning of the area in 1966, 2 375 properties were expropriated at an average cost of R9 560 a property.

Property owners were given assistance to move out of the area "with the exception of white property owners who constituted 66,4% of the total, and of which the majority did not live in District Six".

District Six ⁽⁸¹⁾ 'could house 20 000 people'

Accus 21/6/91

Staff Reporter

DISTRICT Six could be redeveloped as a nonracial inner-city for more than 20 000 people, says Urban Foundation executive director Miss Ann Bernstein.

She was addressing a South African Property Owners' Association national conference yesterday on steps that can be taken after the repeal of the Group Areas and Land Acts.

The repeal of the Group Areas Act had provided a great opportunity for redeveloping inner cities — destroyed by apartheid.

South Africa had to stop using cities to perpetuate segregation but should develop them in the post-apartheid period to attract investment and international aid, she said.

The key challenge facing the country regarding the quality and standards of life was that seven million people lived in formal housing, she said.

"The cities must show that their approach will not result in only small

numbers of people getting R30 000-R40 000, leaving the majority of the homeless condemned to insecure, distant shack areas with no prospect of state assistance.

"This kind of development will have to be managed carefully and must involve communities, private sector interests and local and central government representatives," she said.

A "land claims court" should be formed to deal with historic and discriminatory dispossession of communities and individuals.

This would enable the country to move forward but the court should be set up "in a way that does not create new injustices.

"It must have clear terms of reference, be linked to development policy for the future and be affordable. This will strengthen ordinary people's faith in South Africa's legal system," Miss Bernstein said.

The Urban Foundation proposed the establishment of interim working groups on urban and rural policy to enact the plan.

(81)
ARGUS 28/6/91

POLITICS

I weep for District 6

I HAVE been following with great interest the saga of District Six since the tragedy of its demolition to the present day.

I have been particularly excited about the possibility of re-creating a vibrant inner city raised by the private sector initiative led by BP. I was delighted when the Administrator established a joint working committee on District Six with various interested groups including the ANC. At last, it seemed, something positive was about to happen.

What increasingly concerns me is that I see bumbling on the part of the city council, the government, and the ANC. And while they bumble, cynical opportunists, such as the Technikon, and other private developers go ahead creating facts on the ground. The Flags restaurant has been built lately. Ground clearing is taking place in Tennant Road below the old Hanover Street and, of course, squatters are already moving in.

The one positive sign is the housing being built across the freeway (which is still District Six).

When is the Technikon going to realise that an enclosed campus in District Six is completely against the wishes of the people and every square metre not given to housing is another blow to reconciliation?

When is the ANC going to realise (with all other community, political groupings) that only a bold alliance with the private sector (big business) can stop the Technikon and profit-oriented developers?

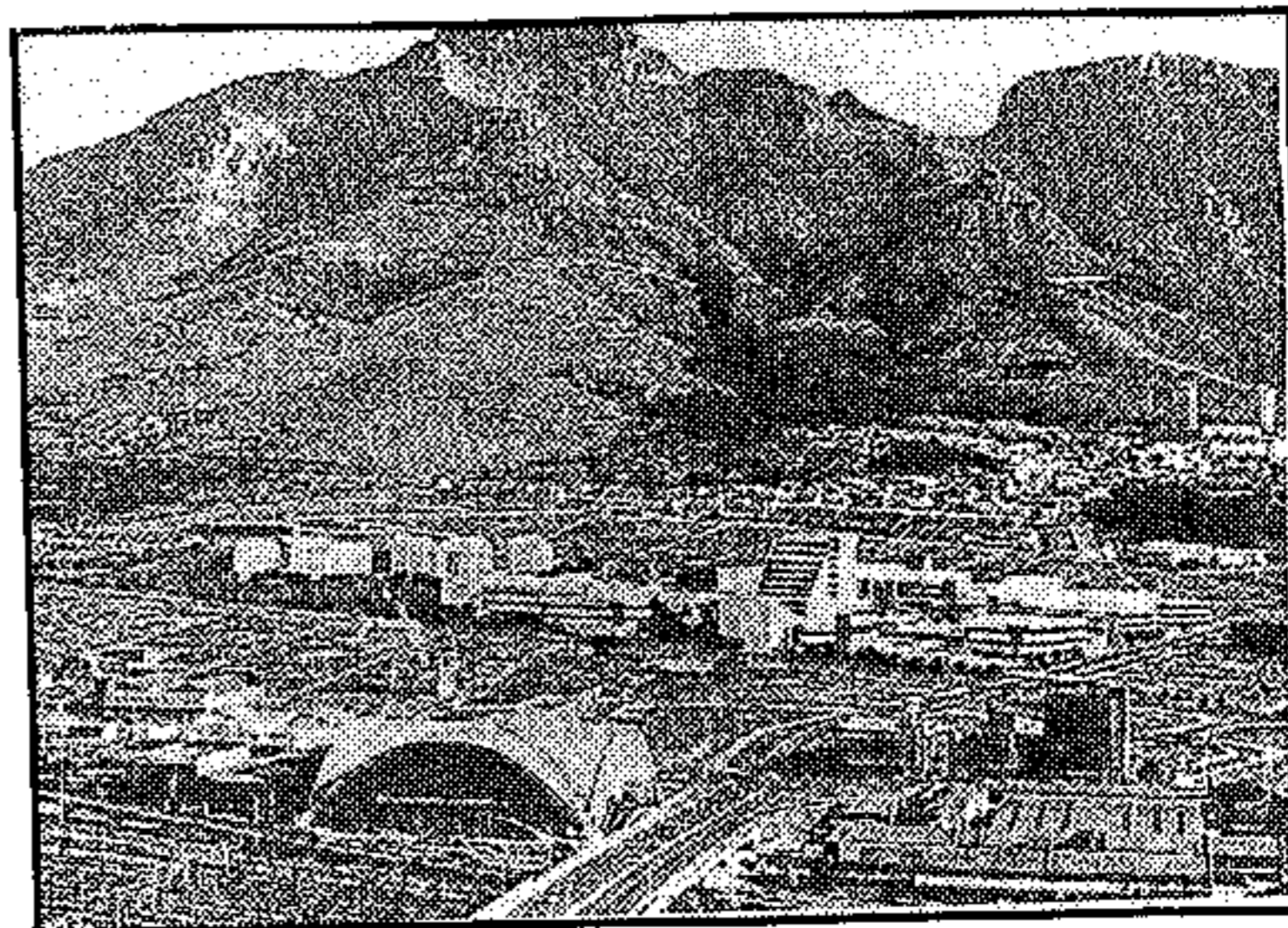
When is the government going to admit its mistake openly and by swift action stop both the Technikon and private profit-oriented developers dead in their tracks?

Group Areas have gone. Unless government, the council and the province move now, District Six will be covered over either with shacks or dinky townhouses and offices and a great opportunity to redress a major wrong will be lost.

Is delay the cynical hidden agenda on all sides? Is delay part of the armoury of both government and the ANC? Is the ANC scared of taking on private sector help for fears of the jeers of the SACP? Is government still really scared of the so-called coloured people back in the heart of Cape Town? Is the Technikon led by blind, narrow-minded, petty men, hiding behind education to cover their selfish motives?

I suggest the answer to all these questions is affirmative. I grieve for District Six and I weep for the petty greed that motivates most men.

I grieve most for a wonderful idea that is be-



Cape Technikon: spreading across District Six

ing sunk in the mire of bureaucratic inertia.

Government should immediately declare a moratorium on all development within the boundaries of historical District Six — and fight developers in open court for any claim for compensation. Then we'll see who bought District Six land and at what price, from whom, and when.

Government should also tell the Technikon that its claims of academic autonomy are rubbish — the taxpayers pay the Technikon. It is not independent.

The Council should immediately rearrange its overweight bureaucracy and allocate what funds it does have to housing. Let the grass grow in Bishopscourt and Constantia in the meanwhile.

Let the private sector immediately get together and pledge R50-million over five years to kick start the process of building houses in District Six.

Let the banks promise mortgage finance of R400-million for houses in District Six. (They won't lose a penny). Better this than "access bonds" for the already rich.

And let the ANC, et al, stop hiding behind their out-of-date socialist rhetoric and get into bed with the private sector as their erstwhile friends in Eastern Europe are already doing, form a community development trust and get on with it.

Let's have the first social development contract and let's bring 23 000 people back to the centre of Cape Town to make it live again.

Do something now, please, before it's too late.
"MOTHER CITY"

Cape Town

Planne vir 'nuwe' Distrik 6 word bekend gemaak

ALLES dui daarop dat Distrik Ses in Kaapstad as 'n woonbuurt gaan herleef.

Die laaste enkele grootste struikelblok rondom die Distrik se herontwikkeling en herbevolking is uit die weg geruim nadat die Kabinet op 21 Augustus ingestem het om staatsgrond elders in die stad vir die grond van die grootste grondbesitters in Distrik Ses te ver-ruil of alternatiewelik die grond uit te koop.

Die aankondiging is op 23 Augustus deur die Administrateur van Kaapland, mnr Kobus Meiring, op 'n perskonferensie in Kaapstad gedoen.

Mnr Meiring het na Distrik Ses as "die hart van Kaapstad"

verwys en gesê dat dit sedert die sesigerjare, toe tussen 30 000 en 50 000 mense die gebied moes ortruim, 'n "leë hart" geword het. Die hart sal nou weer lewe kry wanneer mense na Distrik Ses terugkeer om daar te woon.

'n Werkskomitee vir Distrik Ses is meer as 'n jaar gelede in die lewe geroep. Die komitee het toe voorgestel dat:

- die Kaapse Technikon, wat die grootste grondbesitter in Distrik Ses is, van sy grond vir grond nader aan die Kaapstadse middestad moet verruil. Dit sou beteken dat meer grond in die kern van Distrik Ses vir huisvesting beskikbaar sou

wees;

Caret

81

- grond wat deur die Staat en die Kaapse Stadsraad in die gebied besit word, gratis aan 'n ontwikkelingsliggaam beskikbaar gestel moet word; en
- 'n 'nuwe' Distrik Ses met behulp van die Staat en die private sektor gebou moet word.

Die eerste voorstel is nou verwesenlik.

Van die belangrikste aspekte by enige toekomstige ontwikkelingsbesluite is die soort en hoeveelheid blyplek.

Mnr Meiring het gewaarsku dat sorg tydens die beplanning van die nuwe woonbuurt geneem sal word, sodat dit nie weer in 'n agterbuurt verval nie.



DISTRIK SES... Die Nuwe Apostoliese Kerk in Virginiastraat in Kaapstad se Distrik Ses vier vanjaar sy sestigste bestaansjaar. Om dit te gedenk, is 'n godsdiensfees gereël waarheen talle lidmate genooi is wat deur die jare die Distrik moes verlaat. Op die foto ontmoet die burgemeester van Kaapstad, raadslid Gordon Oliver, vir evangelis Fred Boonzaaier, wat op tagtigjarige ouderdom die oudste lidmaat van die kerk is. Van links is priester Jimmy Smith, evangelis Boonzaaier, biskop Neville de Vries (afgetree), mnr Oliver en apostel Cecil van der Merwe.

Smoking ⁽⁸¹⁾ banned at city firm

Staff Reporter

A CITY company has banned smoking in the work place.

Pharmaceutical company Parke Davis announced this week that smoking had been banned on its premises in Retreat.

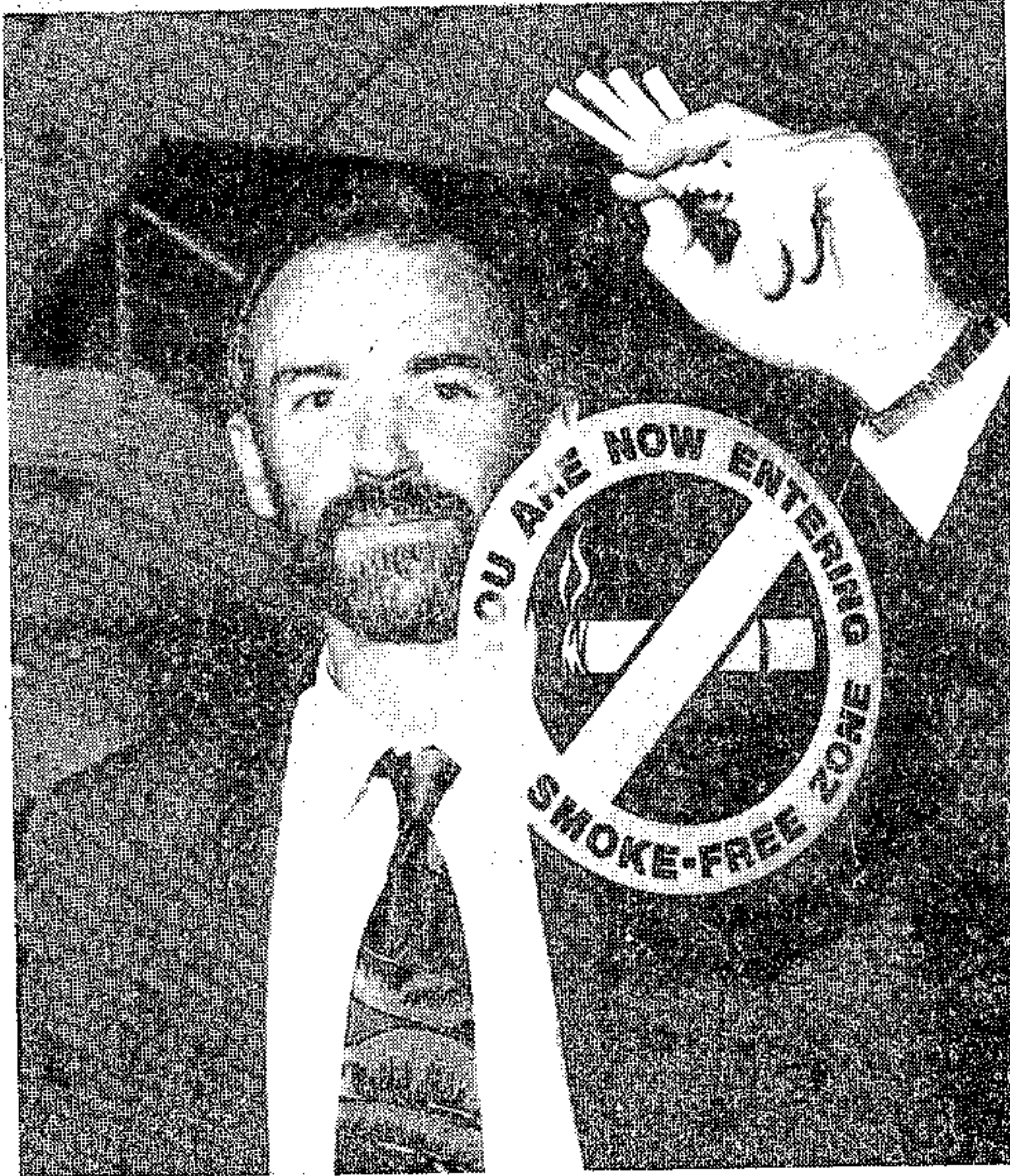
Describing the company as being environment-conscious, marketing director Mr Ian Robertson said the ban on smoking was a first among businesses in South Africa.

"We want to protect the non-smoker from passively breathing in smoke," he said.

The total ban on smoking is effective from January 1, 1992 while on July 1 this year smokers were restricted to smoking in their own offices and the offices of colleagues who smoke.

"As a pharmaceutical company, we are committed to the health care needs of South Africa and the health care needs of our staff are a logical extension of our duty to society," said Mr Robertson.

"Our announcement also comes in the wake of widespread alarm at the fact that cigarette consumption in SA rose by a staggering 80% between 1970 and 1985," he said.



NO SMOKING . . . Parke-Davis has banned smoking on its premises. Here marketing director Mr Ian Robertson points to one of the no-smoking signs in the building.

Picture: ALAN TAYLOR

Policeman hits out at racist demonstration

By SHADLEY NASH: Port Elizabeth

A RIGHT-WING demonstration against coloureds moving into white Algoa Park has been sharply criticised by one of the people targeted—a coloured riot policeman.

Sergeant Ayob Abrahams, stationed at Algoa Park Police Station for the past four years, said he intended taking the matter up with his superiors.

"I am part of the team of policemen that patrol the area and makes it safe for the residents," he said angrily. "Every damn call-out I receive from the area I have to look into, and this is the way my family gets treated."

The protest march last weekend was organised by the Algoa and Young Park Action Committee. Demonstrators marched to Kamdeboe Street, where Abrahams and another coloured policeman, a Lieutenant Koll, live. The two were not at home at the

time. ^{(2) (week)} 26/17-1/8/91

Outside the houses, which are opposite each other, the marchers taunted and shouted abuse at members of the two families. Banners declaring the area a "whites only" area were placed on the grass in front of the homes, while some marchers shouted A/W/B slogans.

A memorandum declaring the organisation's opposition to the scrapping of the Group Areas Act was handed to Yasmin Abrahams, the sergeant's wife, who is pregnant.

She was adamant the family would not move. "My husband must come out and protect these people at night," she said. "This is the first time in the three months that we are living here that something like this happened. I will not move out of my house, which we bought and paid for."

Sergeant Abrahams criticised the

march organiser, Chris Meyer, who is the chairman of the action committee.

"Meyer calls me time and time again to complain about the black hawkers in the area, and I have to check out their complaints."

"Two weeks ago two youngsters broke the windows of Lieutenant Koll's home. When we got hold of them, they said their father had said they did not want people of other races living in the area. Lieutenant Koll did not even press charges against them, because the damage done was minimal."

The families' white neighbours, however, opposed the protest. A woman living opposite the Abrahams, who did not want to be named, said she felt safe knowing there were two policemen around her.

Another angry neighbour was heard to say: "What about the black women

that look after their children during the day?"

Riama Vosloo, a family friend, said she was shocked by the behaviour of some of the residents. "I have been a family friend of the Abrahams for a long time, and I want it to be known that not all the people in the area feel the same about people of colour living in the area," she said.

An off-duty policeman, who is also a family friend, removed the banners from in front of the houses. Police presence in the area was minimal, with two police vehicles keeping an eye on the proceedings.

Sergeant Abrahams said his wife had laid a complaint of trespassing.

Permits to live in the area were granted to about five coloured families before the scrapping of the Group Areas Act.—PEN

Race row engulfs suburb

St. Times 28/7/91
By BILL KRIGE

A CONSERVATIVE white community is divided over a coloured couple who have moved into their suburb.

Last week a chanting throng of several hundred protesters marched on the Port Elizabeth home of police sergeant Moeghmat Abrahams and his wife, Jasmien, who is seven months pregnant.

They erected banners on the pavement and shouted insults.

But the protest march in Algoa Park has had a backlash. Disgusted white neighbours have rallied to support the Abrahams.

During the demonstration, Mrs Abrahams was so



SCARED ... Moeghmat and Jasmien Abrahams

scared she hid behind closed curtains and peeped out.

"People were saying things like, 'You coloured

bitch, come out,' and, 'If you don't get out, you'll see what we can do,'" said Mrs Abrahams, who was alone at the time.

Since then the couple have been swamped with messages of support, mostly from Afrikaners.

"We have had scores of visitors and must have had 400 phone calls from people all around the country. No one has had anything nasty to say," said Mrs Abrahams.

The rally was organised by Conservative Party stalwart Cornelius Meyer, a Port Elizabeth city councillor.

Mr Meyer — who denies the campaign to oust the couple was racist — said: "They knew they were not wanted. When people still

had to apply for permits to move into white areas, our action committee made its views clear — and nothing has changed.

"We don't hate people of another colour, we don't bear them any ill-will, but the state president has said it is up to communities to decide their own character — and our community is white!"

Disgrace

But this does not reflect the views of the Abrahams's neighbours.

Mrs Joey Oosthuizen, who lives in a corner house nearby, said: "I am ashamed of people who misbehave the way the marchers did.

"We should be setting an example. These people have never given any trouble."

Mr Petrus Botha, who lives over the road, said the marchers' behaviour was "a disgrace".

"These are nice, quiet people and that's just what the neighbourhood needs," he said.

Mrs Alma Myburgh, a white visitor at the Abrahams' home this week, said: "They're lovely people. We're friends if they'll have me. The way they were treated makes me feel ashamed."

Group Areas Act lives on

81
CT 30/7/91

By PETER DENNEHY

THE Group Areas Act might have disappeared, but not as far as council or any state-funded houses are concerned.

And the act still applies in spite of the Cape Town City Council's decision last month to defy the government and allocate council houses on a non-racial basis.

At the council meeting today, councillors will review this decision as it turns out they will risk being held personally liable for costs — possibly amounting to hundreds of thousands of rands — arising from their "technically illegal" actions.

This has emerged from documents due to be placed before the council today.

According to these documents, the government has made it clear to the council that "own affairs" is still part of the present constitution.

Funding

Minister of Housing Mr Hernus Kriel was not available for comment yesterday, and his public relations officer, Mr Johan Oosthuizen, declined to comment and said nobody else was available.

City administrator Mr Gys Hofmeyr reported to the housing committee this week that "the department (of local government and housing) is not prepared to allow council to allocate housing provided with funds from the House of Assembly to other race groups".

The housing committee has recommended that in the specific case of Boundary Road Estate in Diep River, the state should be asked for a special dispensation "to permit former residents who had been moved in terms of the Group Areas Act to return to their old homes".

Applications were already being received from residents in this category, but none of the houses had yet gone vacant, the council reported.

It was clear that if the council allocated housing on a non-racial basis, it would be acting illegally.

...warning to destroy a
...threat in the Middle East — but

City council slates Act

Staff Reporter ⁽⁸¹⁾ 1726 31/1/91

THE Cape Town City Council has come out strongly against the Interim Measures for Local Government Act, saying it could seriously threaten the negotiation process.

The council will urgently ask the Administrator not to use the Act.

Dr John Sonnenberg said he felt it was not too late to ask President De Klerk to withdraw the Act.

The Act confers wide powers on the Administrator concerning who should take part in negotiations on local government, mediation, acceptance and content of proposals and legislative power.

81 ~~81~~ CT 31/7/91

Appeal on city homes Council to ask for exemption from govt

By PETER DENNEHY

THE City Council yesterday decided to ask for a government exemption so that people moved in terms of the Group Areas Act could now return to their old homes.

Thirty councillors yesterday deplored the fact that they were not able to allocate council houses on a non-racial basis, despite the repeal of the Group Areas Act. Four councillors were absent, but nobody voted against the motion.

The council resolved to ask the state for a special exemption in respect of Boundary Road Estate in Diep River.

The estate was built in the 1940s for coloured people by the council with national housing funds. In the 1970s the coloured people living there were moved to Lavender Hill. The estate is now white.

Some councillors appeared to be under the impression yesterday that they were voting to defy the government and allocate houses on a non-racial basis, although this would mean that councillors could be personally liable for any costs that arise.

This was not included in the actual resolution that was passed. However, a report attached to the resolution said councillors should indicate whether they wished to proceed with a resolution they took in May

that houses would be allocated non-racially from now on.

Dr John Sonnenberg said he wished to make it quite clear that he was prepared to take the risk.

"If ever there was a case for this council to pay apartheid reparations, this is it," he said.

According to papers before the council yesterday, the reason the government gave for not allowing the council to allocate houses on a non-racial basis is that it does not wish to give houses from one "own affairs" administration to people from another one.



Picture: DOUG PITHEY, Weekend Argus.

□ **FAIRYLAND REVISITED:** Zonnebloem's terraced houses form a backdrop to the barren wasteland that is much of what still remains of District Six.

ARG 3/8/91

Red tape delay on District Six

ANTHONY DOMAN

Weekend Argus Reporter

MOVES to make the barren wastes of District Six come alive, with one proposal for housing up to 100 000, are still being thwarted by bureaucratic red tape.

Sweeping proposals were recently put forward by Headstart, a non-profit development company active in the area. These include housing for 100 000 people and the inclusion of railways-owned land at Culemborg — said to cover 400ha, more than four times the size of the present District Six.

But the Hands Off District Six organisation has sounded a warning that this will not necessarily signal a return to Fairyland days.

And, says Mr Clive Keegan — chairman of Cape Town City Coun-

cil's town planning committee and chairman of a committee discussing future development in District Six: "The whole District Six thing has ground to a halt."

He added: "We have been knocking at the government's door since last year."

The government had begun expropriating properties in a land-swap deal with the Technikon, the major landowner in District Six. However, the Technikon had continued building according to its original plans and had "clearly not felt itself bound" by a moratorium on District Six development last year.

Spokesman for Hands Off District Six Mr Anwa Nagia said everyone was waiting to see if the state was

■ Turn to page 2

District

Six (81) ARG 3/8/91

■ From page 1

prepared to expropriate land from the Technikon.

"It is likely that if sections of District Six are appropriated, they will be put in the hands of local government," he said. "The state will thus be attempting to reverse the process it started with the declaration of the area as white."

But, he said, the "entire belt" around Cape Town should be subject to detailed discussion by a "broadly based" conference.

Mr Nagia foresaw people being moved from areas such as Mitchell's Plain to a revitalised District Six.

But, he said, the issue of housing the homeless had not been dealt with. "The ANC threatened to squat in District Six purely on the basis of their land occupation campaign. They have apparently aborted that campaign," he said.

"All that this development will do is free some housing stock — which will be filled immediately by the many people already on the housing waiting lists.

"Not one building that I know of to be built there is intended for the homeless. The central issues are not being addressed."

District Six, he said, was "no holy cow".

The Zonnebloem community representative on the committee Mr David Buckingham said he believed future plans for the area would be largely acceptable to the community at large. However, he warned against the inclusion of "four-storey blocks of flats".

These would not work in District Six and would not be approved by the present residents.

District 6 objects to 'slum plan'

(81)

CT 6/8/91

Municipal Reporter

DISTRICT SIX homeowners have raised objections to suggestions that four-storey low-income flats could be built near Eastern Boulevard.

Mr Dave Buckingham, chairman of the Zonnebloem Action Committee and also a member of Mr Clive Keegan's redevelopment steering committee, said he was worried that the land below Keizersgracht Street might degenerate into a slum.

"The council is planning to build four-storey blocks of flats for people earning between R500 and R1 000 a month," he said.

Failure

"I want to nip this in the bud.

"One has only to drive through the Cape Flats to see the failure of these grand ideas."

Mr Keegan said there was no level of planning "at that detail" (mentioned by Mr Buckingham). He did not know where Mr Buckingham got his information from, but it was not envisaged that any part of District Six would be above four storeys in height.

Govt plans big Dist 6 land swop

et (81)
9/8/91

By PETER DENNEHY

A PLAN to get the two major remaining private landowners out of District Six is being evaluated by a cabinet committee.

It has been proposed that instead of expropriating the land, the government exchange it with the owners for properties outside District Six.

Confirming this yesterday, Mr Van Heerden Heunis, a spokesman for the Administrator, Mr Kobus Meiring, said the cabinet committee was to report back. The Admin-

istrator in turn would discuss the proposals with community representatives.

Private ownership of District Six land has been perceived as a problem because owners have extensive powers to veto planners' building suggestions.

Planners had hoped the government would buy the land, but this would have cost millions of rands.

As far as is known, the only remaining substantial private landowners in that part of District Six which is to be redeve-

loped are Ilco Homes, which has about six hectares, and Solomon Brothers Holdings, which owns about 7 500 square metres.

Managing director Mr David Solomon said it had been suggested that the Solomon Brothers Holding land near the corner of Tennant and Keizergracht streets be swopped for property outside District Six.

The chairman of the District Six steering committee, Mr Clive Keegan, confirmed that this was the position.

Residents angry over 'secret' council flat plans

81 APR 10 | 8 | 91

District Six row

Weekend Argus Reporters

A ROW has blown up over allegedly "secret" City Council plans for District Six, with a residents' spokesman defending himself against accusations of "mischievous" statements.

The wasteland at the foot of Devil's Peak was the centre of a wrangle this week with Zonnebloem residents' spokesman Mr David Buckingham accusing the city council of planning four-storey blocks of flats for the poor there.

A District Six steering committee was set up in late 1990 to consolidate undeveloped land for future planning and development. With the demise of the Group Areas Act, debate about the future of the suburb is growing, but no plans are on the table yet.

Steering Committee chairman Mr Clive Keegan — also chairman of the City Council's town planning committee and a prospective deputy mayor — described the allegations about

proposed plans as "spurious and mischievous".

Mr Buckingham — representing about 600 Zonnebloem residents on the Steering Committee — is unrepentant. He produced copies of preliminary plans which clearly show the four-storey walkup blocks along Eastern Boulevard and Keizersgracht.

Mr Keegan said a preliminary plan had been drawn up to solve land issues. This plan had been given to the Cabinet. However, this plan had no official status and formal planning would continue only when the land issue was resolved.

"Continuing delays in this matter must throw grave doubt on the government's seriousness towards the redevelopment of District Six, and their understanding of the vital need to regenerate our inner cities as high quality urban environments," Mr Keegan said.

A Cabinet committee has proposed getting two major

private landowners out of District Six by offering them a swap with land outside the suburb.

A Cape Provincial Administration spokesman confirmed that the Cabinet committee would inform Administrator Mr Kobus Meiring on progress on the deal. Mr Meiring is expected to put the deal to community representatives for discussion.

Mr Keegan confirmed that no decisions had been reached on the amount of ownership or rental housing, levels of affordability, type of development or building heights. There would be "even greater public input" when the land question was settled, Mr Keegan said.

The State had been asked to make its own land available at no cost, inclusive of land owned by the (Cape) Technikon and the council, he added.

He appreciated existing residents wanted to "protect and enhance their quality of life",

but Mr Buckingham was generating a climate of conflict.

Mr Buckingham said conflict could not be further from his mind.

"I am not being mischievous. It is mischievous to have kept Cape Town in the dark for so long about these plans," he said. "We should have been asked before these planners put forward their proposals to the Cabinet.

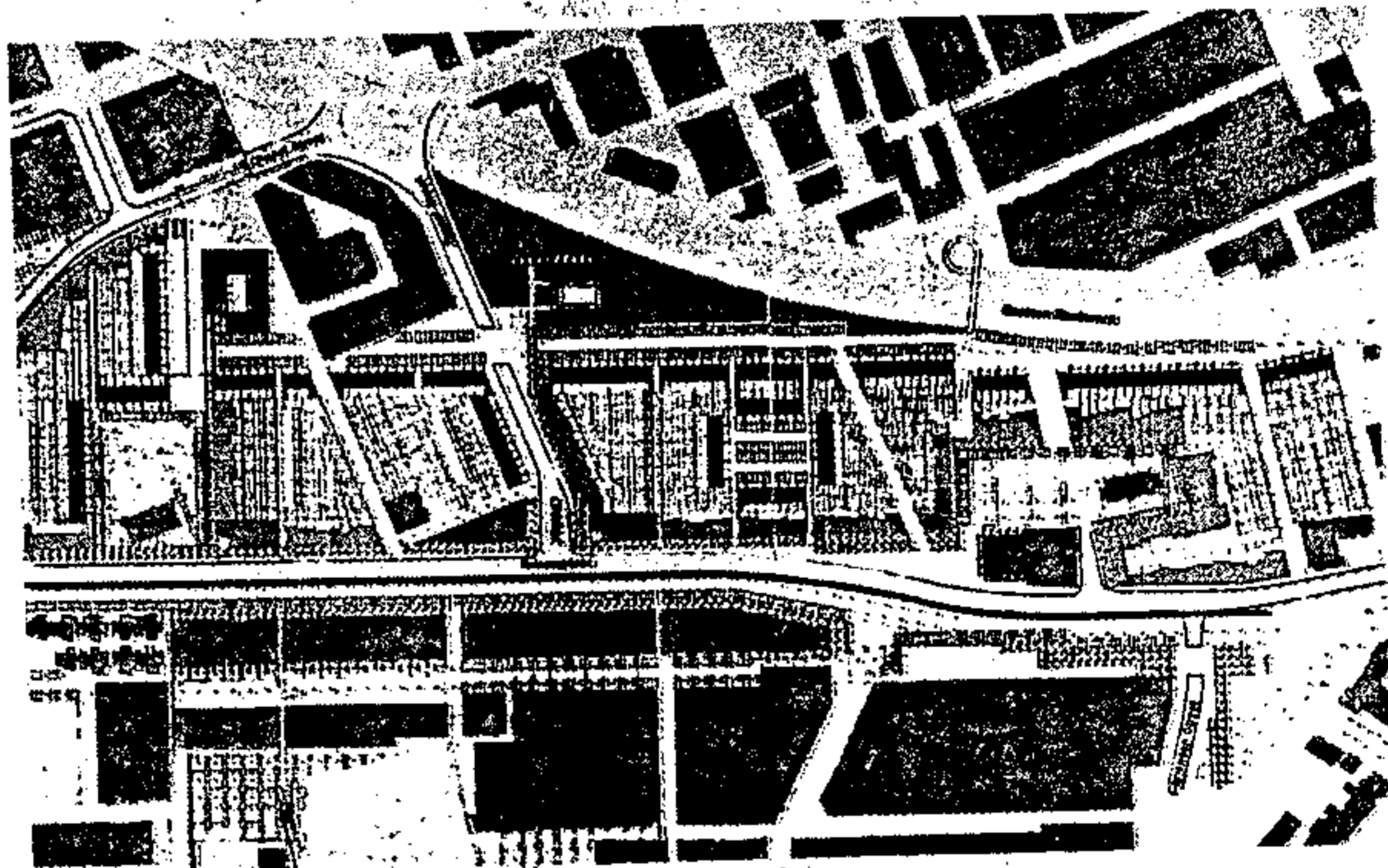
"Why would they go to all the trouble of preparing these schemes if they did not intend to implement at least part of them?"

"They should have put their diagrams on display for at least a month before sending them to parliament," Mr Buckingham said.

Zonnebloem residents stood for proper planning for the area, and an aesthetic design in keeping with their "beautiful Mother City" and with "traditional Cape architecture," he said.



STRUCTURE PLAN . . . This proposed plan shows the whole of District Six, and what planners envisage it might be like when redeveloped. De Waal Drive is at the bottom of the dark yellow parts, and Eastern Boulevard is above the light yellow. **KEY:** DARK YELLOW — higher income residential. MEDIUM YELLOW — middle income. PALE YELLOW — low income. BROWN — walkways and public squares. YELLOW AND GREEN — tree planting. MAROON — proposed public facilities. A SHADE OF BLUE — existing public facilities, including the technikon.

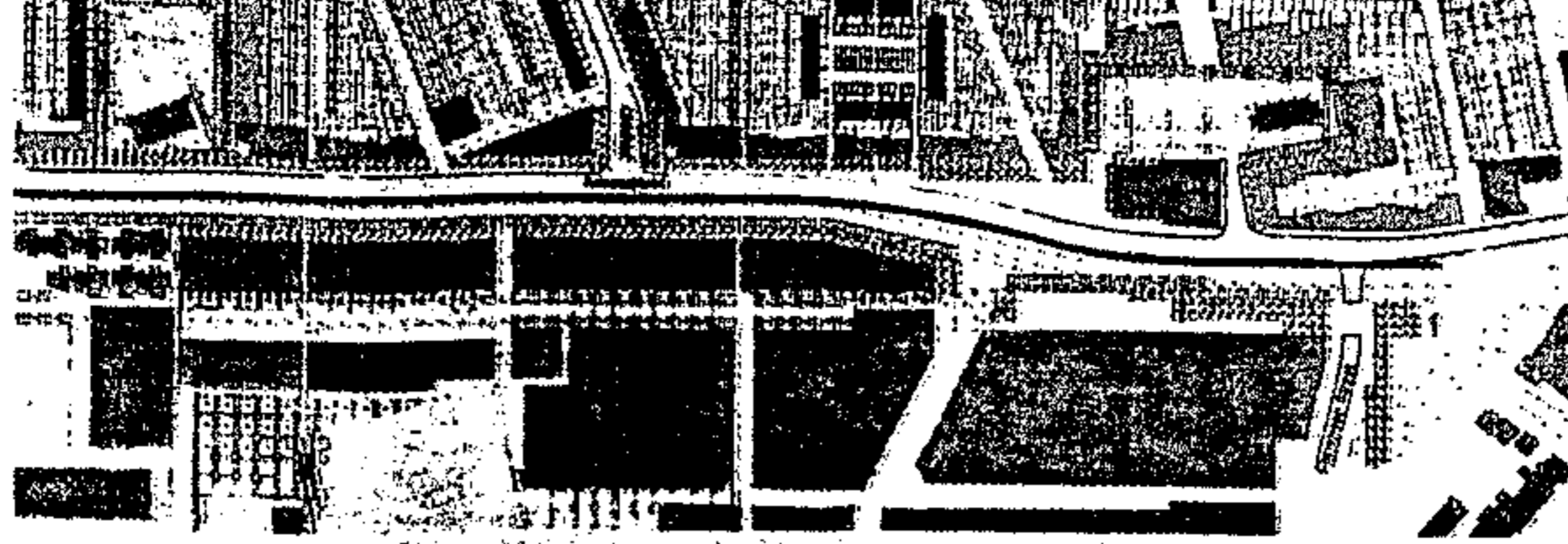


THE FLATS . . . The lines of blue beside Eastern Boulevard represent the proposed four-storey flats against which Mr Buckingham objects. Note the black line along Keisergracht which represents a tram or light rail system. **KEY:** RED — residences above shops. BLUE — four-storey walk-up apartments. YELLOW — two to three storey single residential. MAROON — public facilities. BROWN DOTS — colonnades.

Council's secret plans for

(81)

CT 10/8/91



THE FLATS . . . The lines of blue beside Eastern Boulevard represent the proposed four-storey flats against which Mr Buckingham objects. Note the black line along Keizergracht which represents a tram or light rail system. **KEY:** RED — residences above shops. BLUE — four-storey walk-up apartments. YELLOW — two to three storey single residential. MAROON — public facilities. BROWN DOTS — colonnades.

Council's secret plans for Dist Six

(81)

CT 10/8/91

By PETER DENNEHY

THE Cape Times can today exclusively reveal secret "preliminary plans" drawn up for the future of District Six.

The plans, which are now before the cabinet, include:

- Two-, three- and four-storey blocks of flats near Eastern Boulevard.
- A tram or light-rail system along Keizergracht to link District Six with the central city.
- An average gross density of 100 dwellings per hectare.
- 5 000 new dwelling units, housing between 20 000 and 25 000 people.
- A mix of higher-, middle- and lower-income areas descending the hill.
- Lots of trees, pedestrian walkways, public space and colonnades.

Chairman of the District Six Steering Committee Mr Clive Keegan and deputy city planner Mr Peter De Tolly were unhappy about the leak, but they provided colour copies of the documents on request.

A public row erupted yesterday between Mr Keegan and one of his committee members, Mr David Buckingham, who released the documents.

Mr Buckingham, who represents Zonnebloem Home Owners, said the proposed plans should have been displayed for public view and comment before they were submitted to the authorities.

Instead, a "hush-hush approach" had been adopted for the past year, he said.

But Mr Keegan countered that Mr Buckingham's allegations about secret plans were "spurious and mischie-

vous". He said no decisions had been reached on issues such as the ratio of ownership housing to rental housing, levels of affordability, types of development or building heights.

"At a later stage we will go public. These are not plans that we have asked anyone to endorse or approve. It is all conceptual and illustrative."

Mr Keegan said the state had requested the steering committee to prepare an illustrative plan to guide it. This had been prepared by the Planning Working Group and presented to the cabinet.

"The steering committee accepted the state's need for a plan, even though the plan was preliminary, indicative, and of no official status," he said.

Mr Buckingham said that at a meeting on March 10, 17 drawings had been displayed. One of these indicated four-storey blocks of flats, earmarked for the R500-R1 000-a-month income group, near Eastern Boulevard.

He said Mr Keegan had made it clear that the draft proposals were not intended to be final, and that the objective had been to provide the administrator with some planning options.

"But nobody would go to all that trouble and detail if they were not serious about following it through," Mr Buckingham said.

Mr Keegan said Mr Buckingham was generating a climate "which can only lead to conflict".

Mr Buckingham said he was unhappy with proposed densities of 110 dwellings per hectare, which he believed was 30% higher than "acceptable standards for the lower-income group".

District Six plans not up for scrutiny

CLIVE SAWYER
Municipal Reporter

81 ARGUS 13/8/91

THERE are no plans to expose so-called "secret plans" for District Six to public scrutiny, says city council town planning committee chairman Mr Clive Keegan.

The plans published in a newspaper on Saturday were "only one of many" devised by non-profit development company Headstart, Mr Keegan said.

"These plans enjoy no status whatsoever and have not been endorsed by the District Six Steering Committee."

The walls of Headstart's office were covered with plans of similar detail, he said.

The plans were given to all members of the steering committee before being submitted to the Cabinet.

The plans were a "non-issue" until the matter of two areas of privately owned land in District Six was settled. The council has mooted a land swap with the owners of this land, offering them tracts of land outside District Six in exchange.

The disclosure of the plans followed objections by a fellow District Six Steering Committee member, Mr David Buckingham, who heads the Zonnebloem Home Owners.

Mr Buckingham said planning for the area had been done in a "hush-hush" manner for the past year.

Mr Keegan said Mr Buckingham's committee represented right-wing interests committed to ensuring minimum development in the area.

Plans published on Saturday show some areas allocated for two-, three- and four-storey blocks of flats above the Eastern Boulevard, a light-rail system to link District Six to the CBD, and an average gross density of 100 dwellings a hectare.

Asked if he liked the plans, Mr Keegan said: "It is not for me to say whether or not I like them. The planning of District Six will be a participative, consultative process and I cannot pre-empt that."

Homeowners' chief warns of a District 6 people-crush

(81) ARG 16/8/91

CLIVE SAWYER
Municipal Reporter

PUBLIC and Press scrutiny of the "hush-hush" planning of District Six is needed urgently, says Zonnebloem Home Owners chairman Mr David Buckingham.

Plans for high-density housing would create a population density in District Six higher than that of Khayelitsha, he said.

He was reacting to a statement by District Six steering committee chairman Mr Clive Keegan that plans would not be exposed to public scrutiny and that those leaked to the Press last weekend were not final.

He rejected a statement by Mr Keegan that a plan proposing high-density housing and blocks of flats between Keizersgracht and Eastern

Boulevard was "one of many" and had no official status.

"There are 17 sketches detailing proposals for various parts of the district, but only one master plan," said Mr Buckingham.

He said his attempts to present alternative plans for low-density housing and appeals to allow a developer to proceed with plans for 270 houses costing R100 000 each were rejected by Mr Keegan.

He disputed a statement by Mr Keegan that the plans published last week were originated by non-profit development company Headstart.

The African National Congress and two City Council planners also had contributed significantly to the plans, said Mr Buckingham.

Plans for flats were "out of line"

with the original District Six steering committee policy statement, which provided for affordable housing for all races and classes, similar to houses previously in the area.

High-density housing for low-income groups would require high levels of maintenance and would have to be "heavily policed" to prevent crime.

Four-storey blocks of flats had failed on the Cape Flats, leading to ghetto conditions and gangsterism.

Population density created by the District Six plans would be 500 people a hectare, compared to 318 in Nyanga, 160 in Lavender Hill and 104 in Khayelitsha.

Population density in Constantia is seven a hectare and in Sea Point 83.

The population density figures were from a City Council source, he said.

Mr Buckingham rejected an allegation by Mr Keegan that he represented "rightwing interests committed to ensuring minimum development in the area".

He said he represented District Six homeowners who varied from "non-whites to staunch Afrikaners."

He had moved to District Six because he had a coloured girlfriend he planned to marry and the area was the best for them to live in.

He called for more groups to be involved in the planning of District Six, including environmentalists and bod-

ies such as the Fairest Cape Association.

"There are few steering committee meetings and they seem to be more a matter of plans being reported than discussed."

The planning process should be disclosed step by step and the Press allowed to attend steering committee meetings, said Mr Buckingham.

Mr Keegan reacted angrily to Mr Buckingham's plans.

"I'm getting sick to the back teeth of this. There is nothing secretive about the process and there is nothing final about the plans," he said.

Commenting on Mr Buckingham's claims about housing densities, Mr Keegan said the steering committee "has not even started discussing densities — I don't know where he gets this from."

It was "non-negotiable" that high-density development was planned for District Six.

Asked whether it was true Mr Buckingham had presented alternative plans, Mr Keegan said he had "tried to give us some sort of rambling document he wanted attached to our notes".

The draft plan had originated from Headstart but had been discussed by a technical committee on which various bodies were represented, including the ANC and City Council.

*There's a new
way of looking
at plots
in Hout Bay.*

The natural way.

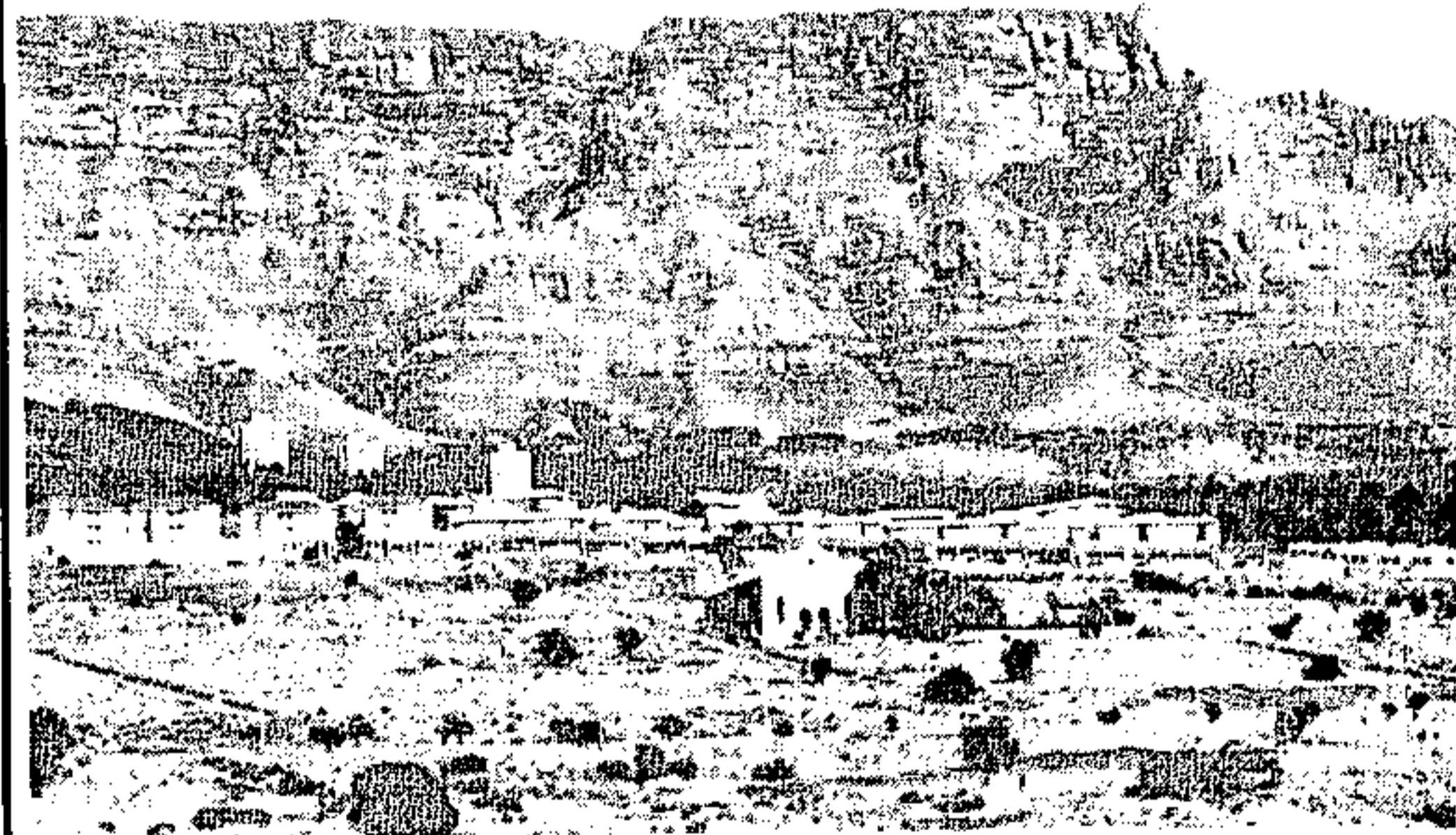
BOKKEMANS



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5761/2



LAND APLENTY: This is the Zonnebloem area over which a major row is brewing.

Technikon to build amphitheatre

CLIVE SAWYER

Municipal Reporter

(81) (S)
ARG 17/8/91

CAPE Technikon is to build an 8 300 sq m amphitheatre on its District Six campus, but says this will be its last development in the controversial area.

The District Six campus has been the subject of resentment since it became the first major apartheid landmark following the demolitions in the 1960s.

Last month, the technikon concluded a land-swap deal with the government. Further expansion of the campus will be closer to central Cape Town.

The technikon called for tenders this week for a project to include grassed, terraced seating, earthworks, brick pavings and steps, brick channels and pipework, a storage reservoir, stormwater drainage, electrical installation and soft landscaping.

The amphitheatre would be called "The Piazza" and would be used by the drama association and for other student activities.

A quadrangle between the existing science, engineering and commerce buildings, and the administration building now under construction, will be the site of the amphitheatre.

"It is the perfect solution for this area because it is always a quagmire in winter and totally useless," said a spokesman.

Deadline for tenders is August 22 and contractors will have six months to finish the work from the date on which the land is handed over to them.

● The row between District Six steering committee chairman Mr Clive Keegan and Zonnebloem Home Owners' representative Mr David Buckingham continued this week over so-called "secret" plans for the area.

Mr Keegan labelled Mr Buckingham a "right-winger with links deep into the Conservative Party" while Mr Buckingham denied this, adding he had moved to District Six because he had a "coloured" girlfriend.

Mr Buckingham said he had offered alternative plans for the area, which Mr Keegan had brushed aside. Mr Keegan confirmed Mr Buckingham tried to give the committee "some sort of rambling document".

Reacting to a claim by Mr Buckingham that population density in District Six would be higher than that in Khayelitsha in terms of the "secret" plans, Mr Keegan said the committee had not yet discussed densities.

CITY PLANNING

81 ARG 21/8/91

'Inertia' Over District Six

CLIVE SAWYER, Municipal Reporter

DISTRICT Six could be occupied by squatters out of desperation, or as a political gesture, unless the stalled planning process resumed, steering committee chairman Mr Clive Keegan has warned.

At a press conference on the future of the controversial suburb yesterday, he lashed out at government "inertia and indecisiveness" which had delayed planning.

"I am frankly surprised there has not been a more visible movement of squatters into the inner city.

"The longer District Six stands empty, the graver the risk becomes that it will be occupied out of need or as a political pressure tactic," Mr Keegan said.

Once squatters occupied the land, it would be "difficult if not impossible" to remove them.

The District Six Steering Committee, embroiled recently in a public row between Mr Keegan and Zon-nebloem Home Owners' chairman Mr David Buckingham, was founded because of a United Democratic Front threat to "occupy" the area.

The committee representing community, educational, political and cultural organisations and the Cape Town City Council, was appointed by Administrator Mr Kobus Meiring.

Mr Keegan said community organisations had lost faith in the government's motives and commitment regarding District Six.

The exchange of words between Mr Buckingham and Mr Keegan has centred on a so-called "secret plan" presented by the committee to the Cabinet in April.

The plan, which provides for four-storey high-density housing near the Eastern

Boulevard, was rejected by Mr Buckingham.

At the press conference, maps with coloured-in areas representing present and future potential uses lined a wall.

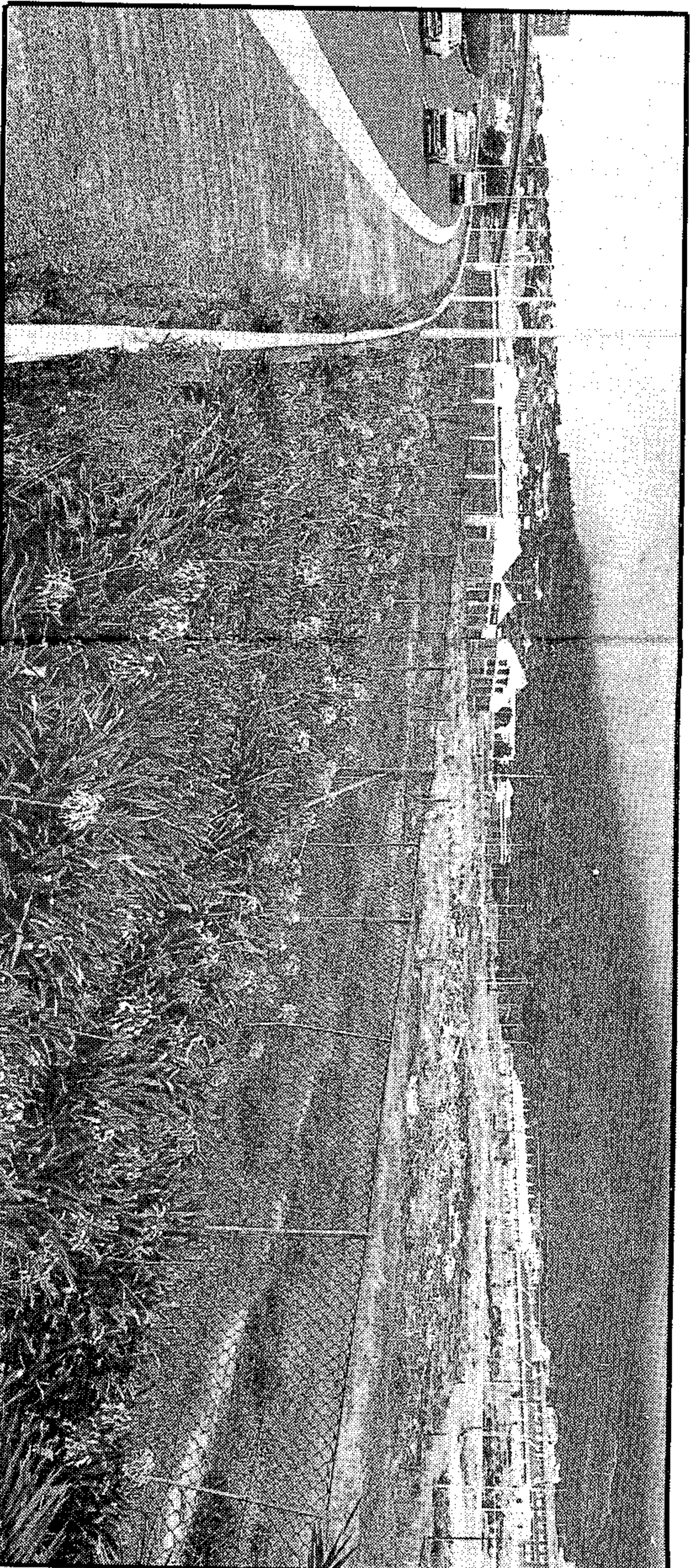
Mr Keegan released a file of minutes of meetings of the steering committee, as well as correspondence with the Administrator and Mr Buckingham.

The minutes show the bulk of the committee's time was spent on devising an appropriate planning process, and not on planning itself.

The "secret plans" published in the Press were the result of pressure from Mr Meiring to produce plans before a scheduled Cabinet meeting.

"We were not in position to do so, and were reluctant because we were concerned they would be interpreted as showing a firm intention — and this is exactly what has happened," Mr Keegan said.

The government had refused to show repentance over land issues, which were the most "explosive



District Six: Steering committee chairman Mr Clive Keegan has warned that the area could be occupied by squatters if the stalled planning process is not resumed.

and divisive" issues in politics today, he said.

District Six was the "single most emotionally

charged symbol of land theft", but the steering committee could not proceed with finding solutions be-

cause of government inertia and indecisiveness.

The area offered a "golden opportunity to show the

DESIGN
STRUCTURE



District Six steering committee chairman Clive Keegan and deputy city planner Peter de Tolly examine a draft planning map of the controversial precinct.

Picture: ROY WIGLEY, The Argus.

viability of restoring lower-income groups to housing close to their places of work," Mr Keegan said.

It could also offer a replicable model for inner-city redevelopment.

Deputy city planner Mr Peter de Tolly said the densities that District Six could support would be determined by the amount of land available.

Acquiring the maximum land would allow for up to 30 000 with a maximum density of 500 people a hectare of "mixed income".

"This is not just another housing estate. This is not Bohasing," Mr De Tolly said.

It was also "dangerous" to assume that accommodating lower-income groups would turn it into a slum.

Mr Keegan said a key problem would be identify-

ing who should be accommodated in District Six.

There would be prolonged negotiation to juggle the needs and claims of various groups, including "original" residents.

Further planning had to include research into why multi-storey housing had failed elsewhere, for instance on the Cape Flats.

New ways of financing housing and of devising management structures had to be found, Mr Keegan said.

While the idea of a range of income groups being accommodated had been used in draft planning, income groups had not been defined, he said.

"District Six should not go entirely to the poor or to undeserving yuppies," Mr Keegan said.

District 6: Keegan slams state

Municipal Reporter

81 21/8/91

THE District Six redevelopment project has ground to a halt in the face of the state's inertia, town planning committee chairman Mr Clive Keegan charged yesterday.

Speaking at a press conference, Mr Keegan said the city council, the non-profit company Headstart and community organisations had done all they could to lay the groundwork for the redevelopment of District Six "as an affordable inner-city residential project".

Now it was up to the government to ensure that three areas of strategically-placed, privately-owned land were included in the land to be redeveloped.

This land, measuring about 7,6-ha in all, belongs to Ilco Homes, Solomon Brothers and Faircape Homes.

"Unless they can be thrown into the land pool, no sense can be made of the planning . . . we will not reach the densities we seek, nor get a critical mass of people into District Six," Mr Keegan said.

The planning process was obstructed by this stalemate and he was not sure how much longer land invasions — planned or informal — could be held off.

Mr Keegan said there should be 50ha of vacant land for development in District Six, on which it was hoped to house 20 000 to 25 000 people.

The average density would thus be 500 people per hectare, but this did not mean it would be a slum.

Criticism has been levelled at Mr Keegan and the steering committee for not being open enough about development plans for the area.

'For the sake

of our

children

Southern 22/8/91 - 28/8/91

MRS Aletta Titus and her husband Sael were married at Elandskloof 35 years ago, and they hope to be buried there, alongside their ancestors.

"We must get Elandskloof back for the sake of our children," said Mrs Titus.

"I don't want to leave them this shack when I die. I want to leave them a proper house and some land the way my parents did."

"When we moved to Allendale we tried our best to keep the traditions of Elandskloof alive."

"We continued our prayer meetings and taught our children the way our teachers taught us at the school in Elandskloof."

Her daughter Mercia, 17, has seen her parents' former home on Elandskloof only once, but shares the longing to return.

"They talk about Elandskloof almost every day. I also regard myself as an Elandsklower. I want to go back with my parents and I want to live there until I die," she said.

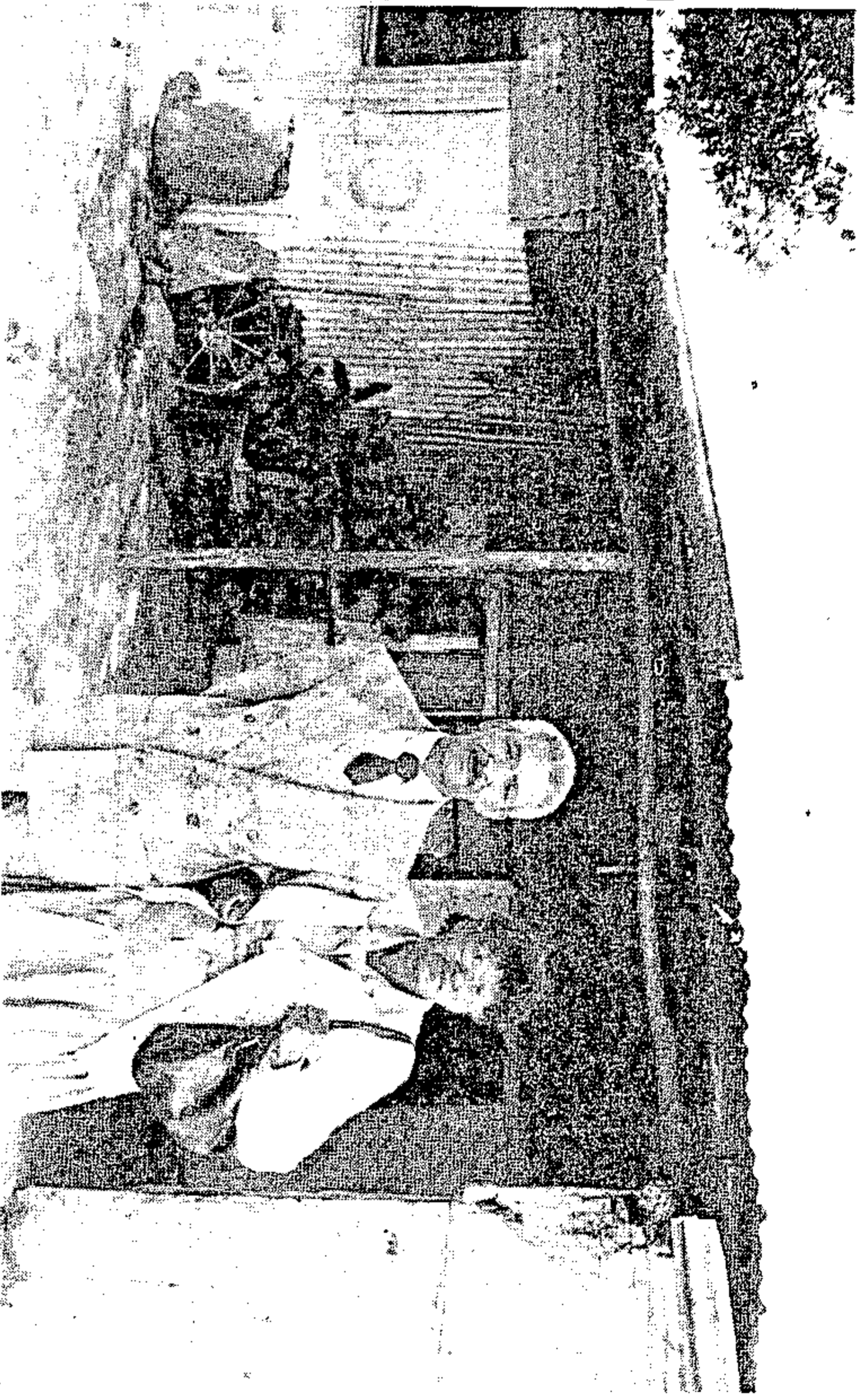
Sael Titus has a reasonably well-paid job with a bus company, but swears he will walk out the day he can return to Elandskloof.

"That will be the best thing that could ever happen to me — to work for myself and be my own boss," Titus said.

Aletta Titus said she would never, and could never forget Elandskloof.

"I can go back tomorrow and walk in the dark without tripping once. I know where every stone, every rock is situated."

"It was very difficult to adjust to our new way of life. What was hard for me was having to buy what I needed from shops instead of picking it myself or making it myself."



DETERMINED TO RETURN: Sael and Aletta Titus were born on Elandskloof.

'Living in the belly of Pharaoh'

South

WHEN you steal a person's land, you steal that person's heart," says Mr Jan Januarie, chairperson of the Elandsklloof committee and spokesperson for the 26 families who lived were "removed".

Robbed of their land, driven into the wilderness 30 years ago, the community have not given up their stubborn struggle to regain the land that was once theirs.

"I have seen this in my soul, I bear witness to the pain of my people. We have been living in the belly of Pharaoh from 1962," said Januarie.

The closest Januarie can now get to his birthplace is a mountain pass with a view of the fertile valley and the river winding through it.

Near the mountain tall oak trees planted generations ago provide shade for the church and school erected by

Januarie's forebears — buildings the new owners have turned into a storeroom and shearing shed.

Almost every person over the age of 30 at Allendale can remember the bleak day in 1962 when they were finally evicted from Elandsklloof.

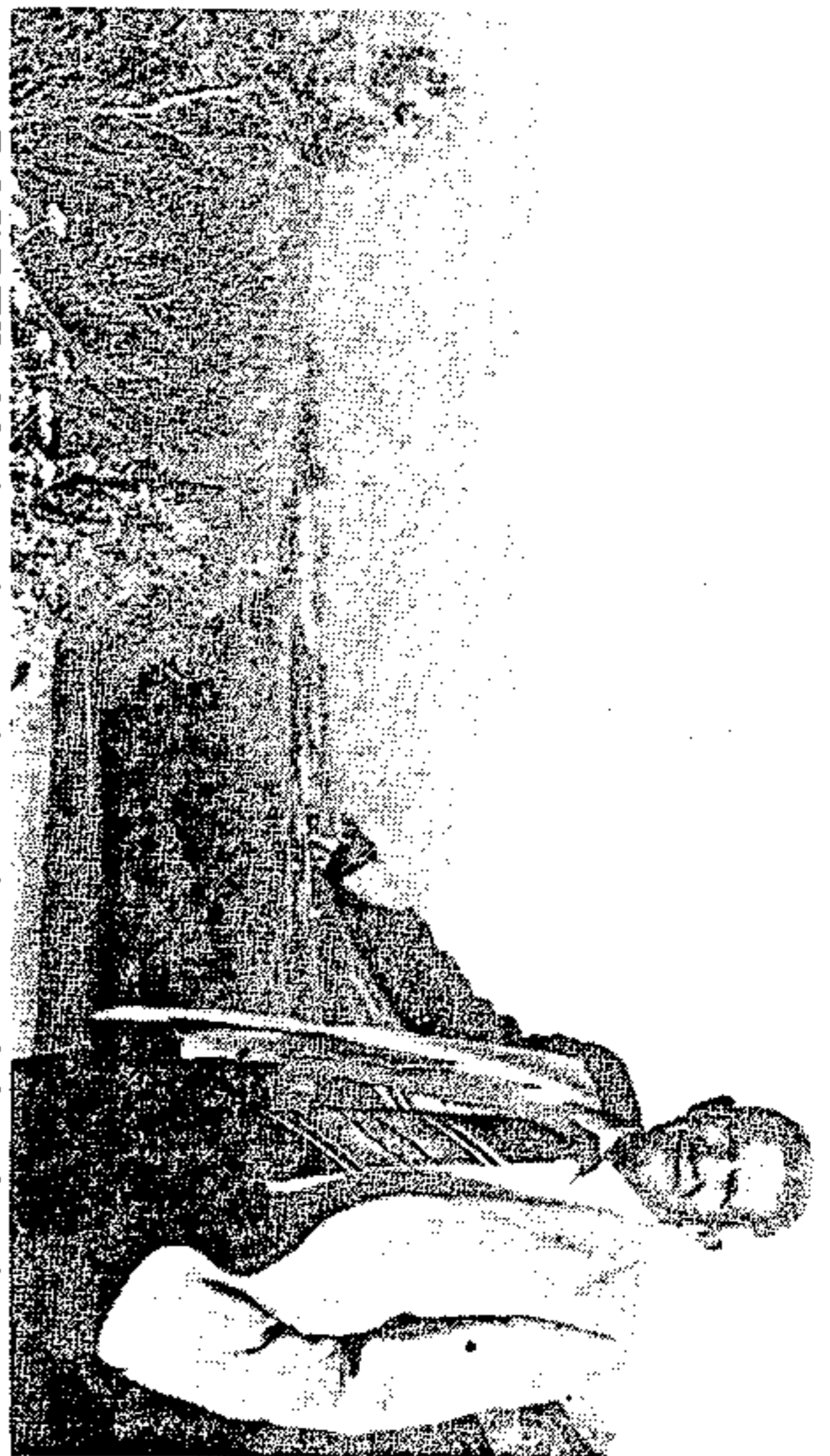
Police herded their livestock into Citrusdal, where their 700 head of cattle, donkeys, goats and sheep were stored in a shed. The few animals which survived the trek were sold to white farmers. None of the Elandsklowers were compensated.

"There was a pigsty at Elandsklloof, but the pigs would not have been able to make the journey, so they were burnt alive by the police," said Januarie.

"Until today, I can still hear them screaming as the flames roasted them."

22/8 - 28/8/91

81



BARRED: Mr Jan Januarie on the road that leads to Elandsklloof.

'Here in Allendale there is nothing but rocks'

South 22/8-28/8/91

THE memory of Elandskloof is passed down from generation to generation. Children who have never set foot on the land that was their parents' birthplace long to return.

Mr Martinus Petrus Fransman, 61, still mourns the simple life that was wrested from him when he was forcibly removed from the house built by his grandfather.

"The land belonged to us, it belonged to me because I was born and raised there," Fransman said.

"We were raised with the church. We were a very spiritual community. All the children had to attend the services, prayer meetings and Sunday schools or else they were punished." Fransman remembers his school-

days clearly. As soon as he was old enough, he rose before dawn with his father to irrigate their fields by the light of a lantern before setting off to school when the sun rose.

His father grew potatoes, beans and mielies in the field that was allotted to the family and the excess was sold to white farmers.

"We lived in a brick house with a thatched roof, not a shack like this," Fransman said. "I want to go back to the land of my forefathers."

"Here on Allendale there is nothing but rocks. We only have a small piece of land on which we grow vegetables. It is not enough, but at least we are keeping in practice for when we return to our land."



TINY GARDEN: Mr Marthinus Fransman on Allendale.

GIVE BACK OUR LAND, ELANDSKLOOF'S

South 22/8 - 28/8/91



(81)

N THE West Cape town of Citrusdal, a tiny community is facing — and resisting — its second forced removal in three decades.

The Abolition of Racially Based Land Measures Bill, adopted by parliament in June, officially ended over 300 years of racial division of land. However, REHANA ROSSOUW discovered in Citrusdal last week that black people are still being forced off 'white' land:

They have been served with eviction notices — with an August 31 deadline — by the owner of the farm Allendale, where they have been squatting since their farm Elandskloof was sold to white farmers by the Ned Geref Kerk (NGK) in 1960.

But they are refusing to move on August 31 — unless it is back to Elandskloof. The people of Elandskloof trace their

history to 1861 when the NGK bought a piece of land on which a church and school had been built by the descendants of free slaves who were living under the protection of the church. By the early 1890s the farming com-

munity living on the mission station had expanded, necessitating the purchase of additional land. They petitioned Queen Victoria successfully and a further 2 826 morgen of land surrounding the farm

Elandskloof was granted, with the proviso that it should be used for mission purposes and that the people paid the cost of land surveying. The community thrived for 60 years until the NGK decided in 1960 to sell

Elandskloof, informing the community that they would be given three months to leave. Minutes of church meetings suggest that the decision to sell was related to complaints by white residents and farmers of Citrusdal that the Elandskloof community was influencing the local labour market by demanding higher wages. The reason given by the church for selling the land was that the area was being farmed uneconomically, inefficiently and unscientifically. The church offered each legal resident R200 to aid them in resettling, ignoring the fact that few viable alternative sites were available. The farm was then sold to brothers Piet and Johan Smit, with the title deed amended to exclude the clause "for missionary purposes". The community were locked out of their church and school, their crops were burnt, their homes destroyed and their domestic animals poisoned. Last week a community delegation met NGK officials to ask them to "correct what they have wronged". Church officials agreed to assist them in staying the order to vacate Allendale, but refused to intervene in their claim to Elandskloof. "It is the church that did us this injustice, and they should repair the damage they caused," said Mr Niklaas Dirks. "I was born in 1925 on Elandskloof and since then I have maintained my faith in the Lord. But the white leaders of the church denied us coloured members our rights. "So all that is left in my heart for the NG Kerk is bitterness and hate."

Mass meeting

Last Saturday the community held a mass meeting in Citrusdal to highlight their campaign against the August 31 deadline. Main speaker Dr Allan Boesak said the story of Elandskloof was the story of South Africa where black people were dispossessed of their land to make way for white farmers. "It is a story of pain, of theft and of destruction of communities throughout the land," Boesak said. Attempts to contact the owner of Elandskloof, Mr Johan Smit, and the moderator of the NGK for comment were unsuccessful. The NGK was a signatory to the Rustenberg Declaration in November 1990, acknowledging its sin in accepting apartheid. It further accepted that "as a first step towards restitution, the church must examine its land ownership and work for the return of all land expropriated from relocated communities to its original owners".

'Living in the belly of Pharaoh'

South

81

WHEN you steal a person's land, you steal that person's heart," says Mr Jan Januarie, chairperson of the Elandsklloof committee and spokesperson for the 26 families who lived there "removed".

Robbed of their land, driven into the wilderness 30 years ago, the community have not given up their stubborn struggle to regain the land that was once theirs.

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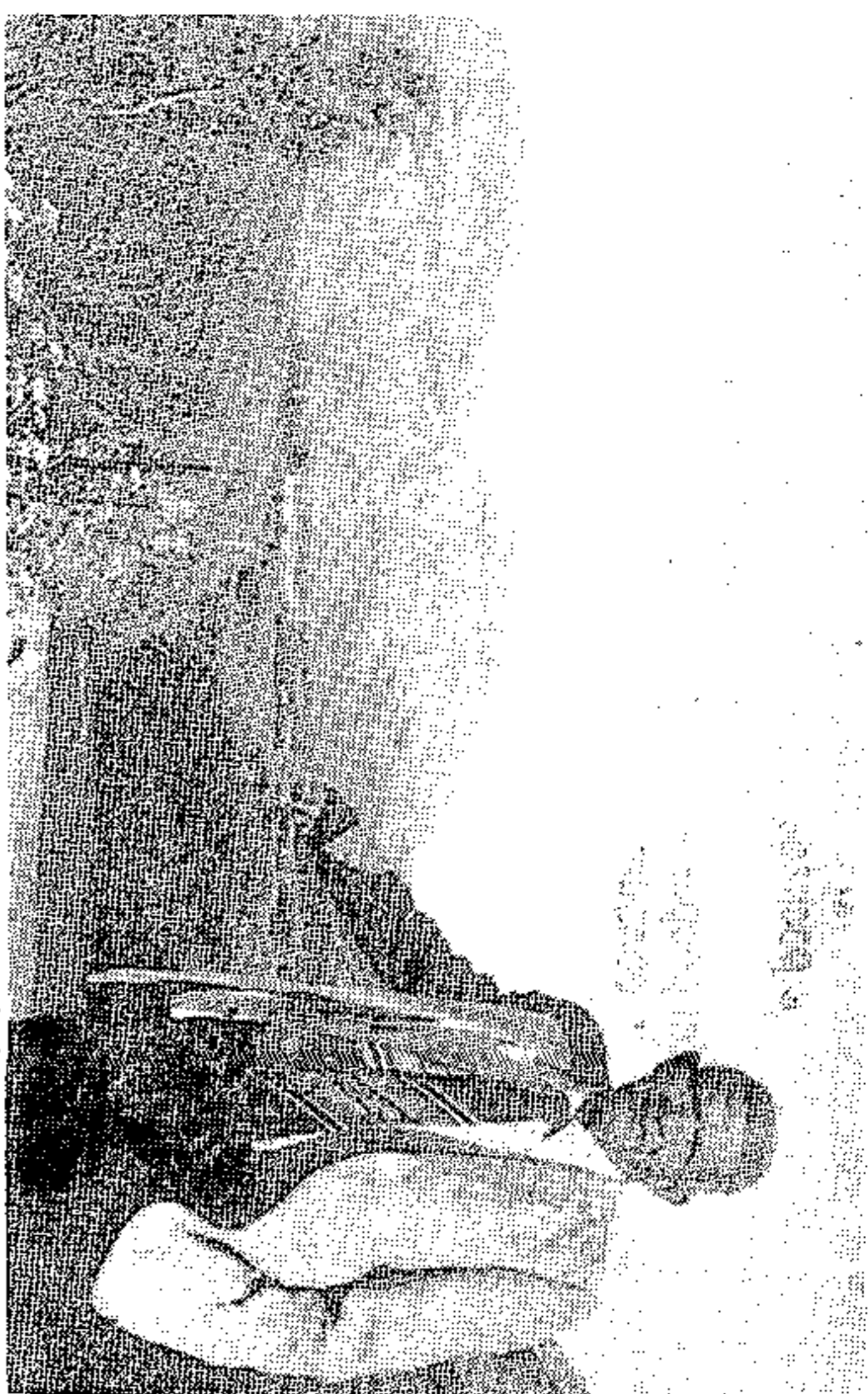
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BARRED: Mr Jan Januarie on the road that leads to Elandsklloof.

'No action on District Six'

CAPE TOWN — Despite appeals to government to expropriate or acquire privately owned land in District Six to consolidate redevelopment, nothing had been done, councillor Clive Keegan said yesterday.

Keegan, who is the city council's town planning committee chairman and District Six steering committee chairman, was addressing a news conference. He accused government of indecision on the land question, saying it had resulted in District Six's redevelopment grinding to a halt.

Keegan warned that delay in resolving the District Six issue heightened the possibility of squatters moving onto the land. It would be extremely difficult to remove squatters if that happened.

He said government's delay had threatened the credibility of the District Six planning process.

"Land is the most politically explosive issue of our times. It is right at the core of the national debate. There is enormous potential for political mobilisation around the issue of land," Keegan said, adding that District Six represented the most emotive example of land theft in SA.

He said the District Six Steering Committee, appointed to prepare a develop-

LINDA ENSOR

ment plan for District Six, had laid the groundwork and it was up to government and Cape Administrator Kobus Meiring to take the matter further. (81) (81)

Should privately owned land and government land be pooled into one trust, there would be 50 ha available for development, housing about 20-25 000 people in about 100 dwelling units per hectare.

The aim was to develop affordable housing for moderate to lower income groups in a high quality environment.

In a letter to Meiring in December last year, Keegan said delays in planning District Six placed inner city housing further beyond the reach of working class families.

"If one assumes that the redevelopment will cost in the order of R350m, then each day lost now will cost future communities some R200 000 a day in price escalations," Keegan wrote.

Keegan said a broad set of principles underlying the redevelopment only had been formulated and the community would become involved in the planning process once the land issue had been resolved.

EDWARD MOLOINYANE

Weekend Argus Reporter

IN a District Six breakthrough the government has agreed to a land-swap that will consolidate the area for possible development by a utility company — and council-owned ground may even be offered free.

The Cape Technikon, the major landowner in District Six, will swop some of its present controversy-shrouded land holdings for other ground nearer central Cape Town.

The Administrator, Mr Kobus Meiring, announced yesterday that the Cabinet had approved proposals made by the District Six Steering Committee.

This committee is under the chairmanship of Cape Town city councillor Mr Clive Keegan, who is also chairman of the council's town planning committee.

It comprises representatives of landowners and property developers in District Six, the ANC and residents of the built-up area, Zonnebloem.

At the time a moratorium on development was agreed on.

In phases

At a media conference, Mr Meiring said that when the committee was formed more than a year ago to discuss the redevelopment of the once bustling area, it had recommended that this be done in phases.

Proposals included that:

- Land be exchanged with the Cape Technikon so that it grew eastward, towards the city, instead of west.

- All the land belonging to the State and city council be handed over to a utility company or "such vehicle" for housing to "bring back the people".

- Together with the assistance of the State and the private sector a "new District Six" should be built.

Phase 1 was now complete. "The government has also agreed in principle that all State land would be put at the disposal of a vehicle for development," Mr Meiring said.

Committee

He said it was "very important" to build a new District Six and said that the steering committee had decided to form a "small committee" consisting of the Cape Technikon, churches, community organisations and other parties to "look into the ramifications of the proposals".

Council ground may be offered free

Saying the steering committee had taken note of the news "with gratitude", he said: "District Six is the heart of Cape Town but it has for years been the absent heart of Cape Town."

But, he warned: "In the planning of the new District Six we must make absolutely sure we don't repeat a slum situation."

Mr Keegan said the committee welcomed the Cabinet's decision to resolve the land question.

Council land

"The city council will recommend that it make its land available for the development of District Six free of charge," he said.

Zonnebloem residents' spokesman Mr Dave Buckingham said the present steering committee should be disbanded.

He supported the Administrator's suggestion of a committee made up of delegates from city and provincial administration, the technikon, present homeowners, previous residents and the business community.

Redevelopment should be done with the aid of a city council-backed technical committee, he said.

Politicians should be kept out of the Zonnebloem arena, he added.

District Six land deal a breakthrough

81
MG 24/8/91

Govt go-ahead for District Six land swop

(81)

ET 24/8/91

Staff Reporter

THE Administrator of the Cape, Mr Kobus Meiring, yesterday gave the green light for the redevelopment of District Six.

Speaking at a press conference on the future of the controversial suburb yesterday, Mr Meiring disclosed that the cabinet had on Wednesday agreed to swop privately owned land in District Six for state-owned land held elsewhere in the city.

"At last something can be done to bring the people back to District Six, the heart of Cape Town which has been empty for many years," he said of the apartheid landmark which has been the subject of bitter resentment since it was demolished in the 1960's.

The government also agreed that state-owned land be made "freely available" to a consolidated pool for development on condition that Cape Town City Council also donates land for the proposed development, Mr Meiring said.

Welcoming the government's

decision, Mr Clive Keegan, chairman of the District Six Steering Committee, said he would recommend this to the council next week and he had "little doubt" it would be made available.

The government's decision to pool the land ends months of uncertainty about its future.

Representatives

Mr Meiring said a committee under the chairmanship of Cape Province deputy director-general Mr Carel du Preez would investigate the possibilities of using a "utility company" for the development.

Mr Du Preez said the committee, comprising representatives of the province, the city council, the Technikon, the private sector and the past and present inhabitants of District Six as well as churches in the area, would sit on the committee and decide on a "suitable utility" to further the development.

The government had committed its land to the development on the following conditions: The constitution be approved by the

government; the capital programme for the development be submitted to the cabinet for approval; the development body has state representation; there must be proper financial accountability, and the city council must make its land freely available in District Six.

Mr Meiring said yesterday that the government's decision now finalised the four phases of the District Six planning process.

But Mr Keegan warned that the implementation of the development would have many obstacles regarding its allocation policy and the mix of housing.

Reacting to yesterday's announcement, Mr David Buckingham, spokesman for the Zonnebloem Home Owners — which represents 600 families in Zonnebloem, said it would be better to disband the present steering committee (for the redevelopment of District Six) under the chairmanship of Mr Clive Keegan and form a "technical committee" under the supervision of the city council and use their technical expertise in the planning process.

District Six news is fantastic ~~81~~ developer

LINDA ENSOR

CAPE TOWN — The Cabinet has cleared the way for the long-delayed development of District Six.

It has decided that land owned by private developers in the area will be consolidated into a "land pool".

Government would not provide details of its plan.

However, land swaps seem the likely route.

Private developers have been given lists of pieces of land in the western Cape owned by several different departments so they can choose which piece they would like. *Monday 26/8/91*

Cape Administrator Kobus Meiring is not giving information on the decision to the media until after his meeting this week with those involved in the initial planning for District Six's development.

Representatives of the Cape Town City Council, ANC, civic groups, Cape Provincial Administration,

state departments and private developers will be among those invited.

Mike Vietri, MD of one of the private developers, Faircape Homes, said yesterday: "If the report is true, its fantastic." He said the delay of about three years since Faircape Homes bought the land had cost the company between R400 000 and R500 000 as rates and interest had had to be paid.

The cost of developing District Six into a high density residential suburb of affordable homes will run into hundreds of millions of rands.

Should privately owned land and government land be pooled, there would be 50ha available for development, housing 20 000-25 000 people with about 100 dwelling units a hectare. The aim is affordable housing for moderate/lower income groups.

81 08/8/91 ET
**ANC welcomes
Dist 6 plans**

THE Woodstock branch of the ANC has welcomed plans for the development of low-cost housing in District Six as a significant victory in redressing apartheid injustices.

However, the ANC said it "regretted that the government has not yet responded to our demand for the curtailment of the further expansion by the Cape Technikon". — Sapa

Owners: Dist Six land swop philanthropic

⑧ CT 30/8/91 By PETER DENNEHY

THE land swop in District Six is a viable way of freeing up development — and is “philanthropic”, say private land-owners.

The Administrator of the Cape, Mr Kobus Meiring, announced last week that the cabinet had approved in principle a land swop of state property for privately owned land in District Six to enable redevelopment planning to proceed.

Mr Jeffrey Solomon of the Solomon Brothers, who own under a hectare of land in District Six, said yesterday that negotiations on the issue were sensitive, and the private owners did not want the process through which the District Six problem was to be solved to be impaired or compromised.

“We and other private owners of land there took a balanced view and decided not to develop,” Mr Solomon said. “This was done to facilitate the best solution to the problem. Our motives were not purely financial but mainly philanthropic. We want the disadvantaged people to be represented on this issue. Civic groups involved gave their full support to the land-swop idea, as did the council and Mr (Clive) Keegan’s steering committee. It was pretty unanimous.”

Mr David Solomon said he and his brothers had suggested the land-swop deal to the government, as a way to accommodate all parties. It was a viable way of freeing up the District Six land.

Mr Jeffrey Solomon said private owners were not bound to the deal, which was still being negotiated. Their participation was purely voluntary.

Land of the lily-white labourers

REG RUMNEY reports on a visit to the all-white town of Orania, where labour unrest recently reared its head

UNCONGRUOUSLY, perhaps, hi-tech abounds side by side with Voortrekker values in the Northern Cape town of Orania, kernel of the putative new Afrikaner state of Orandia.

On Sunday night, folk wander in to the public dining room of the cafe-cum-guesthouse run by burly "godfather" figure Johan Moolman. They play hymns and Afrikans *iedjies* on a Yamaha electronic keyboard someone has set up in the cafe's dining room.

Even more startlingly, Orania's school relies on sophisticated Amiga computers for its advanced programme of individual tuition for the 35 or so pupils.

Those who favour the "Volkstaat", dreamchild of Professor Carel Boshoff, pin their hopes on technology and mechanisation to solve at least in part their biggest problem — labour.

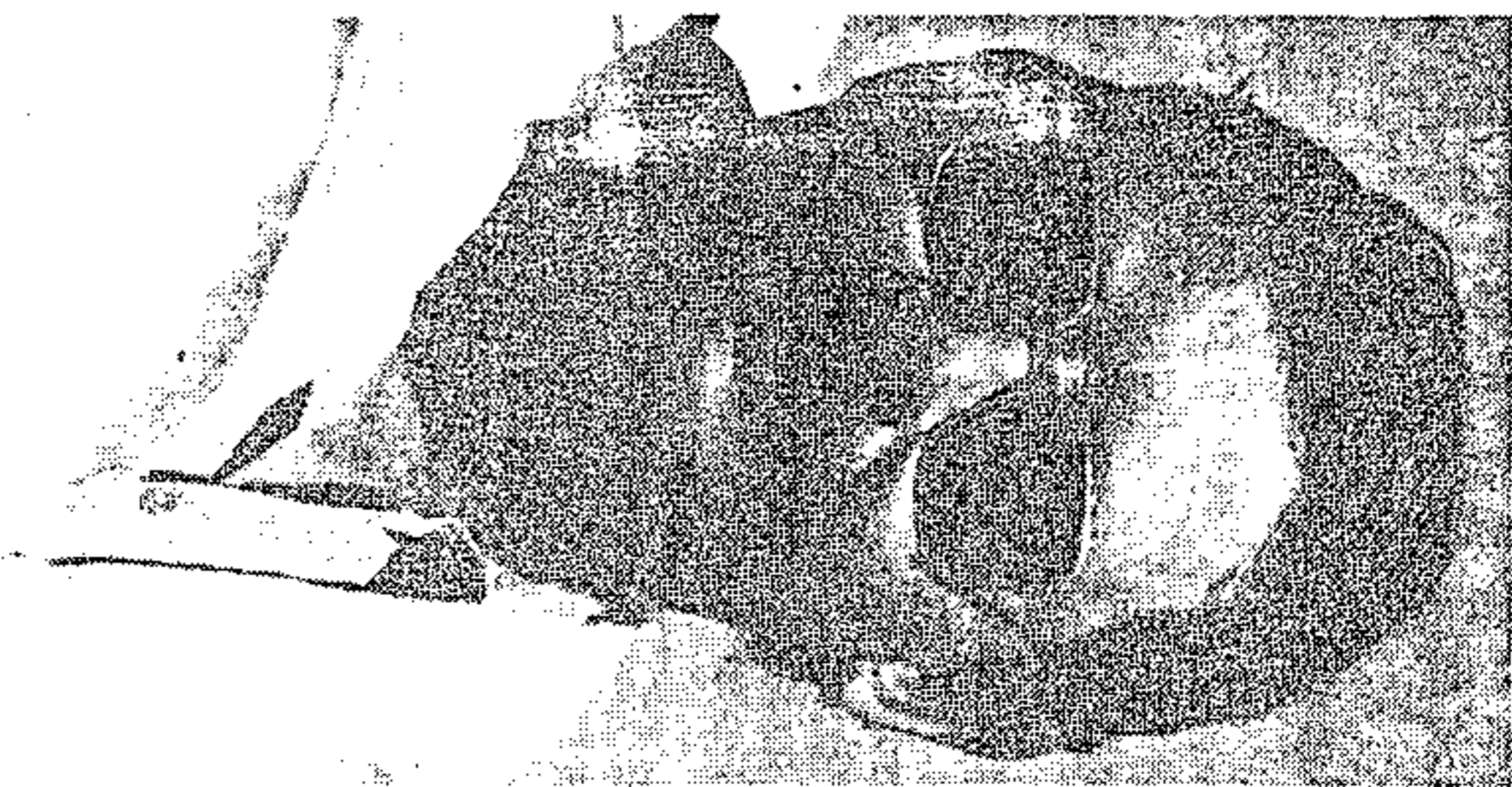
In this they are not alone. Business in South Africa has also turned on a large scale to capital investment to avoid a politicised and unionised labour force.

But how much of a problem labour is was illustrated by a dispute last week in Orania between Moolman and some of the white labourers in the town.

The white workers were much disgruntled about working conditions — and about Moolman giving one of the workers the occasional "klap".

The dispute appears to have been settled — but journalists, of whom I was one, visiting the town two weeks ago, found a simmering discontent among the labour force.

The replacement of black labour with white is a big stumbling block. Morgenzen, where Oranjewerkers planned



Dirtying their hands ... White labourers put a brick 'skin' on a house in Orania

in Orania
to use only white labour has also flopped, at least in the eyes of the people of Orania, who use it as an example of what they don't aim at.

Even the trekkers, after all, relied on black and coloured labour. But Volkstatters I spoke to, in theory anyway, believe reliance on black labour is a decadent practice which will bring ruin on the heads of white Azanians, their term for South Africans.

In Orania the working hands will have to be lily white. Moolman's complaints about labour problems smack uncannily of those in neighbouring Azania: Moolman, a teetotaler, complains of getting calls from nearby Hopetown to come and pick up his

Photos: REG RUMNEY

drunk white labourers.

But unlike Azania, the problem is not a living wage, he insists, even though labourers get R150 a week, with board and lodging thrown in.

"The only labour problems we have in Orania is alcohol and drug abuse."

There is an irony in Orania's all-white labour problems. The trend in South Africa is for greater co-operation between white and black unions. Recently, black South African Railway and Harbour Workers' Union members went on strike on behalf of one of their white members.

Die-hard Marxists will take heart: at least in some cases class does seem to surpass race in importance.

Johan Moolman ... Accused of 'klapping' a worker

Labour, according to Moolman, will also be the weapon to remove the 265 000 people — most of whom are coloureds and the rest blacks — who live in what will be the Afrikaner Volkstaat, a huge chunk of South Africa stretching from below Kimberley through Beaufort West to the coast.

They simply won't get work, he says. Around 250 coloureds were moved from Orania "by negotiation".

Orania, which has the feel of a mining village, was built by the Department of Water Affairs to house workers building canals piping water from the nearby Orange River for irrigation. It is around 700km from Pretoria.

'Give us back our ancestral land'

BY KURT SWART

A BELEAGUERED rural community facing eviction from a farm — their second forced removal in three decades — have been granted two months' grace.

The community have dug in their heels and are refusing to leave the privately-owned farm Alledale in the Cape where they have lived as rent-paying tenants for the past 30 years. They say they

Coloured community

ST Times 19/9/91 (81)

face second forced removal in 30 years

will only leave if they are resettled on nearby Elandskloof, the ancestral land which they claim was given to them by Queen Victoria.

Attendale owner Danie du Plessis, who ordered the community to vacate his farm by the end of August, said last month he was prepared to grant the community more time to leave. But he warned that if they were "stubborn" they have to be out by the scheduled date.

The community lived and farmed at Elandskloof, near Citrusdal, for almost 100 years before they were forcibly removed from the land in 1961 after the NG Kerk sold the property.

A delegation of NG Kerk officials met Mr Du Plessis on August 12 to discuss an extension of time for the community to vacate the farm.

Yesterday — the original deadline for eviction — the community said they had been told by a member of the church delegation that they had been granted an extra two months to leave the farm.

Chased

NG Kerk spokesman Reverend Ernst Lombard said: "We negotiated with the farmer and asked for a year's extension for the eviction. This would give us more time to help the community."

Mr Du Plessis has refused to comment. The leader of the com-

munity, Mr John Januarie, 73, who was born on Elandskloof in 1918, said the community had been told by their grandparents that the land had been granted for missionary purposes for the coloured community by Queen Victoria.

"But the NG Kerk sold the land to a Mr Smit, who chased us off with the help of the police in 1961."

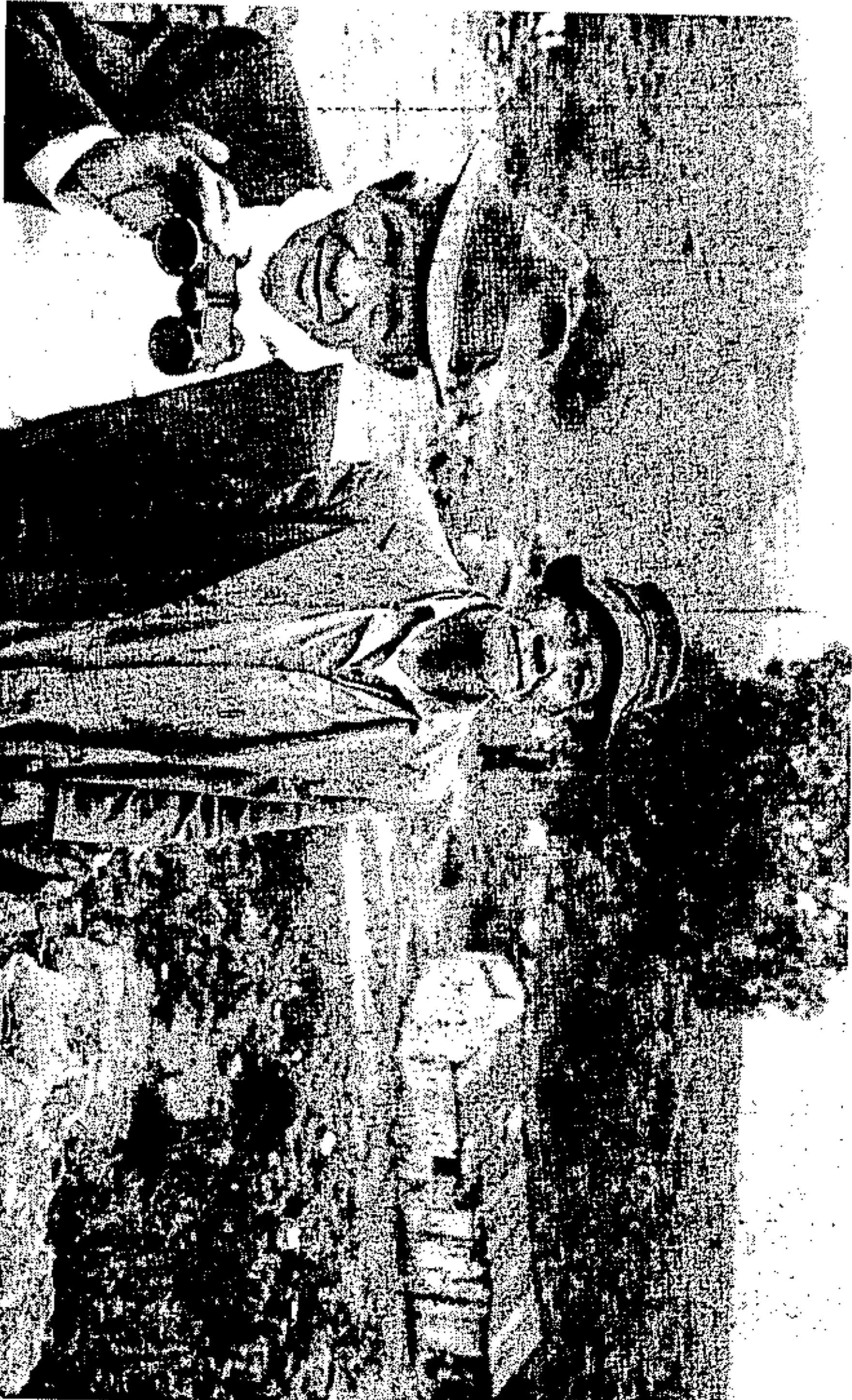
The NG Kerk has denied that the land was granted to the community with the intention that they would eventually obtain ownership rights.

Campaign

It backed its claim by quoting from a document dated 1898 in which land was ceded by Queen Victoria to the "Home Mission of the Dutch Reformed Church".

But lawyers for the community said the condition that the land be used for missionary purposes was removed from the title deeds by an executive council minute signed by then-Prime Minister Hendrik Verwoerd and Minister CR Swart in 1960 — apparently at the insistence of former State President PW Botha, then Minister of Coloured Affairs.

In their campaign to return to the land where they once lived as a cohesive and thriving farming community — "independent of white bosses" — the community has staged several protest marches to highlight their plight.



DIGGING IN... John Januarie and Marinus Fransman, who say they want their land back. Picture: AMBROSE PETERS

They marched on the NG Kerk offices in Cape Town last year and several weeks ago they marched to the Citrusdal police station.

Addressing a meeting of the community and concerned organisations last week, Dr Allan Boesak said Elandskloof was "the story of South Africa" where black people were disposed to make way for white farmers.

"It is a story of pain, theft and the destruction of communities throughout the land," he said.

Mr Januarie said that after the forced eviction 30 years ago the original Elandskloof community was scattered to Worcester, Atlantis and as far as Knysna.

"There were 600 of us, and only about 30 families stayed on the farm Alledale. But the community

wants to stay together. If we return to our land all those who left will return."

Mrs Molly Smit, the owner of Elandskloof, was adamant that the matter was closed.

"It was finalised years ago. We do not have any business with these people any longer."

"They pollute the area, they refuse to pay rent and their pets kill our farm animals," she said.

District 6: Slum ⁽⁸¹⁾ vs gentrification? _{CT 2/9/91}

IS Springfield Terrace — the three brick buildings under construction just below Eastern Boulevard — an indication of the sort of development we can expect in the rest of lower District Six?

Mr Clive Keegan, chairman of the District Six Steering Committee, has made it clear that this is not necessarily the case.

Nonetheless, the Springfield Terrace development is being built by BP's non-profit company Headstart, which has also been involved in formulating the District Six concept plans.

It seems that Headstart's goals for District Six in general are not widely divergent from its goals for Springfield Terrace, so it is worthwhile looking at this development.

Phases one, two and three of the five-phase development are already being built and the entire complex is due for completion by July next year. The tallest of the buildings is four storeys high.

In all there are 140 units at the terrace, ranging from bachelor flats to four-bedroom units. Final prices have not been worked out yet, but Headstart is confident that the prices of $\frac{2}{3}$ of the 140 units can be kept below R65 000.

It is possible to do this only because the entire undertaking is a non-profit affair. According to Mr Keith Bryer, a spokesman for Headstart, the market value of most of these flats would be in the region of R30 000 higher each.

Some of the flats will be for sale, while others will be rented. Mr Bryer said efforts would be made to stop "gentrification" of that area.



CIVIC DIARY

By PETER DENNEHY

Gentrification is the process in which working class people lose their homes to those who are wealthier when an area comes to be seen by the latter as a convenient or desirable place in which to live.

Experts were divided over whether or not it was possible to stop this market-driven process, in which prices are driven up, Mr Bryer said.

A degree of gentrification is already taking place in the parts of District Six that lie below Eastern Boulevard.

Within the past year a couple of rows of semi-detached houses below Springfield Terrace have had their formerly joint electricity and water meters separated, and lately several houses there have come on the market.

One which does not have hot water was snapped up within days for R70 000. It seems that Mr Clive Keegan, who inspired investor confidence with his St George's Mall project, is about to inspire it again — but this time reluctantly.

It is ironic that Zonnestoem residents are worried about the lower part of District Six turning into a slum, while planners are concerned that they will not be able to stave off gentrification and retain affordability.

Dist 6 group 'committed'

81 CT 4/9/91

Staff Reporter

A DISTRICT SIX steering committee yesterday reaffirmed its commitment to establishing low-cost, high-density housing, despite dissent from Zonnbloem home owners.

Chairman of the town planning committee Mr Clive Keegan said preliminary investigations existed into affordable, low-cost, high-density buildings to enable "lower-income people to return to the city".

However, spokesman for Zonne-

bloem home owners and steering-committee member Mr David Buckingham said home owners were not satisfied with proposals for four-storey, high-density blocks of flats.

He said his members did not object to proper housing, which the "evicted people of District Six want", adding that he "welcomed" the inclusion of six former District Six residents in the "bulging" steering committee, but was "growing sick and tired of paternalistic white liberals".

The abolition of the Group Areas Act early this year was hailed by many as a significant reform. Others feared an upsurge in racial tension. But on the ground, in South African cities, change is slight and gradual. Although residential apartheid is no longer enforced by law, it is maintained by economics. Yet the owners of mansions in exclusive areas are no longer necessarily white. Nor are those forced to squat in shacks any longer necessarily black:

BEFORE THE REMOVAL of the Group Areas Act, the Cape Town City Council commissioned a report on the possible impact of abolition, and many people braced themselves for a conservative backlash. However, changes in occupation patterns are proceeding very gradually and there have been few cases of overt racial tension and hostility.

There is no highly visible melting pot like Hillbrow in Cape Town. In the only comparable high-rise area, Sea Point, prohibitive prices and a dearth of rental accommodation have been a bar to significant shifts.

Nevertheless, estate agents say an increase in black residents living in backyards and servants' quarters has motivated many white residents to move from Sea Point to the City Bowl area. Mr Mike Bisset, a director of Pan-Golding Estate Agents, says the removal of the Group Areas Act has not meant dramatic changes.

He says movement has been "gradual" and largely limited to areas which have long been "grey" such as Woodstock and Observatory, or areas such as Rondebosch East, Ottery and Kenwyn which border on "coloured" areas.

"There has been no massive rush but rather a gradual filtering in, mostly of professionals and the upper-middle class. Often, the new black residents are higher up on the social scale than their white neighbours," Bisset said.

City agents point out that one reason there has not been a post-Group Areas rush is that many black people cannot move because they have been "locked in" by the Group Areas.

From Rylands to Malunga Park, home owners have overcapitalised on their homes and now cannot get a commensurate price.

Most of those who have made a move, however, are not facing the anticipated difficulties. Ms Nyomi Ngwenwa, who shares a flat in Rosebank, said she had not experienced any racial conflict. "No one raised an eyebrow when I moved into this flat. Possibly there are

so many students living in the area that people are used to having black neighbours," Ngwenwa said.

A black family, who did not want to be named, reported a similar story of an easy move to the lower-income white area of Ruyterwacht, while another couple, who also preferred to remain anonymous, spoke of another adjustment in the white suburbs.

"Here, people live behind high walls," they said, "but community spirit is also romanticised. The high crime rate in the townships shows the limits of community feeling. We've had to get used to trees and peace."

But not everyone is willing to take the risk. Mr Doctorson Tshabalala, who had difficulty finding a home when the Group Areas Act was still in force, says he has no intention of leaving Woodstock.

"People don't worry about colour here. I would not like to run the risk of racism elsewhere. I've experienced that humiliation before," Tshabalala said.

That his fears are well-founded is demonstrated by a pamphlet circulated to houses in Claremont asking owners not to sell or rent to blacks; and by Kraifontein right-wingers who have objected to having black neighbours.

ESENTIALLY HOWEVER, the real bar to mobility is economic. Bisset says financial barriers have prevented a more radical shift.

"Apartheid might have been removed from the statute books but money still segregates people. Prospective buyers are limited as to where they can purchase by how much they can afford," he said.

For those who cannot afford to buy, the prospects are bleak. Not only is rental accommodation scarce and expensive, but landlords are legally entitled to use race as a criterion for selecting tenants.

While all the city's major letting agents deny that any form of apartheid is practised when selecting tenants, they point out that a landlord is entitled to choose tenants. Of the record several admitted that they had properties on

'Most people who were moved from their homes by the Group Areas Act or prevented from living in the city permanently are now barred by economics. Without affirmative action to address the inequalities, there will not be change in the city'
— Basil Davidson

their books which were still reserved for "whites only".

Mr Basil Davidson, a spokesperson for the Development Action Group (DAG), points out that land allocation is still taking place on a Group Areas basis. The controversial Milherton squatter settlement is a case in point.

The municipality has accepted that the squatters are there to stay but wants to relocate them to a strip of land outside the town, with a buffer zone separating the new settlement from the white part of town.

Davidson says this "township" mentality is being perpetuated by a range of municipalities. He points out that there is a "moral imperative" for the state to actively intervene to redress the effects of apartheid.

"Most people who were moved from their homes by the Group Areas Act or prevented from living in the city permanently, are now barred by economic

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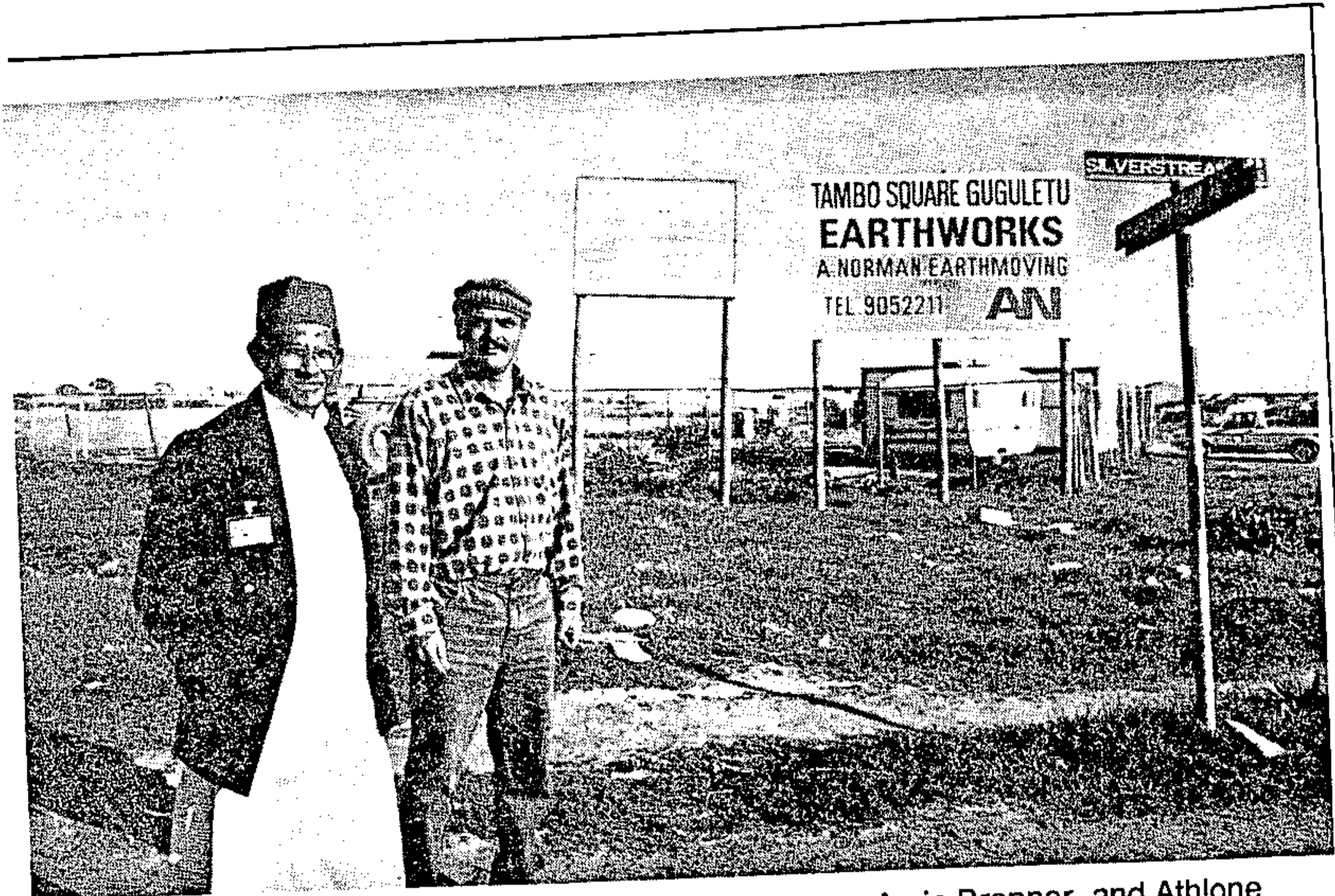
apartheid'

South S|9-11|9|91

rules in

(81)

Cape Town



ANTI: Manenberg opponents to the Tambo Square plan, Amin Brenner and Athlone management committee official and member of the National Party, Yusuf Sampson

PIC: YUNUS MOHAMED

South 5/9 - 11/9/91

(81) (TSA)

ics," Davidson said. "Without affirmative action to address the inequalities, there will not be change in the city."

Davidson said the removal of the Group Areas Act could have a negative effect, with working-class people being forced out of inner city suburbs such as Bo-Kaap and Woodstock.

A cursory examination of Woodstock, which has long been a "grey" suburb, lends support to this view. Once a working-class area, Woodstock is gradually being gentrified. Rental stock has decreased dramatically and the price of houses has skyrocketed, forcing many people to leave the area.

The proposed redevelopment of District Six could reverse this trend, providing for an integrated residential area where different income groups and classes live alongside each other.

Davidson says the removal of the Group Areas Act has paved the way for the redevelopment of District Six.

"The lifting of the Group Areas Act was a precondition for redevelopment. No discussion could take place under the Group Areas or Free Settlement Acts. Now the way is open for District Six to become a real nonracial area where working-class people can live in the city," Davidson said.

Mr Clive Keegan, who heads the Cape Town City Council planning department, also holds out the hope that District Six will be the flagship of a new, integrated Cape Town.

HOWEVER, IF real integration is yet to be seen, conflict could still lie ahead, given the state's current housing policy. Earlier this year, in Manenburg a pamphlet purporting to be from the Labour Party and objecting to the settlement of people from the Tambo Square squatter camp in the area was circulated.

While there is some dispute over the

extent of opposition to the Tambo Square project, Davidson says where shacks and bricks are juxtaposed, some form of conflict is inevitable.

He argues that the root of the tension is not racial, but a clash of forms of urban development.

"In Hout Bay, Noordhoek or Milnerton, the state's approach to urban infill, where it provides serviced sites, is a formula for clashes between communities," Davidson said.

"The clash is on an aesthetic level where shacks are seen as undesirable, and on the level of self-help which, if we are honest, often translates into help yourself from the surrounding areas."

In the absence of any clear affirmative housing policy aside from District Six, Cape Town still remains largely a racially segregated city, its residents compartmentalised by what some have termed "financial apartheid".

PORT ELIZABETH

Influx: A slow process in PE

81 124

South 5/9 - 11/9/91

IN ANTICIPATION of an expected mass black influx property prices in white residential areas here have soared. The result was that the migration of blacks has been noticeably slow. Similar increases in property prices have also been noted in coloured areas, where sellers have been demanding prices which effectively put their houses out of the market.

Mr Fred Simon of Quin Properties said that in certain low-income areas, property prices had virtually doubled.

Quin Properties co-owner, Mr Owen Hollis, said there had been no mass influx into white areas as expected, but rather "movement" within "coloured" areas. "The few people who moved out of coloured areas into white areas opened a gap in the coloured market," Mr Hollis said.

Even with the scrapping of the Group Areas Act, there was no mass influx into white areas. Where there has been some influx of blacks in some areas, whites have resisted the move.

In a recent incident in a Conservative Party-controlled area, Algoa Park, whites marched in protest against two coloured families living in the area. The marchers also demanded their "own white areas". Some estate agents have reported enquiries by black professionals wanting to move out of black townships because of continued unrest, intimidation, and work stayaways.

But while the Act has been scrapped as far as freehold properties go, there is still a law which requires the acquisition of residential permits in respect of leasehold properties. Black residential areas are bound by the 99-year leasehold stipulation which requires a "non black" to apply for a permit to live in a black area. —PEN



Bo-Kaap people fear losing homes to

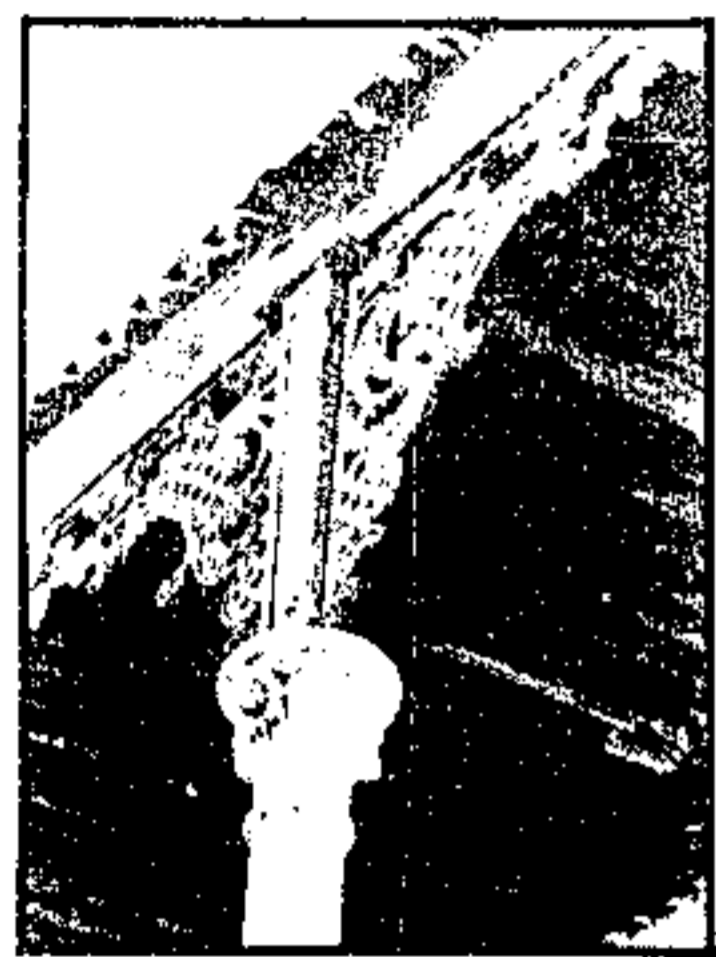
Changes are now coming to the historical

Bo-Kaap. **KAREN WILLIAMS** reports:

Soul (Soul side) 12/9 - 15/9/91.

THE BO-KAAP AREA in Cape Town is not only one of the oldest residential areas in the city, it is for many people still the ancestral home, the place where family generations have braved the Cape of Storms over the centuries. Whether one is walking down cobbled Pentz Street or visiting the Bo Kaap Museum in Wale Street, it is not uncommon to find families whose ancestors' occupation of the dwellings dates to 1834 when the first free slaves bought the houses.

Recently, the Cape Town City Council ordered that the existing tenants could have first option to buy the houses but they had to renovate them within two years to standards set by the National Monuments Council.



“I would rather struggle to renovate the house than move out”

There are fears that many residents of the area will not be able to afford to renovate their houses in the given time, and there is some concern that the area will have an influx of white yuppies (since the abolition of the Group Areas Act) eager to stake their claim to a new “cultural” area.

Historian Mr Agmat Davids says that Muslims started moving into the Bo-Kaap area from 1780. The first house was purchased by a free slave in 1794. By 1880, he said, the community stretched up to the slopes of the old Company gardens.

“Although the area was relatively unaffected by the Group Areas Act and other racial legislation, it did come under a lot of pressure from the authorities. Lots of the land was lost under the Slums Act of 1934.”

According to Mr Nur Osman of the Bo-Kaap Action Committee, many people have started to renovate their houses, but it is doubtful whether all will be completed by the given date. The council has said that they would consider extending the cut-off date by another two years if

there was progress on the renovations by the original cut-off date.

No whites have moved into the area yet, but prices of houses have rocketed since the scrapping of the Group Areas Act.

“Just before the scrapping, many speculators came into the area and prices rocketed. Overnight there has been a doubling of prices,” said Osman.

“Before the scrapping of the Group Areas Act, one could buy a house for between R60 000 and R80 000. Now a small two-bedroomed cottage will cost up to R140 000. Lots of the property has also been bought by speculators,” Osman added.

Mrs Mareldia Engel, who has lived in her six-bedroomed house for the past 34 years, declares: “I will rather struggle to renovate the house than move out. My parents lived in the house before I did and my husband works overtime to afford the renovations.” It will cost up to R80 000 for the Engel family to renovate their house.

She doubts whether they will have the renovations completed by May when the two-year deadline expires. If the council could give them five years to renovate, she thinks they would be able to manage it.

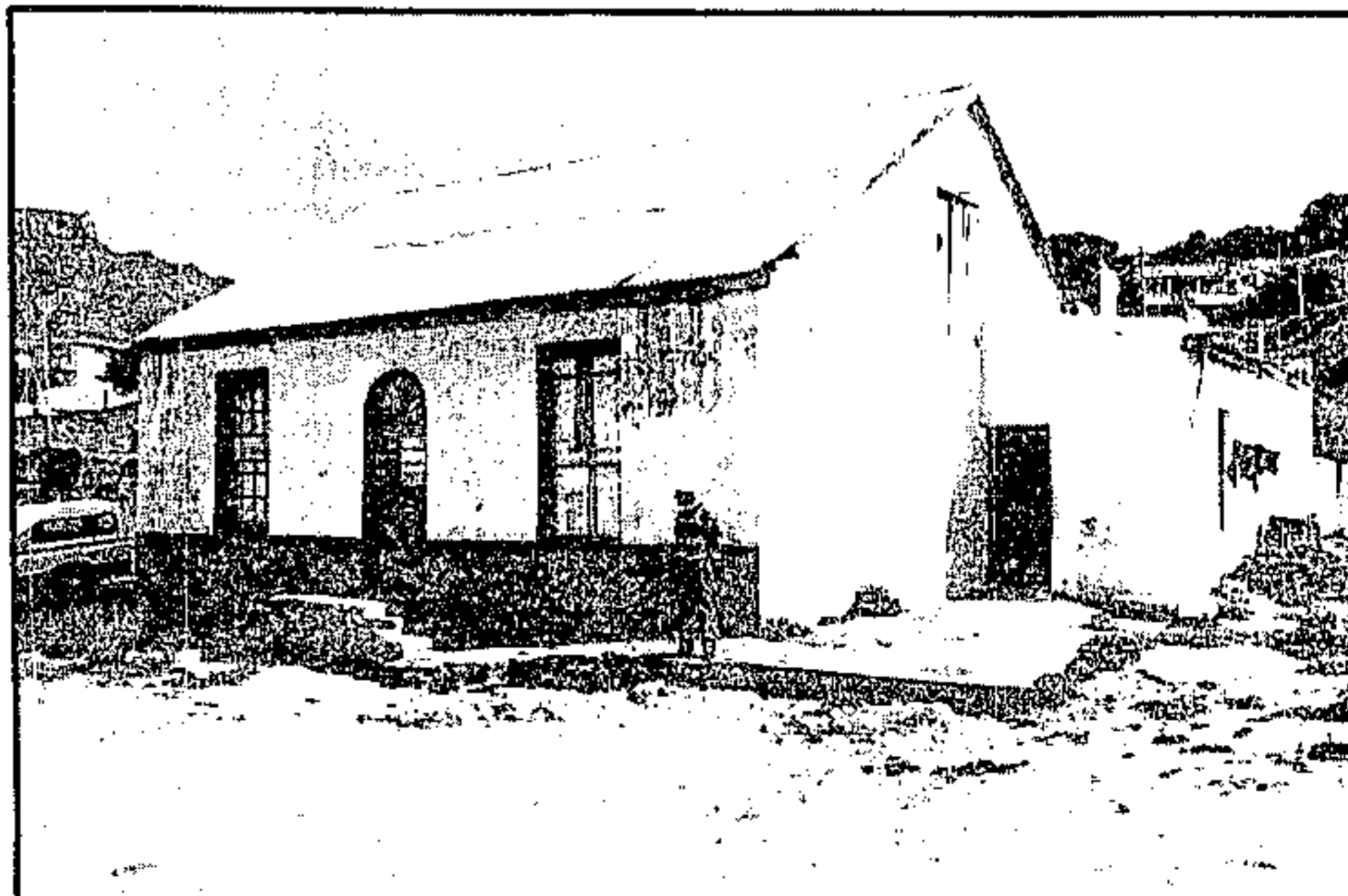
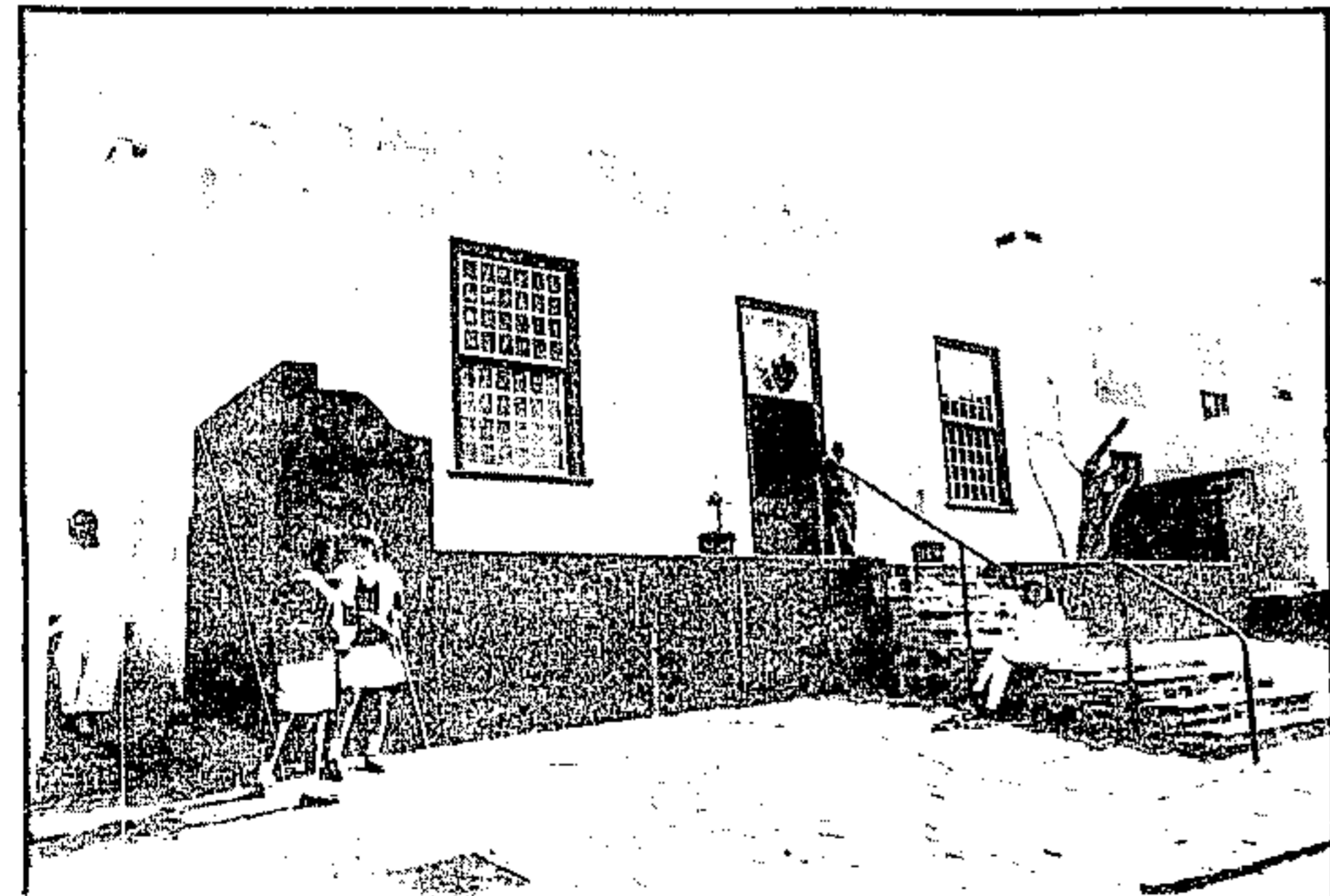
Mr Siedick Franciscus lives in a house which is more than 200 years old. The surrounding land was a farm before it was sold to his foreparents. “The cheapest quote I can get to renovate my house is R45 000,” he said. “But I am letting my son buy it instead. I am too old to buy it now.”



ABOVE: Bo-Kaap schoolgirls attending Muslim school swear the traditional Burkha

BELOW: Number 22 Pentz Street, built more than 200 years ago, is the oldest house in the Bo-Kaap. Owner Mr Siedick Franciscus' family has lived there for the past 67 years. To restore the house would cost at least R45 000

BELOW LEFT: The first book ever written in Afrikaans was written in the Bo-Kaap Museum, formerly the Islamic Ottoman Theological School established in 1862



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NEEDS REPAIR: The Engol family home for 34 years. It requires almost R80 000 for renovation

(southside) South 12/9-18/9/91
R1 000 (plus renovation costs)

POPLE LIVING in the houses of the Bo-Kaap were given the first option to buy their homes when the City Council put the houses up for sale. According to Mr Nur Osman of the Bo-Kaap Action Group (Bokag), the options were conditional on the houses being renovated within two years.

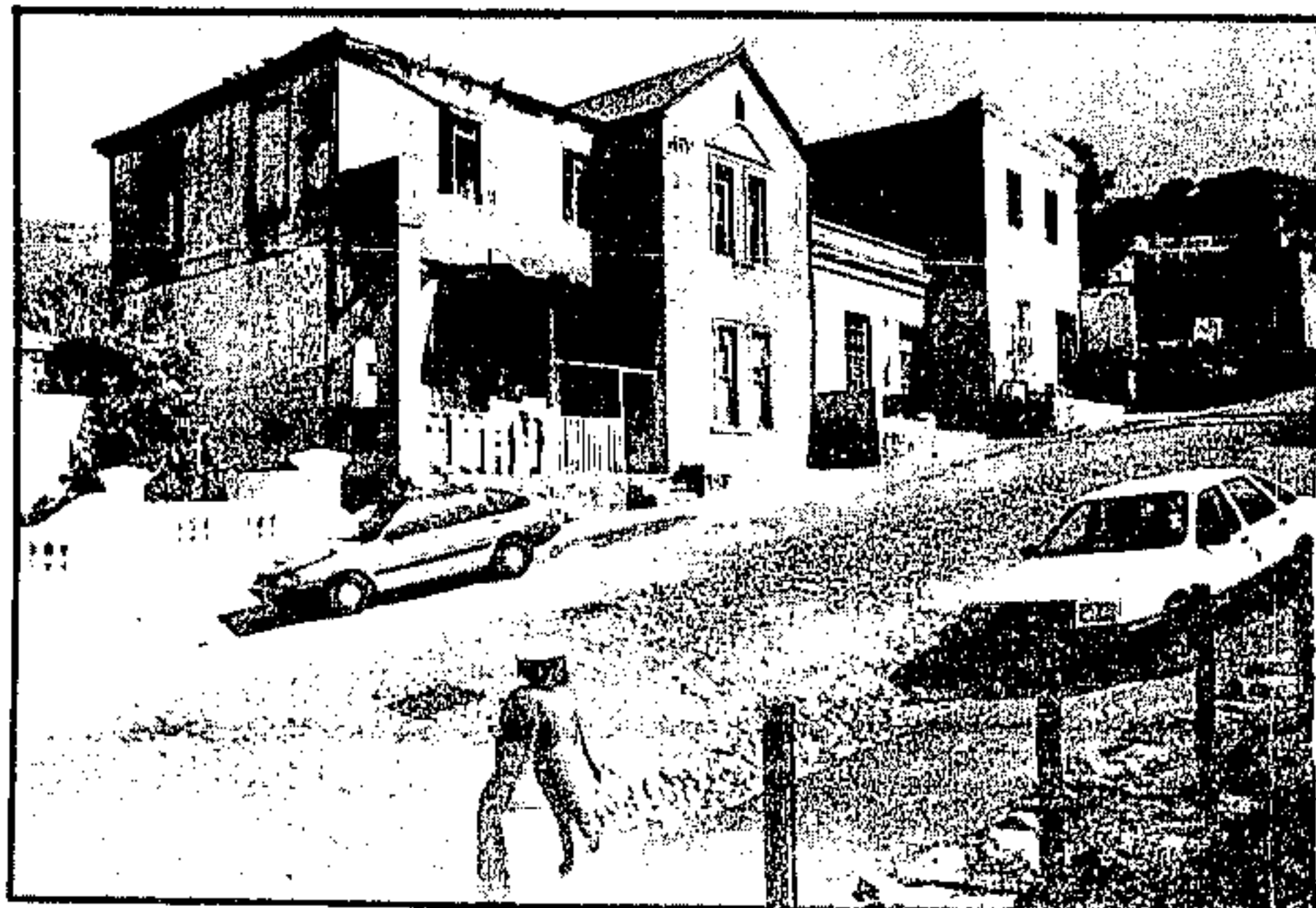
"People residing in the houses were given the

first option to buy. Where property was demolished, the preference was also given to people who had originally resided there.

"Where there was an extended family, those people staying as sub-tenants were also given the option to buy." Derelict houses were selling at R1 000 and open plots could fetch as much as R5 000, he said.



COBBLESTONES: Bryant Street is typical of the Bo-Kaap cobbled streets which have survived from the 18th century.



Religion and history line the streets and alleyways

South (southside) 12/9-18/9/91

THE ISLAMIC FAITH is synonymous with the culture of the Bo-Kaap, and has been since the first Muslims settled there after being freed from slavery in 1834. They moved to the area to be near the Auwal Mosque which had already been built, and many of the buildings constructed since then are a witness to the religion of the inhabitants.

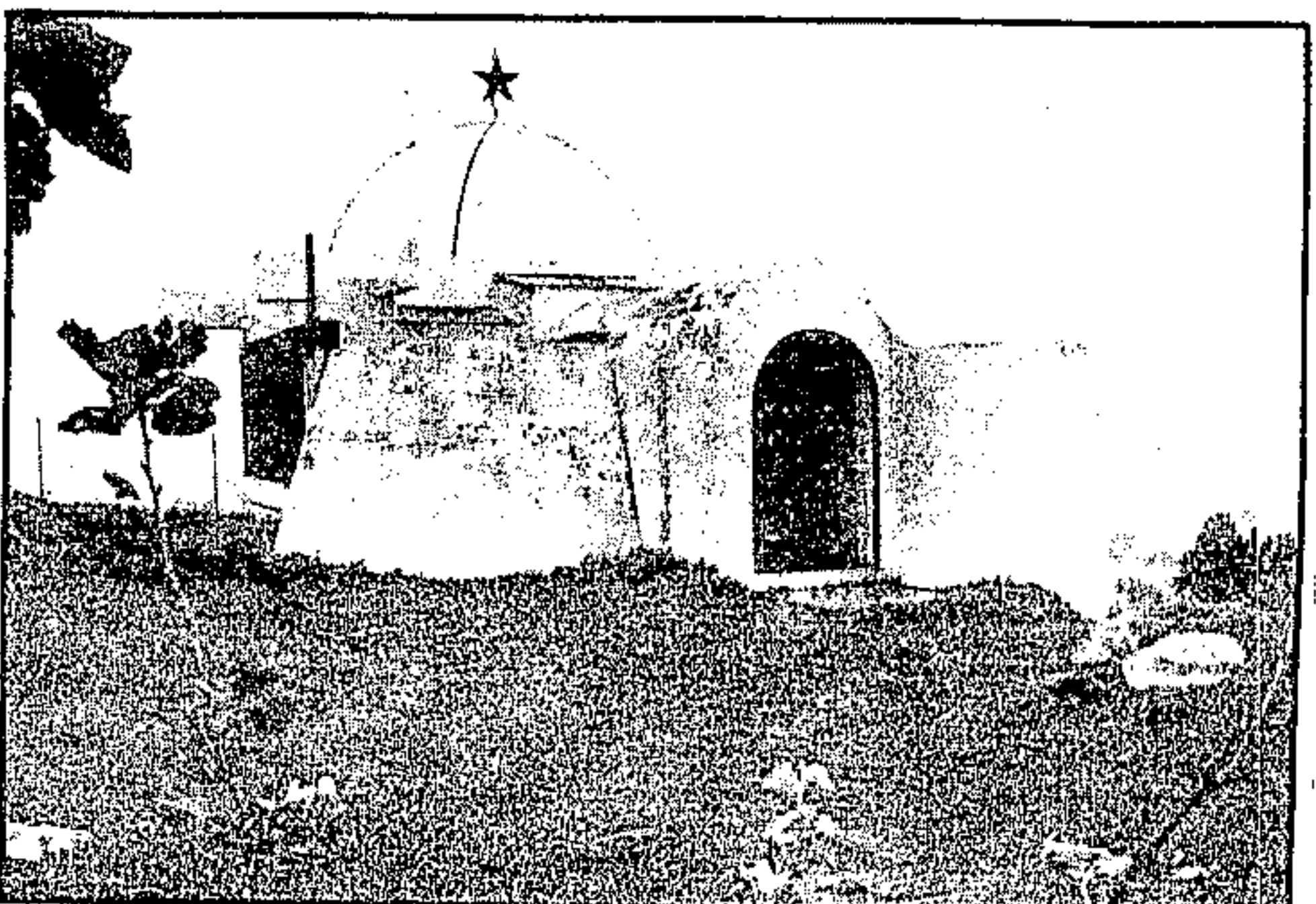
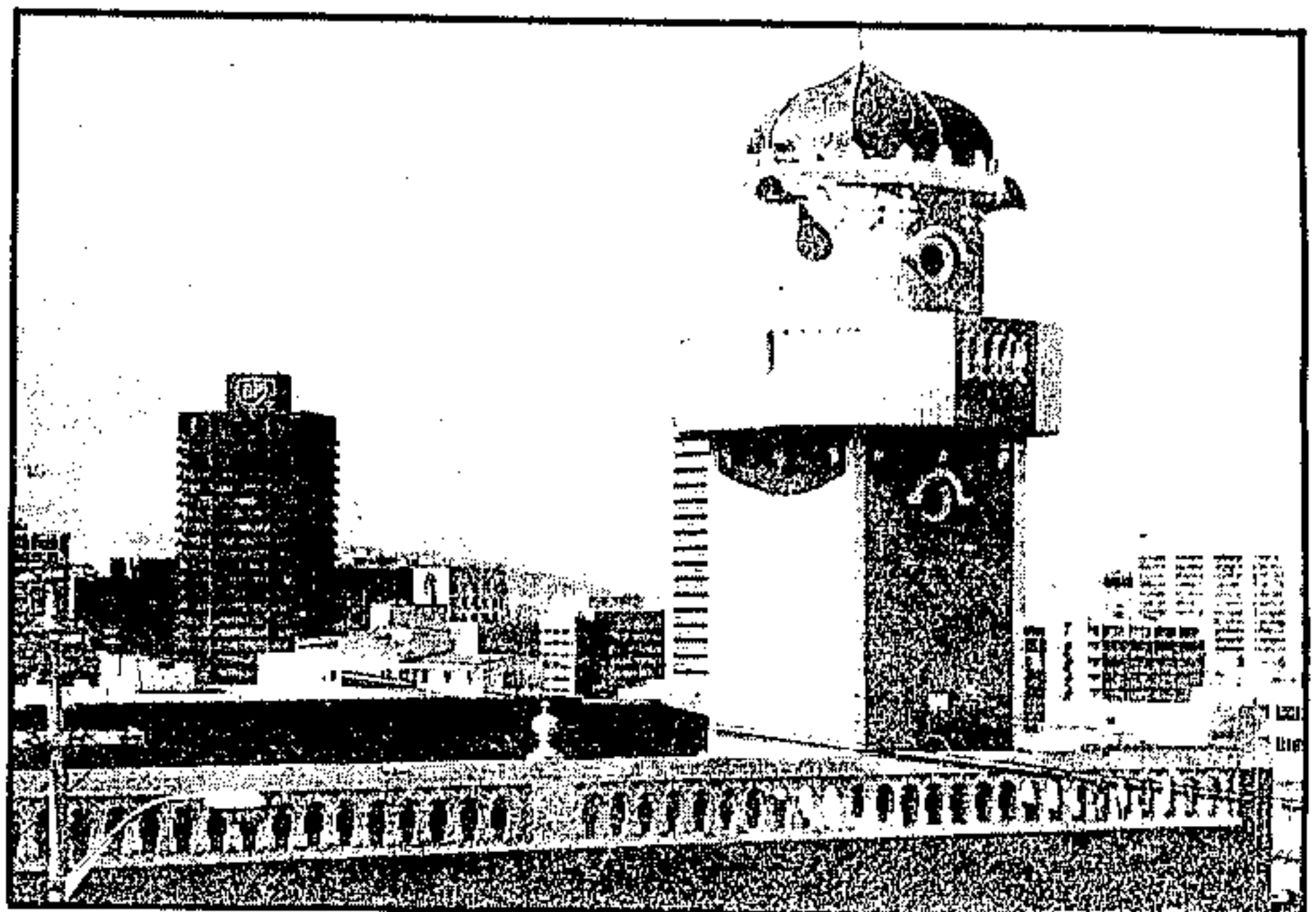
Islam first reached South Africa in the mid-17th century with the arrival of slaves, political exiles and convicts from India, Madagascar and the area that is now Indonesia.

ABOVE: The Auwal Mosque in Dorp Street, dating to 1804, is not only the oldest mosque in Cape Town, but housed one of the biggest schools in the city. It was here, in 1815, that Afrikaans was taught for the first time

BELOW: The Nurul Huda mosque in Leeuwen Street, built in 1958, is the newest mosque in the Bo-Kaap

BOTTOM: A Kramat is the name given to a tomb of this kind, reserved for burial of an eminent religious leader. It stands in a cemetery which dates back to 1772, but which was closed in 1886 after the first black urban uprisings

PHOTOGRAPHS: Yunus Mohamed



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Bo-Kaap people fear losing homes

Changes are now coming to the historical

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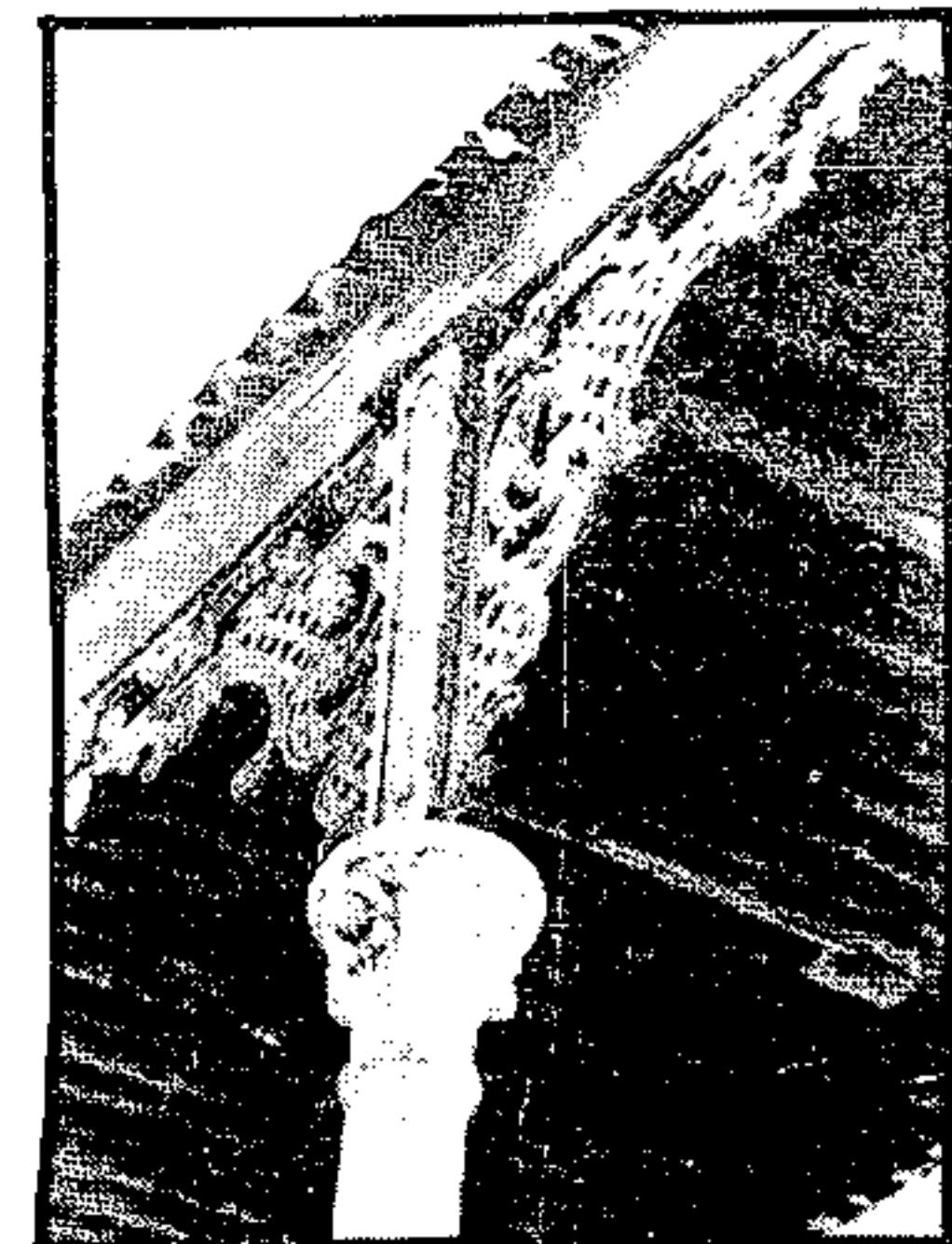
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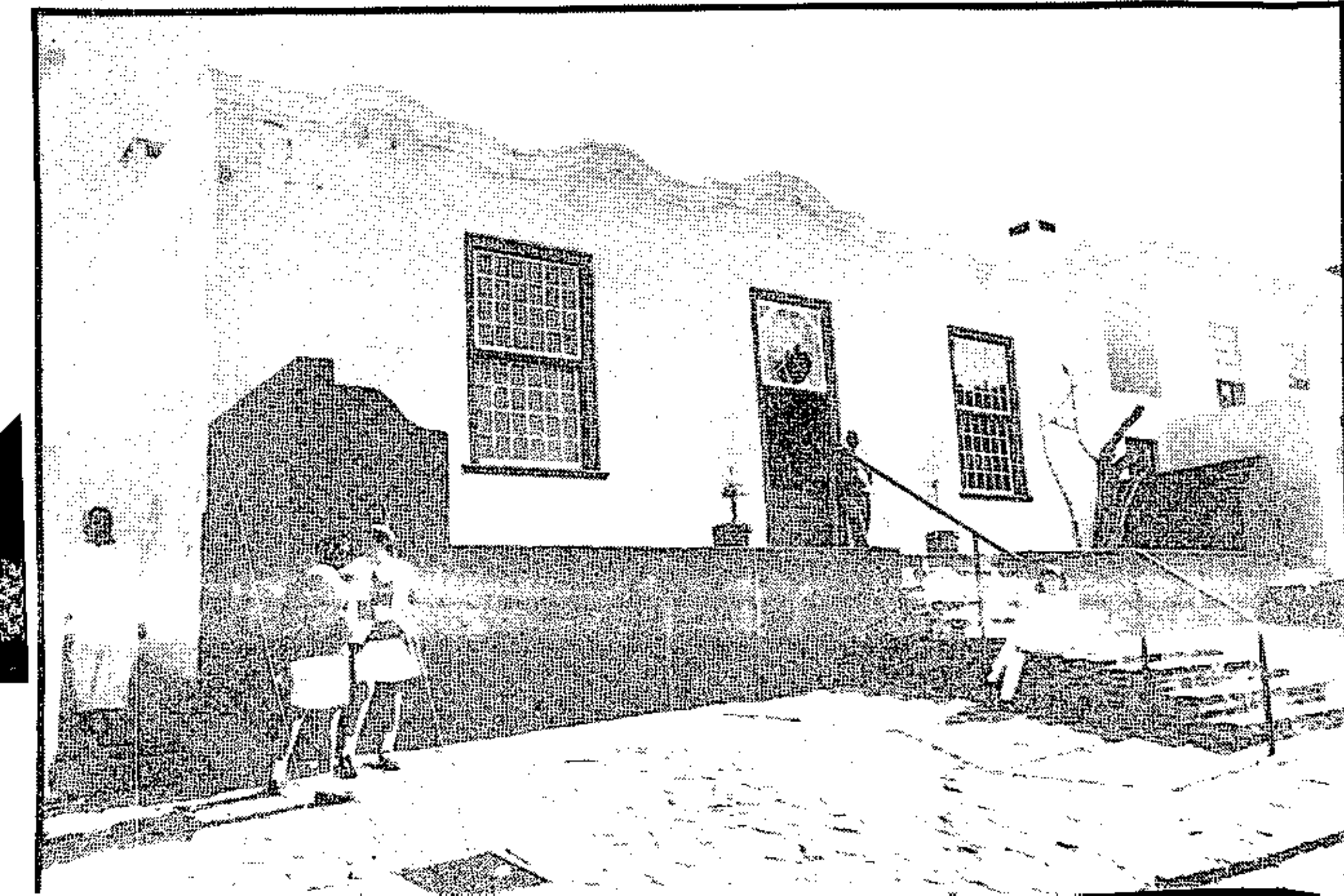
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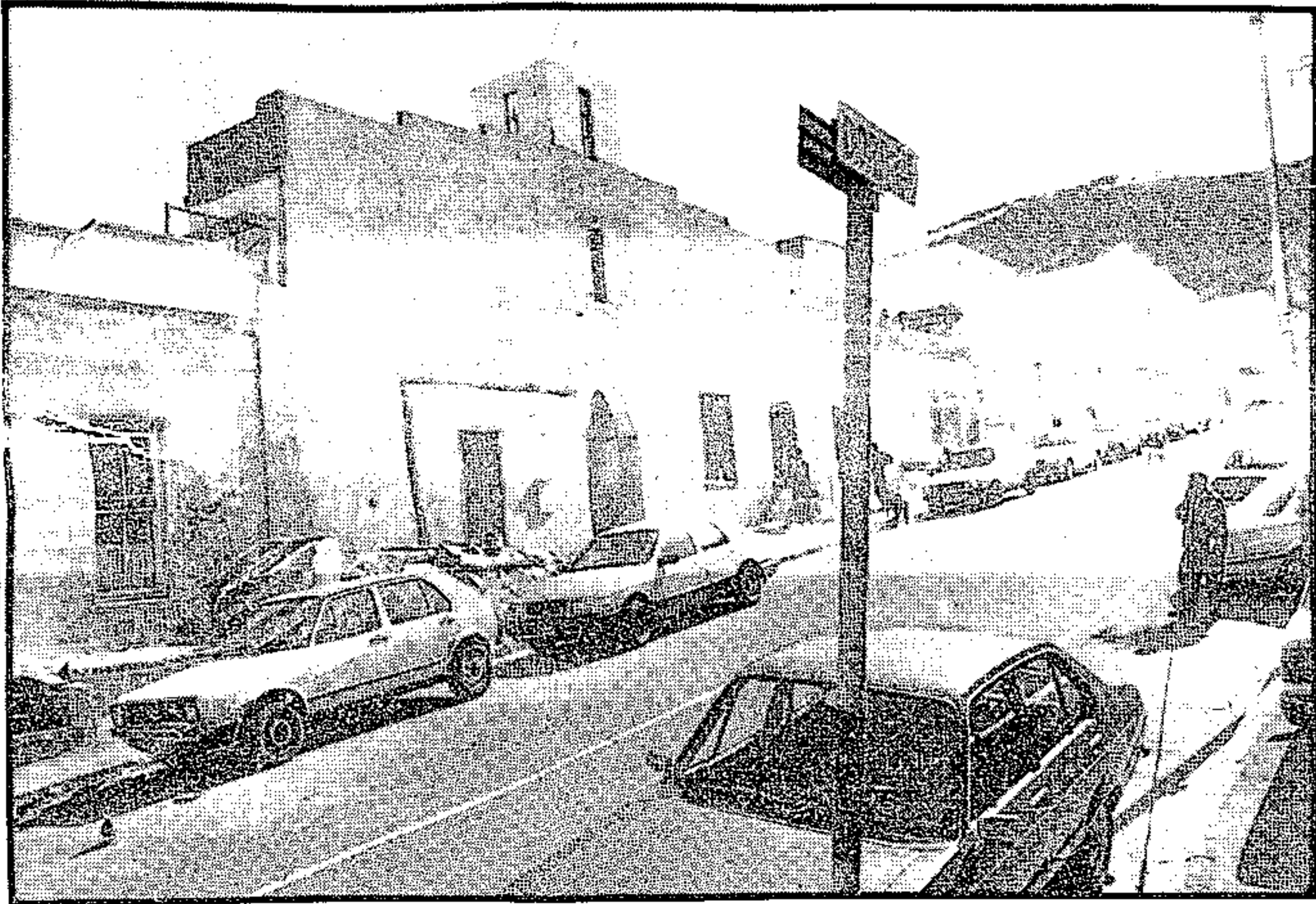
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I would rather struggle to renovate the house than move out



to white yuppies



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(Southside) South 12/9-18/9/91

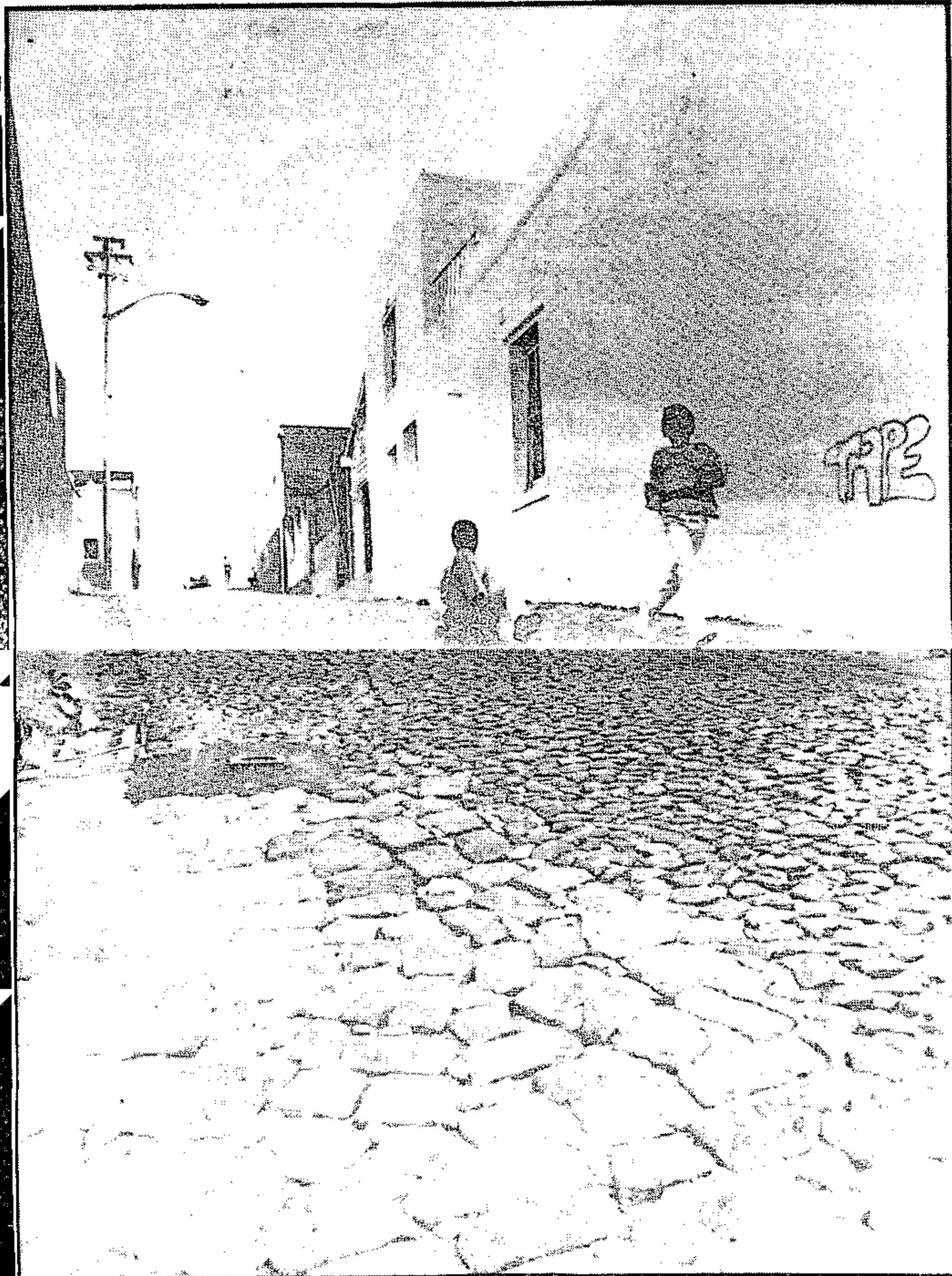
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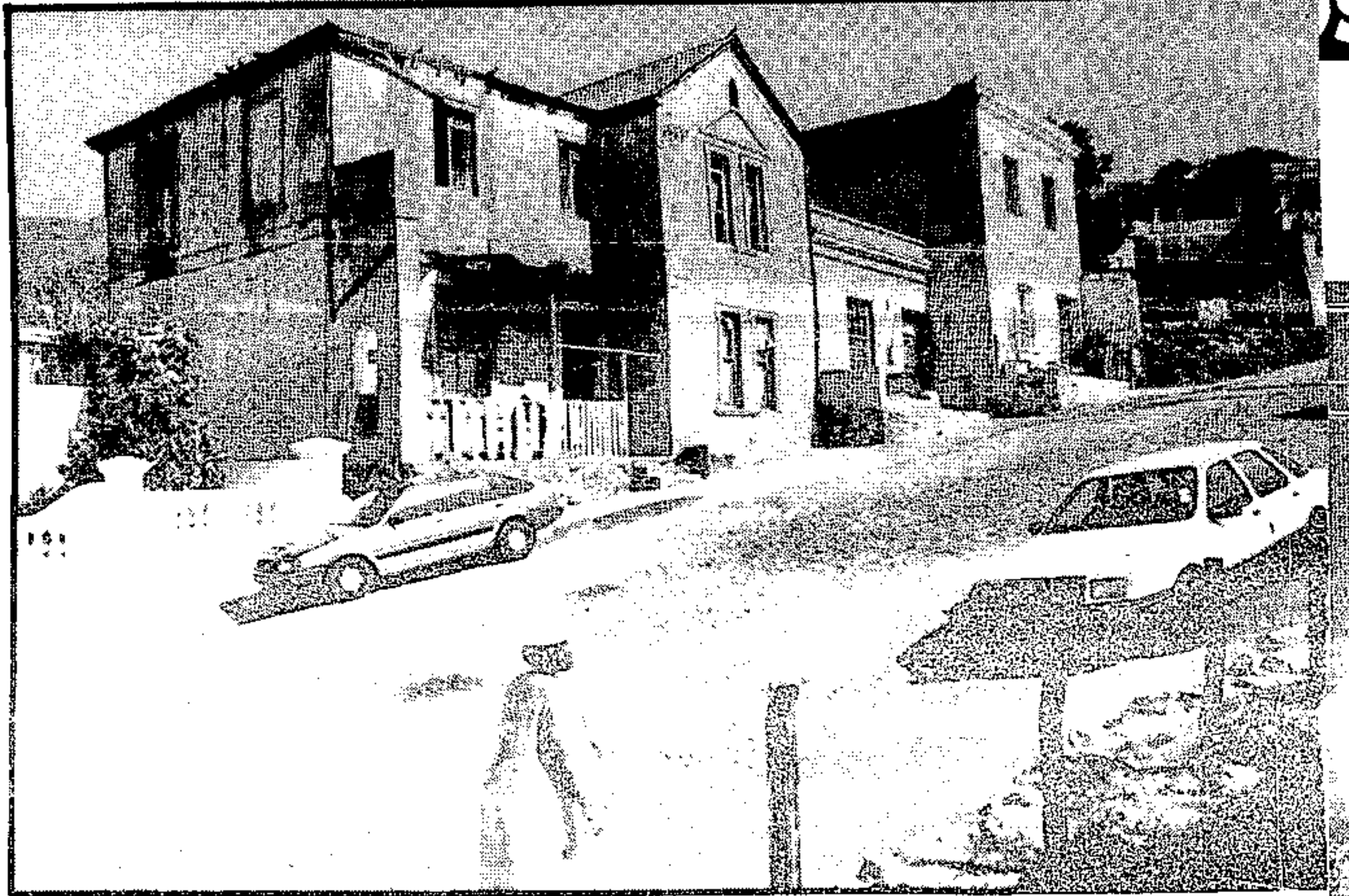
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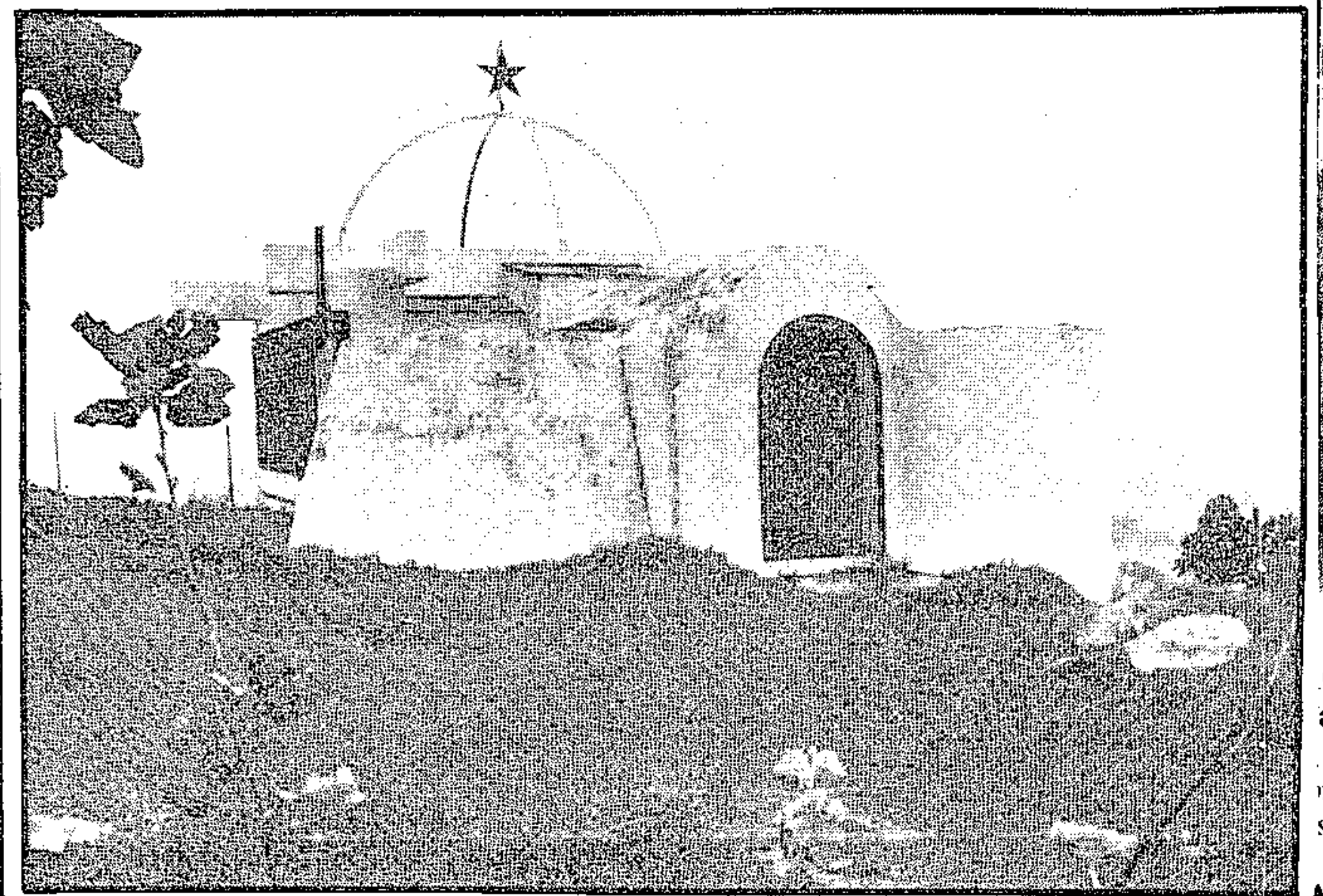
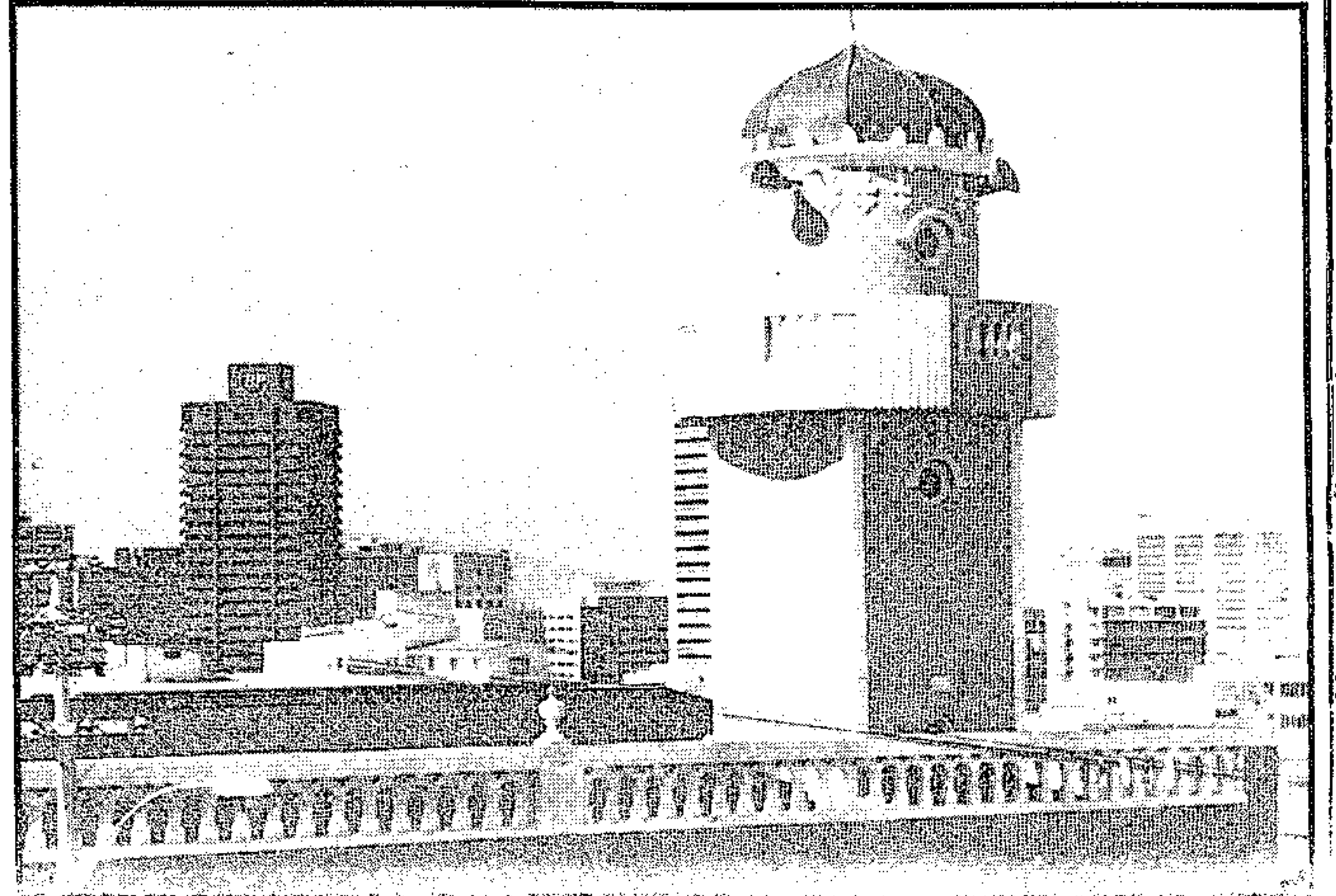
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PHOTOGRAPHS: Yunus Mohamed



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Death threat

to pastor's

boy Jacques



AFRAID ... residents have warned Pastor Tienie van Staden that his son Jacques's life is in danger unless he evicts coloured families

returned eight years ago," said Mr Van Staden.

"My mother was the local midwife and she delivered a whole generation — yet they cannot accept me.

"You know, while I was away I idealised Rietbron. I remembered a close-knit and loving community.

"If anyone fell ill, the neighbours would barricade the road so the patient

wouldn't be disturbed. The place bustled. There were 400 children at school.

"Well, it's not like that now.

"Soon after we arrived someone scrawled on our window: 'You are unwelcome. Please trek'."

Today there are just 21 pupils at the white school — but although the classrooms are empty a new school for coloured children will be built for R5,5-million in the township.

"People don't like the fact that I am no longer with the Dutch Reformed Church or that I have anything to do with the coloured community. We began holding services last year at the old magistrate's court, which I had bought.

Shack

"The Group Areas Act was still intact and it led to inquiries by residents as to whether they would have to run me out of town.

By BILL KRIGE

The threat to Jacques, their "laat lammetjie", has left Mrs Van Staden tearful and confused and the pastor, who is also principal of a small farm school 60km away, says the strain is more than he can bear.

If they can sell the small shop his wife runs, they will trek.

'Uitlander'

He also claims that hostile officials are making life intolerable for the impoverished coloured newcomers by demanding expensive home improvements.

Camdeboo Regional Services Council health officials insist that baths and basins be installed — even though no water is piped to the cottages.

Rietbron, once a prosperous and thriving white community, has become a virtual ghost town. Some 45 of its 80 houses are boarded up and many others occupied by elderly widows and widowers.

"I was born here, but people refer to me as an *uitlander* because I left when I was 16 and only

A PASTOR who let two coloured families move rent-free into houses he owns in a dying Karoo town has been warned to get rid of them or put his young son's life at risk.

Now 12-year-old Jacques van Staden sleeps in his parent's bedroom and is too afraid to take his bike on to the dusty streets of Rietbron, where more than half the houses stand empty.

Soon after Mr Tienie van Staden, 61, allowed homeless parishioners at his International Maranatha Evangelical Mission Church to move from the overcrowded township into two run-down houses, his wife, Carol, got a phone call.

A man said: "Our organisation doesn't like the fact that you have let houses to coloureds. Get rid of them or your son's life is in danger."

Police have traced the call to a public phone booth in Beaufort West, 50km away across a broad and dry plain.

"Now I feel we must go. I've been praying and thinking about it, but one can't live in this fear.

"I grew up with many of these people and they are supposed to be my friends but we're not welcome," he said.

Mrs Hannah Rex, whose family occupies one of Mr Van Staden's houses, said she had turned to Mr Van Staden for help when the new location house that was supposed replace her mud-and-iron shack, was reallocated.

"We are not paying any rent. All Mr Van Staden asked was that we fix it up and we have done so."

She and her husband have painted the walls and shutters of the cottage, which stood empty for 30 years before they moved in.

Now health officials have demanded they instal a proper bath and sink — and pay to have mains water supplied.

Health

"We were told it would cost R700 to get water laid on. Where else must a person pay the municipality to provide the water?

"Why are we singled out when there are white houses that have nothing?

"Even if we do need running water here, we needed it just as badly in the location where we ran even greater health risks, but nobody cared then," she said.

Mr Angus Knott-Craig, chairman of the Regional Services Council in the area, was not available for comment.

Committee to guard city standards

(B1) (2/22)
er 17/9/91

By PETER DENNEHY

THERE is a danger of residential standards in the city declining, the ad hoc Committee for an Open Cape Town concluded yesterday.

Present by-laws affecting standards were inadequate to deal with this danger, the committee noted in its final report, tabled yesterday.

Various by-laws needed to be reviewed to ensure they were up to date and adequate, and care had to be taken to ensure that suitably streamlined procedures existed for enforcing them properly.

Mr Arthur Wienburg, who chaired the five-person committee, said at a press conference yesterday that, for example, there was currently no legislation controlling overcrowding. The Slums Act had been abolished without being replaced by any similar measures, he said.

Asked whether the introduction of new standards in response to racial integration was not a form of discrimination, Mr Wienburg replied that the suggestions made in the report "have nothing to do with a post-apartheid

society".

"It has to do with loopholes which exist," he said. "There are problems with existing procedures. We are toothless when it comes to controlling the deterioration of properties.

"We did not say that because the Group Areas Act is going, we need to streamline our procedures," he added.

Mr Wienburg's committee, on which Mr Chris Joubert, Mr John Muir, Mr Neil Ross and Ms Annamia van den Heever serve, came into being partly as a follow-up to another report on strategies for "making the integration process a positive experience for all".

Its formation was also a response to Mr Wienburg's request for orderly planning necessitated by the abolition of the Group Areas Act.

The committee report, which has been adopted by Cape Town City Council, outlines the following "options": The council could be empowered to take action itself rather than prosecute offenders; a municipal court could be established, and the size of the premises inspectorate could be increased.

Facing the future

Meeting the challenge of apartheid-free cities means far more than simply opening residential areas and municipal facilities to all — as Cape Town is discovering.

The final report of the council's Ad Hoc Committee for an Open Cape Town, released this week, takes a peek into what lies ahead. The report was never meant to be definitive and is not; instead, it highlights the sort of problems an open city is likely to face and makes some recommendations on how to tackle them. FM 20/9/91

Two issues in particular dominate: the maintenance of standards, and finance for an integrated city or metropolitan area.

The committee says it became clear early on that "the question of standards would be one of the more crucial issues facing all Capetonians during the period of transition to a fully open city." Of major concern to all communities is that efforts must be made to ensure a quality of life acceptable to and based on standards agreed by as many residents as possible.

However, the committee stresses that it based its consideration of the "very sensitive

issue" of standards on the belief that the city council "would not be party to any proposals which, under the guise of assuring or improving standards, were a disguise for protecting existing privilege or fostering racial or other discrimination."

But selling the maintenance of standards — important as it is — will undoubtedly be difficult. Government, through its botched efforts in parliament this year to preserve white privilege under the guise of maintaining standards in residential areas, has clouded the debate. Any effort to set minimum standards, unless widely discussed and agreed to by all involved, is likely to be viewed with racially tinged suspicion.

The committee has had the courage to address the issue in fairly comprehensive detail which should serve as a basis for further consultation within the Cape Town community.

The second key issue, finance, was not considered at any length and there were no proposals for other sources of finance in the (likely) event of the State being unwilling or unable to assist Cape Town (and other cities) to the extent the committee believes necessary.

The committee pointed to certain prerequisites for finance including State responsibility for housing, health, education and major transportation schemes. "It was emphasised that the City of Cape Town would not be able to accept the financial liability associated with an enlarged single city with-

out sufficient additional funding from central government in the form of a guaranteed tax base."

However, it accepted that during negotiations on constitutional models for local government, the city will have to rely on traditional sources of income such as rates, user charges and tariffs.

With local authorities at the end of the line in the wider constitutional debate, they are clearly severely disadvantaged when it comes to anticipating directions. But it seems essential that they should become more active in trying to influence debates that will profoundly affect them and their residents, particularly in finance.

The State will not come to their aid either now or in future — so innovative and imaginative suggestions are needed on how to provide for the have-nots without milking dry the haves. ■

(81) ~~2/3~~ FM 20/9/91

Fm 20/9/91

~~80~~ (81)

Yet Hein Kruger, who ran the operation (whereby certain suburbs became non-racial) says he'd do it all again — in the same circumstances.

Criticised by many, not least for its distortions of the market, the free settlement policy for more than a year was the only official way of living in a racially integrated suburb in SA. It was a sort of ideological halfway house between segregation and open residential areas.

The Right slammed the concept as undesirable while the Left said it was simply a last-ditch attempt to shore up group areas, creating unhealthy pressure points and distorted property prices.

Kruger steadfastly maintains that the success of the free settlement policy was a significant factor influencing government's decision to scrap the Group Areas Act. "My only regret is that it didn't happen sooner," he says. (Of course, if it happened sooner there may not have been time to carry out a free settlement policy.)

Kruger, who was subsequently appointed by Cabinet to assist the Minister of Planning and Provincial Affairs, says that during its relatively short existence, the Free Settlement Board processed 43 applications for the establishment of "grey" areas. Of these, 41 were finalised and two were still outstanding when the board closed down.

Suburban wedge

He adds that about half of those completed dealt with existing townships and areas — and some of them, like Johannesburg's Hillbrow and Cape Town's District Six, were more developed than others. "The remainder were new areas where developers wanted to start townships from scratch on the basis of having multiracial communities. Typical of this type was the Sage Schachat Country View development at Midrand," he says.

Kruger adds that there were also about 25 applications which, for various reasons, were not considered — such as failure to comply with the Free Settlement Act's provisions. These were then withdrawn by the applicants.

There were also, he says, "dozens" of inquiries which never actually materialised as applications.

"I definitely feel that the free settlement policy was the right thing at the right time," he argues. "It was an interesting exercise and contributed considerably towards government's decision over which route to follow."

Kruger concedes that he has not monitored the progress of areas which did receive free settlement status: "I would have liked to have done so but there wasn't time. We never had the infrastructure under the auspices of the board. It wasn't part of our mandate."

Nevertheless, he says information passed on to him leads him to believe that many who were previously confined to their "own" areas took the opportunity of buying in other areas far sooner than would otherwise have been possible. "One thing we believe is that

there was much less market resistance than was perhaps originally anticipated. The most common fear seemed to be one of a drop in standards rather than living next door to someone of a different race. Objections based purely on racism and hate just didn't happen."

While Kruger may be proud of what was achieved in terms of the Free Settlement Act, others saw it as having fallen between two stools.

It has now fallen into that area reserved for the curiosities of apartheid. ■

FREE SETTLEMENT AREAS

Brief glory

~~80~~ (81)
FM 20/9/91

Government's controversial Free Settlement Board has passed away almost unnoticed with the scrapping of the Group Areas Act.

LINDA ENSOR

High prices turn off buyers

CAPE TOWN — Many would-be homeowners are moving away from popular Cape Town suburbs because of high prices and unavailability of land, says Cape director of Pam Golding Properties Peter Golding.

The movement is reflected in sales by Pam Golding Properties' northern suburbs branch, which has increased its sales for the first six months of this year by 95% over the previous period.

"Our other offices in outlying areas have recorded

similar turnover figures. The Strand, Muizenberg and Hout Bay offices have achieved 76%, 190% and 92% of last year's turnover in the first half of the year," says Golding.

However, he believes that the Cape Town property market is levelling off after enjoying an unparalleled boom from 1989 to 1990.

Pam Golding Properties figures indicate that whereas in 1989/90 the average price increase in the southern suburbs was about 40%,

the average ^{30/10/91} dropped to only 2% in the first half of 1991.

"The market is tight, but the situation is not one of doom and gloom. There is movement in all sectors," says Golding.

At the top end of the market, property throughout the Cape Peninsula is moving slowly. Many sellers are asking for high prices and are prepared to wait for the right offer.

Seeff Residential Properties MD Samuel Seeff be-

lieves now is a good time to buy. He says construction prices will rise by 22% over the next year.

"If new properties fetch higher prices, the homeowner will push his price higher," Seeff says.

There is also the seasonal influence of spring and summer on market prices. Buying pressure from overseas will pick up in December, Seeff predicts, and will place further upward pressure on prices.

"Those who are standing in the wings hoping for a

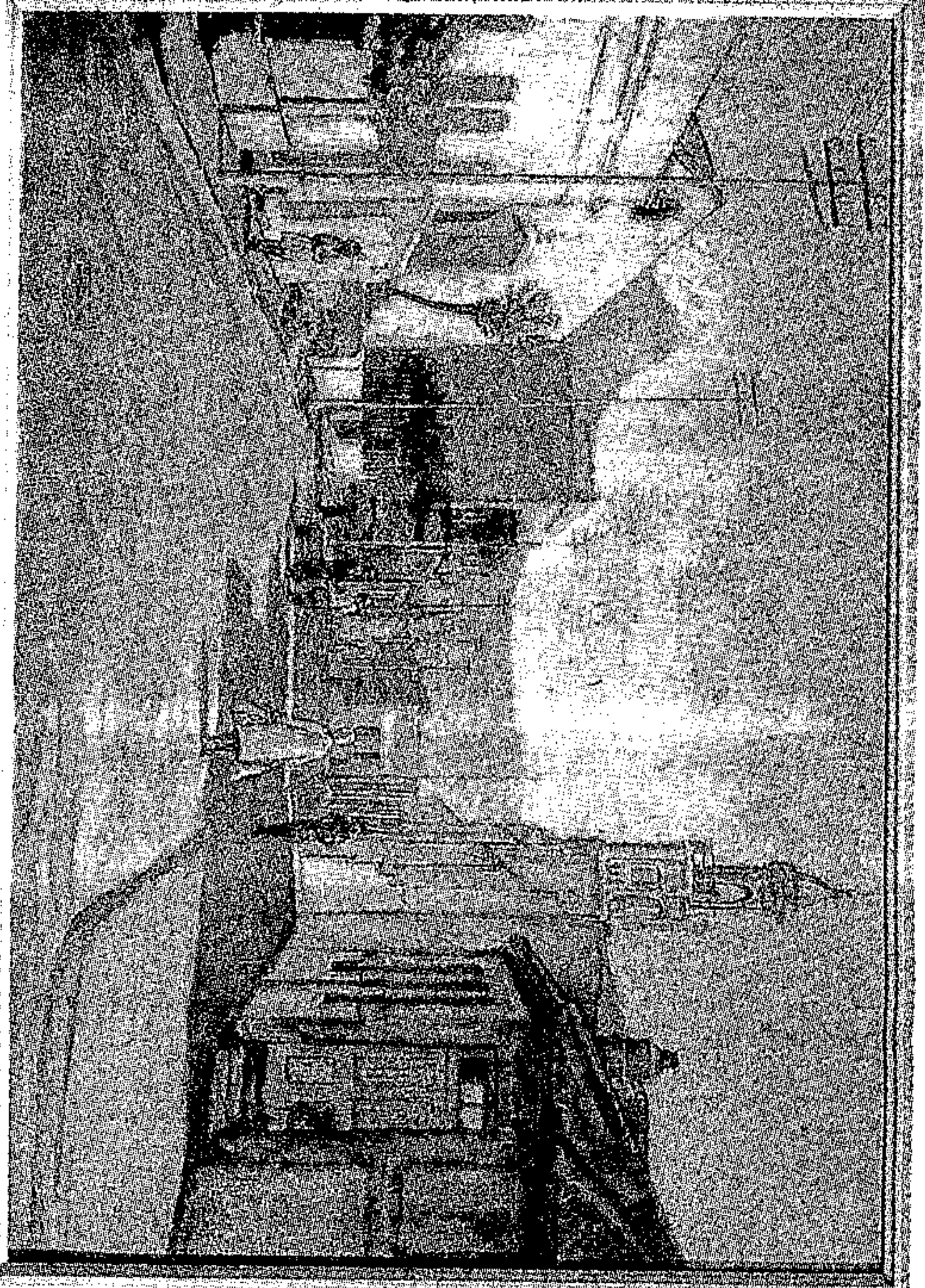
further softening in prices will leave it too late."

The abolition of the Group Areas Act has not seen a surge of coloured, black and Indian buyers into so-called white areas, Golding says.

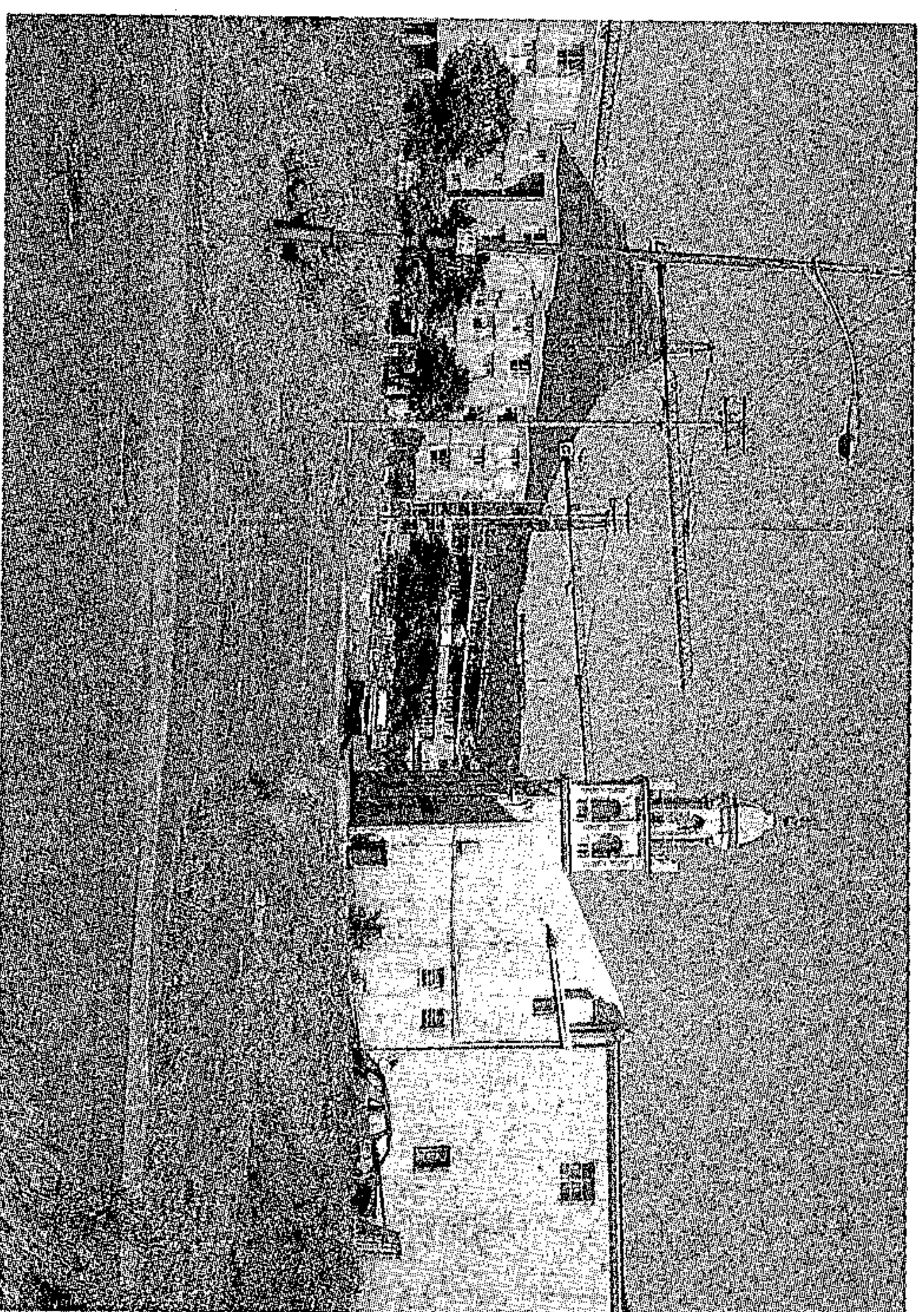
"There is certainly a desire among the better-off coloured people to move into 'white' areas. However, such were the inequities of the Group Areas Act that many of these people were forced to overcapitalise their properties and it is now highly unlikely that they will ever recoup their investment. They simply can't sell their homes."

Two Portraits of District Six

81 APR 12 11 191



THEN: The painting which the Victoria League wants to sell shows a woman walking down Aspeling Street with a child looking on. In the background is a mosque.



AND NOW: Aspeling Street today. The mosque is still there, but the quaint cottages have gone, replaced by modern buildings and cranes.

Pictures: JOHANNES HURTER.

DENNIS CRUYWAGEN
Staff Reporter

ONCE, not so long ago, District Six irked the National Party so much that it used the Group Areas Act to flatten it, leaving behind only scars which were later joined by new blocks of flats and the Cape Technikon.

Little remains of that once colourful suburb.

Only memories, photographs, and paintings, such as an oil done in 1976, just before the bulldozers moved in, by Cape Town artist Johannes Hurter.

All that remains of the scene he recorded on canvas is a mosque in Aspeling Street.

The painting is now in the possession of the Victoria League which plans to sell it to raise funds.

"I gave it to the league on the understanding it was a little contribution to raising funds they need to meet the needs of people in our city," said Mr Hurter.

He said the league had helped a "lot of coloured and black nurses" with their

training and with caring for TB patients.

Mr Hurter said his painting captured a great deal of the atmosphere of District Six.

"It records what needed to be recorded in a way the camera could never do."

He recalled that there had been a "feeling of a hushed expectancy, a kind of

depression, in the people of District Six" which made him feel that "we were standing on the brink of a big social destruction".

Mr Hurter said he valued his painting at R300 000.

"But it all depends on the buyer. The painting itself is probably worth about R1 000.

But it's very historical. The story of District Six is the story of a great tragedy. I feel for that painting. Any buyer who feels this will pay R300 000."

The painting is to go on exhibition at a leading Cape Town store soon.

The Victoria League can be contacted at 461 7578, between 9am and midday, for more information.

'District 6 residents deserve restitution'

ET 13/11/91

By BARRY STREEK

81

THE former inhabitants of District Six were unreasonably dispossessed and were entitled to a reasonable form of restitution for past wrongs, the Democratic Party's Green Point constituency committee has proposed.

The former residents were insufficiently compensated by the government in power at the time of the razing of District Six, the Green Point committee has stated in a resolution to be debated at the DP's national congress in Sea Point on Friday and Saturday.

The resolution called on the DP actively to take up the cause of the dispossessed former inhabitants of District 6 and provide them with a meaningful channel of representation in all matters relating to the development of the area and the allocation of housing there.

Open talks on Dist 6?

Municipal Reporter ⁽⁸¹⁾ redevelopment of District Six.

DISTRICT SIX steering committee chairman Mr Clive Keegan said yesterday that he would ask the committee if the press could attend its meetings. CT 13/12/91

He released documents on a meeting held this week. One was on an appropriate body or bodies to undertake the

One possible scenario was an interim body such as an asset trust to hold the land and to secure finances from the state and elsewhere for the development.

Another body could then be established for the "highly political" task of identifying a new resident community.

GROUP AREAS - GENERAL

1992

AUG. - DEC

BENEATH the turbulent surface of politics simmers a debate that may determine, more even than negotiations, the future shape of South African society. It is the debate on land, and liberals had better wake up to it.

At one extreme stands Tessa Marcus, member of a prominent communist family, who argues that land, as part of the means of production, should simply be nationalised. The effect would be to reduce all South Africans to permanent and inescapable tenancy, a life in bondage.

At the other extreme stands the government, trying desperately — and indeed, vainly — to cling to the pretence that the repeal of the Land Acts of 1913 and 1936, and of the Group Areas Act, will be sufficient to restore normality, and that the claims of black people can be met without really upsetting the vested interests of whites.

Between the extremes lies a minefield of special interests, hidden agendas, nationalist passions, and competing ideas of law, property, and justice. It is into this minefield that liberals must plunge if they wish to preserve the right to private property, without which we are all *bywoners* of the state.

To make sense of the debate it is necessary to acknowledge that the

concept of land ownership, of title protected by law, has been discredited by the assault on property rights conducted in the pursuit, first of segregation, and later of apartheid.

To this day, black people wander from lawyer to lawyer, from bureaucrat to bureaucrat, clutching useless bits of paper that once gave them title to some or other patch of land, only to be told that "the law" has stripped them of their rights, and stolen their property. The law did not protect, it violated.

The spirit of justice in liberty, which is the glory of Roman Dutch law, has been leached out of property law by enactments intended to dispossess black people, and sometimes to strip them also of political rights, or citizenship. In some cases, to conceal the theft, the entire legislative history of areas of land has simply been wiped out of the Deeds Office records, and exists no more.

The most notorious laws, of course, were the Land Act of 1913 (which began as General Hertzog's attempt to destroy the property-based franchise of black people in the Cape), the 1936 Land Act (which helped to consummate that disfranchisement), and the Group Areas Act. Those laws have now been repealed, but that does not redress the wrongs.

Thirty years ago I tramped with a

But it must be done, and done quickly, if we are not to end up as a nation of state tenants, our very homes in the uncertain gift of bureaucracy.

Dare one bank in land? Surely not, unless liberal lawyers can devise a creative response which will secure private title in a way that revives the spirit of justice that inhabits Roman Dutch common law, and do so in a manner which recaptures the lost trust of the dispossessed. It will not be easy.

ALl of this is part of a campaign to dispossess white landowners, not for so laudable a purpose as to steal their property, but to destroy forever any lingering faith in the security of private property. No wonder some property owners, trapped between past and future injustices, have begun to wonder whether fixed property does, after all, offer a secure investment.

Fieldworkers are out, trying to persuade rural people to leave the land on which they were dumped 20 years ago, but which they have tamed and learned to love, to assert half-forgotten claims to ancestral lands once held under communal title. The methods, I gather, are not always gentle.

KEN OWEN

ON SUNDAY

80
S Times



18/19 of people from the pathetic *colonn* of Elandsfontein in the mission farm towards Cape Town to draw attention to their dispossession, the Verwoerd government was indifferent. Today, the survivors are claiming their land back.

ELANDSFONTEIN, Goedgedonden, Schmidtsdrit, Geveerton... The names are milestones on a path of atrocity, and their ghosts arise one by one to point accusingly at the government, at the discredited law, at the dis-trusted lawyers and judges who enforced it, and at the electorate that put race above justice. Those ghosts now demand more justice than the crippled law can offer them.

The litany of wrongs fills volumes. The Surplus People Project found that, between 1960 and 1983, in round

figures, 3 500 000 people were forcibly moved. They, and their families, and their tribes, and their people, ended up impoverished, communities shattered, families divided, hearts broken. They hold the Roman Dutch law in deserved contempt.

The passion now coming to the surface all over the country has been nurtured, generation after generation, by a deep sense of wrong. The day of reckoning is here.

Whites, as they look ahead, must understand that no title to property in the new South Africa will be secure unless it exists under a system which carries the trust and affection of black people. Unless such a system emerges, the law will offer no greater obstacle to the seizure of land from whites than it offered to the seizure of land from blacks.

Bits of paper will be as easily torn up in the future as in the past, and the records of the Deeds Office will be as easily purged. Protesting families will be as easily moved, and as indifferently dumped on barren ground or cold pavements. The graves of ancestors, the land of the fathers, will be as easily violated.

UNDER these circumstances, one might expect an alert government to move quickly to remove at least some of the sting. The government still has more than two million hectares of land, designated for black people, but controlled by white bureaucrats and often leased to white farmers.

That land, given to black families under individual title, would simultaneously ease the pain of dispossession

However, the government will not contemplate piecemeal solutions. It will not even restore to original owners or occupiers the land which it took from them, even if it still holds that Box of land claims, dating back to 1948, and then to 1936, and then to 1913. At the end of that line lies a challenge to rights obtained by conquest, something which white South Africa will not cede without war.

But while the government dithers, the left is working hard to mount communal land invasions that will make nonsense of private title. One suggestion is to cut off all aid to white farmers, so that most of them will be driven to bankruptcy, and their land may be divided among the poor.

The government would find unusual but important allies for such a scheme. Operation Hunger has calculated that families could be settled, with sufficient support to set them up as self-sustaining peasant farmers, for less than the cost of housing them in the cities. Indeed, there may be no other answer to the terrible want that has ensued from the retrenchment of migrant workers.

and create an army of small landowners whose vested interest would be to protect private property.

Property sales have been a big let-down

RELAXATION of the Group Areas Act was an important political development, but has proved to be something of a damp squib in terms of the property market, according to Camdons Group MD Mr Scott MacRae. *Sowetan 26/9/91*

This, however, does not suggest that in the long term the changes won't bring additional impetus to the property market, he says.

"Politically and economically it was a sound move, but for the moment the full benefits are being diluted by unrest and the general economic climate," he points out.

Other factors, such as high bond rates which were influencing the property market, were also having a negative effect.

Soaring property prices made it difficult for all but the wealthy black, Indian or coloured buyers to sell their existing homes.

The anticipated racial problems have not materialised to any degree, he says.

Willing

"There are plenty of willing buyers and willing sellers of all races. Racial objections have been raised in some areas, but they are conspicuous by their absence in general."

The biggest stumbling block is the unrest, he says. "This is hardly conducive to normal property trading conditions. There are of course ultra-wealthy black, Indian and coloured buyers and they are buying into the prestige white suburbs, irrespective of the unrest.

But most middle-class buyers relied on selling their existing property before buying a new one.

The banks and building societies are reluctant to advance bonds in unrest areas for obvious reasons. They must protect their investment.

The business climate has made it difficult for many bond holders, both black and white, to maintain their payments.

Group Areas Act lives on

80
124
CT 30/7/91

By PETER DENNEHY

THE Group Areas Act might have disappeared, but not as far as council or any state-funded houses are concerned.

And the act still applies in spite of the Cape Town City Council's decision last month to defy the government and allocate council houses on a non-racial basis.

At the council meeting today, councillors will review this decision as it turns out they will risk being held personally liable for costs — possibly amounting to hundreds of thousands of rands — arising from their "technically illegal" actions.

This has emerged from documents due to be placed before the council today.

According to these documents, the government has made it clear to the council that "own affairs" is still part of the present constitution.

Funding

Minister of Housing Mr Hernus Kriel was not available for comment yesterday, and his public relations officer, Mr Johan Oosthuizen, declined to comment and said nobody else was available.

City administrator Mr Gys Hofmeyr reported to the housing committee this week that "the department (of local government and housing) is not prepared to allow council to allocate housing provided with funds from the House of Assembly to other race groups".

The housing committee has recommended that in the specific case of Boundary Road Estate in Diep River, the state should be asked for a special dispensation "to permit former residents who had been moved in terms of the Group Areas Act to return to their old homes".

Applications were already being received from residents in this category, but none of the houses had yet gone vacant, the council reported.

It was clear that if the council allocated housing on a non-racial basis, it would be acting illegally.

... training to destroy a
... threat in the Middle East ...

Jo-Anne Collinge reports on the 'forgotten' squatter issue

When homelessness is a crime

Star 11/11/91

THE Land Acts and the Groups Areas Act were the lumbering giants of racial land legislation. They dwarfed many lesser statutes, created to ensure that the principal Acts were observed.

While the Land and Group Areas laws are dead, some of their subsidiaries have survived this session of Parliament. It remains to be seen whether they will be used to further retard the limited deracialising of the landscape which the De Klerk land package affords.

The Prevention of Illegal Squatting Act is probably the most contentious of the remaining laws. Its dispute stems mainly from the fact that it places people living in unapproved dwellings virtually beyond the courts' protection.

When AWB leader Eugene TerreBlanche said recently that the Government had the means to remove squatters, he was not wrong. In terms of the Squatting Act, once a magistrate has found

someone to be a squatter, he has no option but to order the eviction of that person. Furthermore, the usual presumption of innocence is abandoned. The onus is on the accused to prove he is not a "squatter".

It is not yet clear whether Mr TerreBlanche was also correct in his assessment that the Government was too "paproek" to use its considerable powers against shack dwellers spilling out of the townships into what was designated, until two weeks ago, as "white" territory.

The Squatting Act incensed every shade of vaguely liberal to militantly democratic opinion when it was passed in 1988. It has been used repeatedly by local authorities to destroy shack settlements and it is still in use. The Star is aware of a fresh prosecution, brought virtually as the parliamentary session closed, against a land owner in the Eastern Transvaal district of Leandra who

has about 300 people on his land. The Act imposes a duty on local authorities to drive squatters off the land under their jurisdiction. They do not require court orders to demolish on their own land and if they fail to do so, the province can step in on their behalf.

Last year alone the anti-squatter action occurred thick and fast in the PWV. The councils of Midrand, Tokoza, Alberton, Benoni, Tembisa, Dobsonville, Soweto, Kallehong, Westonaria, Daveyton were among the demolishers.

The Trespass Act is also frequently used against shack dwellers. It does not render them homeless, but subject to repeated arrest, court appearances and a maximum sentence is a R2 000 fine and/or two years' jail.

Housing rights groups regard the Trespass Act as a means of criminalising the homeless. In the urban areas it is often used in tandem with demolitions under the Squatting Act. In Midrand last

year, community leaders were sitting in court on trespass charges while fresh demolitions were taking place.

Virtually all recent attempts at reoccupation of land by victims of forced removal have elicited trespass charges. This applied at Goedgevonden in the Western Transvaal, Macleantown near East London and Roosboom, Charlestown and Criemen in Natal.

Commenting on the Government's failure to repeal squatting and trespass measures, the Community Research and Information Network said:

"The Government has not even made provision for a moratorium on demolitions and evictions from existing shacks. Shacks comprise a significant portion of the existing housing stock of this country. In the absence of suitable affordable alternatives, existing shacks should be protected against demolition." □

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Property by proxy can be transferred

ARGUS 3/7/91

The Argus Correspondent (80)

PRETORIA. — Victims of the Group Areas Act who chose to use white nominees on property contracts in areas "forbidden" to blacks can now transfer their homes into their own names without paying.

Parliament's Joint Committee on Land Reform has agreed to new arrangements whereby black homeowners can become legally recognised without paying transfer fees.

The new arrangement became law on Monday, said Mr Peter Soal, DP MP for Johannesburg North.

The relevant clause said a contract where a white nominee was used to enable the

buying of property in a white area was no longer illegal.

No transfer duty, stamp duty or other fees shall be payable in respect of a transfer (of this kind) to the principal owner, the clause states.

However, should a homeowner be found to have misused the law, he would be liable for a fine not exceeding R8 000 or two years imprisonment.

"The law was immoral, therefore it was agreed that people should not have to pay to get their homes transferred into their own names now," Mr Soal said.

Hundreds of blacks found whites to sign deeds or formed Close Corporations made up by a majority of whites.

No fee ⁽⁸⁰⁾ to take ^{star} transfer 3/7/91 of houses

By Helen Grange 
Pretoria Bureau

Victims of the Group Areas Act — who chose to use white nominees on property contracts in areas formerly "forbidden" to blacks — can now transfer their homes into their own names without paying.

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Hundreds of blacks, unable to live in white areas, either found a white friend to sign deeds on a house, or formed Close Corporations (CC's) made up by a majority of whites.

Many have chosen to leave the situation as it is.

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Free transfer of land bought by nominees

~~80~~ 80 DARIUS SANAI ~~175~~

BLACKS who made use of the nominee system to buy land in "white" areas can now have their property transferred into their own names at no cost.

DP MP for Johannesburg North Peter Soal said a clause in the legislation scrapping the Group Areas Act that came into effect this week stated land that had been acquired by a white person on behalf of a black person could be transferred to the "real" owner free of charge.

The nominee system was the only way that blacks could acquire property in white areas until last year.

The transfer procedure was then relaxed following indications from government that all apartheid legislation would be scrapped.

Since then, people wanting to live in areas designated for other races had to apply for a permit from local authorities, a process described by estate agents as a "formality" in most areas.

The Repeal Act clause, which was proposed by Soal, added that anyone who bought property on behalf of someone else who was barred from doing so by apartheid legislation would no longer be seen to have broken the law. *B 10am 5/7/91*

A legal source said yesterday the clause was significant because it applied retroactively.

The nominees were effectively indemnified for committing a crime under apartheid laws, the source said.

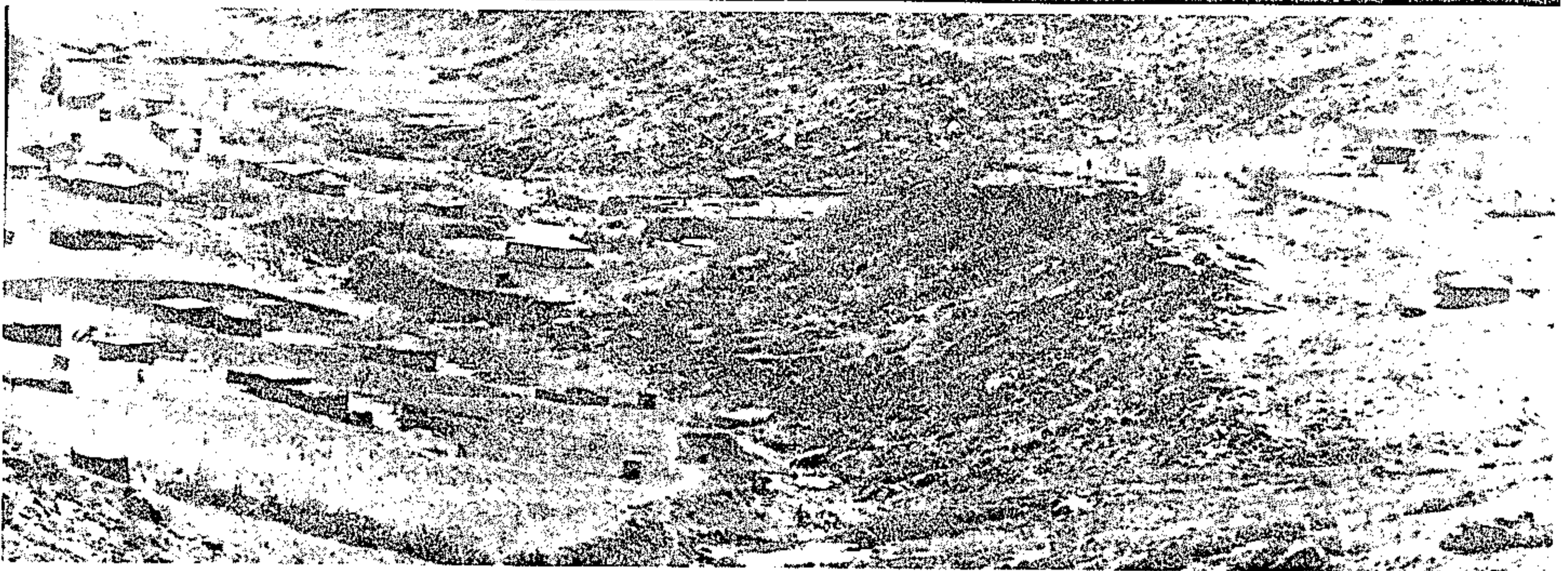
Soal said the clause gave people until the end of the year to find a conveyancer and transfer the property deeds free of transfer and stamp duties.

The conveyancer's fees would still have to be paid, he said.

He thought most transfers would proceed smoothly.

In cases where the white nominee could not be found or refused to transfer the property, the Act made it clear the applicant could obtain a court order to transfer the deeds, he said.

Property sources said yesterday thousands of property transfers had taken place through the nominee system.



The Village of Suduza - wounded land.

Healing a wounded land

LAND is one of the thorniest issues in this country at the moment.

Black people who have been dispossessed want it back while on the other hand farmers - mainly Afrikaners - are adamant that it is their right to own the land.

Much has been said in the media about the land struggle. Anti-apartheid organisations like the African National Congress have set up commissions to look at the whole land to look at the whole land question; other canist Congress, say the return of land to the dispossessed black majority is non-negotiable.

Healing the Land is a documentary which deals specifically with this issue and more particularly about actually healing the land. By this it is meant the land must be used in such a way that the soil is not harmed and, instead

By MUSA ZONDI

of feeding the plants with chemicals, farmers ought to use natural fertilisers to enrich the soil first, which in turn will feed the plants.

The film traces the dispute, shows the "siege of Pretoria" by white farmers, touches on forced removals and settlement camps and finally deals with the solutions to the problem.

The message is quite blunt: Give the land back to the people who worked it before. That is the first solution. Once that is achieved, rural development should be next and, last but not the least, the people working the land must use more sustainable agriculture.

The film starts in the small village of Suduza in the Transkei. Here field workers from the Environmental Development

Agency talk about the damage that has been done to the soil by over-grazing, deforestation and over-population. But these problems are put in the context of people suffering under apartheid, who have been forcibly removed from land they once occupied and dumped on small plots.

Here these people are expected to make a living but that in turn has a damaging effect on the environment.

Suffers

This then becomes the question: What is more important - the woods or the people? Or to put it differently, how is the relationship between the land and poor people to be resolved in such a way that no party suffers?

This problem of deforestation is found not only in Suduza but in other areas that have also

suffered under the bantustan policy.

While the film recognises the importance of commercial farmers, it points out that they are the cause of most of the damage that has been done to the soil.

The narrator, Scipati, talks to a farmer in the Free State and they discuss how fertiliser destroys the web of insects, worms and other-creatures necessary for the earth to survive.

Perhaps the most eloquent person is Baba Mazibuko, who stresses the need for people to own the land so that they will treat it accordingly.

"African people have no sense of saying 'this is my land'. Without having that pride in the land, people do not care about it; they just take what they can and the day after they will repeat the process."

He echoes the sentiment that the land should be returned to the African people. He says commercial farmers are more interested in "feeding the plants with chemicals than feeding the soil" and, in the process, man has become "chemicalised" himself.

Hungry

There is discussion with families who were once farmers but have been resettled. Some of them were once successful farmers; now dispossessed, they are hungry wanderers. The message is clear, give the land back to the people who once owned it and who know how to make it work.

All in all, the scope of the documentary is wide and SABC would do well to recognise its immense educational quality.

* *Healing The Land* is

the second movie in a series about our environment. The first one, which is still being edited, is *Living in a City*, and these two will be followed up by *Living in South Africa*. The last will be *Living in*

the World.

The films come with a booklet for educational purposes. For more information on this package contact The Film Resource Unit at (011) 29-6967.

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Baba Mazibuko - the land is 'chemicalised'.

MAFIKENG ANC SIGNATURE CAMPAIGN

Dear President de Klerk

I appeal to you urgently to release the 18 Bop political prisoners on hunger strike at Odi hospital as well as the 148 others being held at various Bop prisons.

Signed

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HoD is not "insensitive"

THE House of Delegates would in future have no difficulty in accepting applications for housing from people of all races, according to Mr Baldeo Dookie, acting chairman of the Ministers Council. *Sowetan 25/7/91*

Dookie, who is also acting Minister of Housing in the HoD, was commenting on the "illegal" occupation of 60 newly-built houses in Marlboro Gardens by a group of Alexandra Township women last week.

He said the HoD had taken a "pro-active stand in working towards a new South Africa" and had demonstrated its concern over the plight of the homeless,

particularly black South Africans, by providing "in excess of R42 million worth of land resources for the development of informal housing for the black community".

He said of the 60 houses completed in Marlboro Gardens, an Indian township near Alexandra, 50 had been allocated to applicants on the waiting list, some of whom had waited for more than 15 years.

The houses were standing empty for "cultural and religious reasons". This apparently created the impression that they were vacant, said Dookie.

FM 2/8/91

No sign of an upturn

Those who were hoping that the scrapping of the Group Areas Act and lifting of sanctions would herald a fillip in the residential property market have been sorely disappointed.

Inflation and high interest rates, the deteriorating security situation and rising unemployment are all taking their toll on the market. House prices are down in real terms as repossessions climb.

The market is extremely volatile: it is said to respond almost immediately to any negative political or economic news. So much so that estate agents already report a drop in buyer interest since the Inkatha funds scandal broke a fortnight ago.

There is much talk of an imminent economic recovery (the JSE already seems to be discounting one starting next year) but it is clearly going to be a while before house prices start hitting new highs.

An indication of just how flat the market has been comes from Aida Geffen who points out that house price increases in Johannesburg's northern, eastern and western suburbs have declined since 1989. In the four months to June this year they rose just 2%. Last year they rose 9% over the same period and in the previous year 30%. Nationally, she says, the decline was less steep but the trend the same. The increase in average house prices has declined from 9,3% to 8,1% and finally to 7,6% over a three-year period.

Geffen notes that there was a glimmer of optimism with the lifting of sanctions and normalisation of some of SA's international sporting ties but it flickered out when the Inkatha funds scandal broke. "There has already been a noticeable waning of interest by buyers. It's too soon to say whether the damage will be lasting."

Her views are endorsed by Mutual Mark's Graham Lesch who says that any spark of optimism from the easing sanctions and abolition of the Group Areas Act has been negated by the latest political developments. "Any statistical indication that house prices are rising is probably due to new house prices that are increasing as a function of building costs rather than market demand."

On the brighter side, residential developer Oswald Buchner notes that once confidence returns and interest rates fall, house prices could shoot up because of suppressed demand and the fact that increases have lagged those of new houses. He believes this is likely to happen sooner rather than later.

FNB's Pat Lamont confirms that the market is being artificially held back by tight monetary policy and high inflation. "This has undoubtedly affected investor confidence with the result that there will be a time lag before the economic benefits are reaped."

In the meantime, though, both owners and the lending institutions will have to weather the storm. The NBS, for example, noted in its annual report that repossessions on mortgages had almost doubled from R37m to R67m.

Allied's loan book remains at about last year's level (down in real terms) but lending manager Len Greenfield says repossessions are up by about 30%. They are apparently highest among black owners and lowest among Indians.

Even so, Lamont believes the repossessions should be seen in perspective. "Defaulting mortgage debtors that result in sales in execution are within the expectations considering the prevailing economic conditions," he observes. ■

Land Acts the focus

80
Soulwan
13/8/91

THE Community Development Foundation is to hold a panel discussion on the repeal of the Land and Group Areas Acts tomorrow at the Downtown Holiday Inn from 9am.

Mr Mbulelo Rakwena of the CDF said the panel would discuss the implications of the repeal of the two Acts.

Panelists will include PAC secretary-general Mr Benny Alexander, political analyst Mr Eugene Nyathi, Mr Lybon Mabasa of Azapo, Democratic Party MP Peter Soal and Mr Phahle Sibisi of the ANC.

Real owners can register

Staff Reporter

OWNERS of properties that have been registered in the names of nominees to get around the Group Areas Act now have a chance to sort out this anomaly at little or no cost to themselves.

According to a recent notice in the Government Gazette, parties to such property transactions have until the end of the year to ask the Registrar of Deeds to transfer the properties into the names of the "real owners", the principals. CT 22/8/91

"No transfer duty, stamp duty or other fees shall be payable in respect of a transfer (of this kind)," says the gazette. (30) (22)

GROUP AREAS TRANSFERS

A new grey area

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FM 23/8/91.

The notorious Group Areas Act may have been consigned to history — but it has left confusion for those who made use of the “nominee” system to buy houses across the colour line. In terms of this, purchases by blacks were made through a white front; now sorting out the paperwork for the real owner is proving a headache.

Not only individuals fronted in such agreements — it was an open secret that several institutions and multinationals used the nominee system specifically to enable senior black staff freedom of choice in terms of where they lived and owned property.

In a commendable move aimed at legitimising these purchases, a clause was included in the Abolition of Racially-Based Land Measures Bill — which marked the death of the Group Areas Act on July 1. The new law permits residential or business land acquired by a white person on behalf of a black person in a white area to be transferred to the real owner without the need for additional registration costs or transfer duties.

All applications must be made to the Registrar within six months of the scrapping of group areas — which means that the deadline for transfer lies only months ahead. For some, at least, the change-over is working well enough.

One of the large employer organisations which used the nominee system to enable its black executives to own homes in white areas was Anglo American Corp. A spokesman for the group says it has taken advantage of the new legislation to normalise property ownership for these people. “The operation has, apart from a minor hiccup, gone fairly smoothly,” the spokesman reports.

That initial hitch apparently arose because the Deeds Registrar had difficulty taking transfer from a company to an individual, rather than from one individual to another. The matter was sorted out by lawyers representing Anglo — and all the group had to do was provide a company resolution showing it was empowered to transfer specific properties.

For others the issue appears to have meant little change. Pam Golding Properties Transvaal MD Ronald Ennik says he’s unaware of any requests for normalisation of contracts coming through to his agents. He feels that in most cases people who bought under this system would deal directly with their lawyers — but, even so, the lack of transfer requests suggests the new law might not have been properly publicised.

Even the legal profession doesn’t seem to have been confronted with any great rush of applications in the first seven weeks. Conveyancing attorney Selwyn Cohen says there have been few requests for assistance for

transfers to the real property owners since the scrapping of the Group Areas Act.

“It seems that people are either unaware that this legislation exists — or the number of purchases done in this way have been over-estimated,” he comments. “It seems likely to be a case of the former. People know that Group Areas has gone — but it went with an amazing lack of fanfare and I’ve not seen anything in the press about the nominee issue. We’ve referred to the matter in a newsletter sent to our clients this week.”

It seems not even members of the Deeds Registrar’s office are all that familiar with the legislation. A spokesman seemed oblivious of the fact that the law has come into force. His initial response was that the legislation is still being prepared and a date for its enactment must still be decided: “We are in the process of preparing an information guide with regard to the implications and looking at ways and means of making it available to those affected.”

He added that the issue was too complex to give a more detailed answer over the telephone and requested a set of questions to be faxed from the FM. No response has been received to those questions.

However, Johannesburg North DP MP Peter Soal, who claims the credit for the

insertion of the transfer clause, says it is already law and he is concerned that procrastination could rob people of the opportunity to normalise home ownership.

“The legislation was signed by President F W De Klerk in the last week of June. I was personally responsible for the amendment which legitimised property purchases which were contrary to Section 40 of the Group Areas Act on behalf of another person.”

What concerns him is that time is running out for applications to the Registrar. “The applications must be in writing and be accompanied by affidavits — this is to ensure that the clause is not abused in transactions undertaken in a post-group areas SA.”

Soal adds that though he’s had several inquiries about the issue he is not aware of anyone who has actually embarked on the process of such a transfer.

“I’m now concerned that the opportunity may be being lost because the Registrar’s office is oblivious of the legislation. If this is so I’ll be writing to the outgoing Minister Hernus Kriel or his successor, Leon Wessels, requesting an extension of the period.”

Perhaps residential apartheid became so much a part of the social climate that people cannot believe it has actually been swept away. ■

AT THE COALFACE

Regardless of the argument over whether or not SA has too many shopping centres, developers continue to build new complexes which are still being filled with willing tenants.

One of the more recent is the R30m-plus Highland Mews shopping centre, which opens for trading at the end of this month in the Witbank suburb of Klipfontein. Commercial & Retail Developments boasts that the 12 500 m² retail outlet — which will rival the town’s CBD shopping

facilities — is 98% let. Among the tenants are several national retailers.

These include: Woolworths, which is moving out of the CBD; Truworths; Topics; Foschini; Markhams; CNA; Clicks; Ackermans; Total Sports; Milady’s; Stans; Trappers; Geen & Richards and Russells stores; Allied, First National and Trust banks; and a Porterhouse restaurant and Steers fast food outlet.

The single-storey building is designed in “neo-Victorian” style and has 600 parking bays. The developers believe the Highland Mews centre will elevate Klipfontein shopping precinct’s status to that of a regional centre. It will have a catchment area extending as far as Middelburg, Bethal and other eastern Transvaal towns.



... as said. made them a good alternative to syndication.

No rush into white suburbs as Act goes

THE scrapping of the Group Areas Act and other apartheid legislation has not brought the expected influx of blacks into white and "grey" areas.

Developers should therefore encourage development in black cities to combat the country's housing problem, says Murray and Roberts housing division executive director Gavin Hardy.

Main reasons for the lack of development in black cities were the lack of infrastructure and community support — or active resistance — and the fact that funding organisations were unable to channel development funds effectively.

And private sector financial institutions were generally unwilling to provide development funds because of the perceived risk stemming from the destruction of property, loan defaults, boycotts, unreliable tenants and/or high turnover of tenants. All of these factors meant an uneconomic return on investment.

"Priority should be given not just to the development of homes, but also of communities as dictated by market forces. Enabling legislation should pave the way for private sector involvement in the provision of facilities for education, health care and recreation," says Hardy.

The development of housing projects with no in-



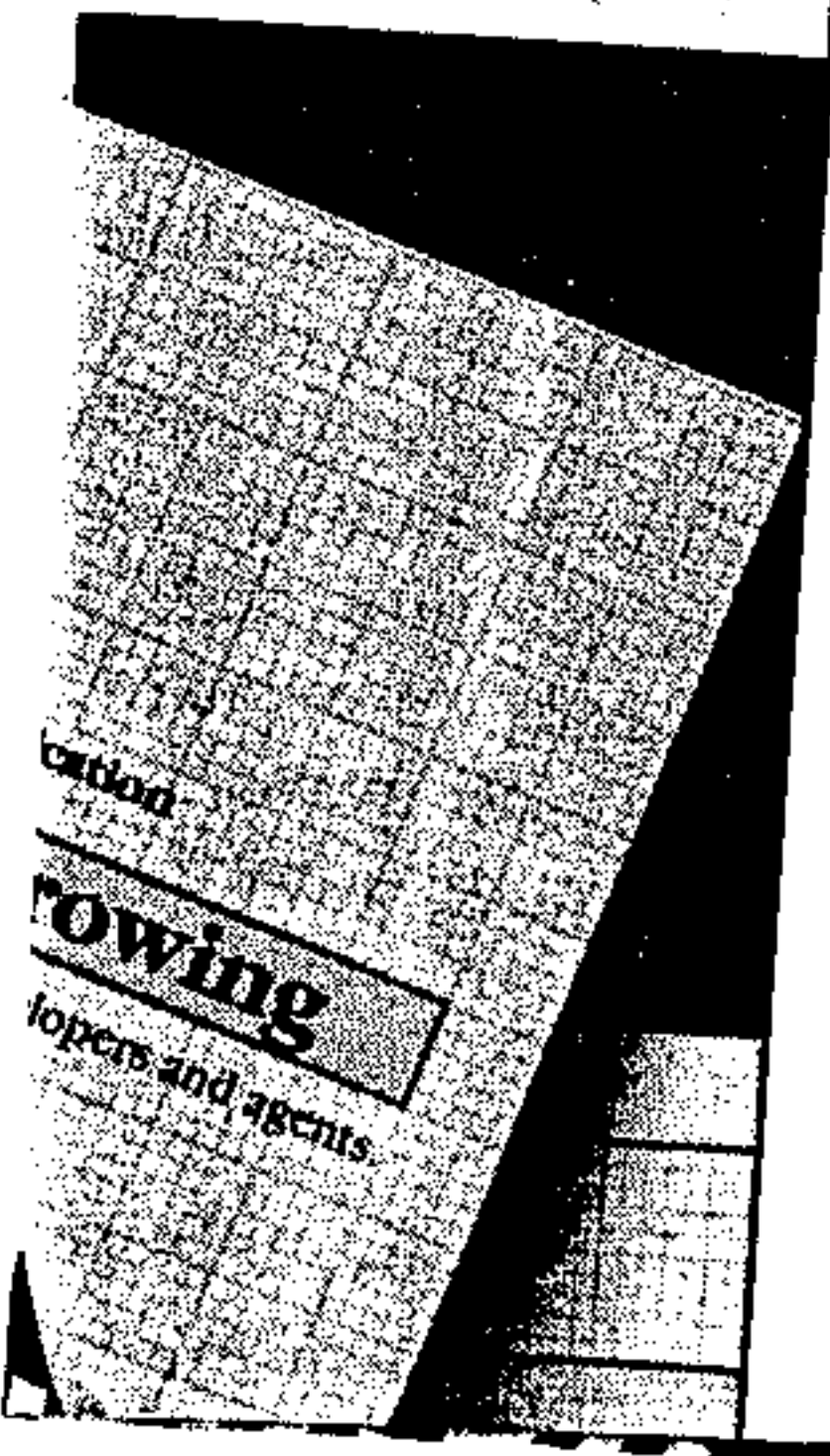
● HARDY

frastructure or community facilities should be discouraged unless there is market demand.

Existing stock in white and "grey" areas should also be made accessible to people of all races and discriminatory practices had to be identified and stopped.

"In addition, government and semi-government land and facilities in metropolitan areas must be made available where possible so that low-rise apartment buildings, cluster homes and affordable individual housing can be developed."

Developers should act as facilitators in identifying and solving problems arising from cultural differences among the various parties, adds Hardy.



Leadership...

If Sidney Poitier was a returning exile he'd have a ready-made part waiting for him in our local remake of his famous *Guess Who's Coming To Dinner?*, now re-named *Guess Who's Moving Into The Neighbourhood?*.

You don't need a sociological study to know that some returning exiles are using their foreign capital to buy into previously pure-white suburbs. Nor inside information that nostalgia for the rhythm of township streetlife quickly gives way to alienation and a desire to flee.

A community worker helping returnees tells me that many are more than a trifle distressed by the change and prefer to set up home anywhere, as long as it's away from township degradation and lawlessness.

Most suburbs are affected. Just check out your street, and if your neighbourhood isn't beginning to grey, it's only a matter of time before it does.

To give us our due, very little overt trauma is being displayed. We can even laugh that collective property-owner angst over black neighbours was once, in those dark days of the Old South Africa, embarrassingly expressed as fear that our new neighbours would plant mealies in the front garden instead



Janet Wilhelm

How to welcome a black neighbour

of roses. No, the new stresses have nothing to do with blacks moving in. Liberal anxiety has shifted instead to how to politely acknowledge their presence. Is it politically correct to ignore them, as you probably would if they were white?

Or do you go over and do your bit for race relations by showing the acceptable face of white guilt and being extra nice?

TAKE my friend Jenny who lives in an old Johannesburg suburb. For months a house down the street, an eyesore, the kind advertised as a renovator's dream, was on the market.

It was recently sold and completely revamped. She heard in advance that the new owner was a returned exile and she began to

agonise over what to do when they eventually moved in.

She decided she would drop in — but that was the easy part. It may be politically correct to welcome your new black neighbour — but what is the politically correct gift to take?

In trying to answer this question a vast uncharted territory opens, and there's no etiquette book on hand to help. The problem is knowing where to pitch the gift.

No-one wants to be seen over-reacting. Anything too grand and you could be accused of being patronising. Anything too trivial may seem a slight. And who would have the nerve to do something truly practical like sending over the maid or gardener to help with the unpacking.

No Miss Manners tome adequately deals with this

new dilemma and we're so self-conscious about race we prefer to pretend such social awkwardness doesn't exist. It's an atmosphere in which even that standard innocuous bottle of South African plonk gets a second, and third consideration.

For years our wine was the unacceptable apartheid gift to take abroad. But who could resist the pleasure of taking a few bottles over to lefty friends. Remember that strained look as they thought about whether it was politically correct to even drink it, or whether they would have to pour it down the drain?

THOSE days are gone. My friend finally trundled over to break the ice complete with a large bottle of red in her hand and they all drank it — without the silly indulgence of decanting it into an empty bottle of Chianti.

It could have been worse. Jenny could be living in a posher suburb where the exiled elite like the Tambos are gravitating. Adelaide Tambo has returned to our shores bearing a formidable reputation of having been no social slouch all those years in London. What could one possibly offer a woman such as this?

I hear she received a large, dark, welcoming chocolate cake.

GROUP AREAS TRANSFERS

Pay and pay again

FM 20/9/91

80



If the victims of apartheid who used legal technicalities to circumvent the notorious Group Areas Act have learned one lesson, it's that there's no such thing as a free lunch when it comes to property ownership.

Commendably, government has moved to legitimise property purchases made before the abolition of the Act, which were registered with close corporations (CCs) or nominees to enable people to buy across the colour line. The Abolition of Racially Based Land Measures Act, which marked the death of group areas on July 1, permits residential or business property acquired by a white person on behalf of a black person in a white area to be transferred to the real owner free of charge.

However, it is becoming clear that the new Act, though well-intentioned, has its shortcomings. Among them is the fact that while the deadline for free transfer expires at the end of the year, there are many affected who are still unaware of the opportunity (*Property* August 23).

Furthermore, those who are aware are discovering that the only free element of the transfer is the actual reregistration — an item which, incidentally, such buyers probably had to pay a premium for in the first place if the property was registered in the name of a company.

After that, it is a case of shelling out money at every turn. In the first place, there are the legal fees; attorneys, while necessary, are seldom cheap. But that is not the end of it. When the property owner is finally in a position to have the property registered in his own name, he discovers he must, at the very least, reregister the existing bond (in the name of the close corporation) in his own name. The law requires the mortgager and property owner to be one and the same.

The cost of this exercise alone is likely to be about R1 200 for a R100 000 bond; these fees will have been paid more than once in most cases.

For many, the bond is only the tip of the mortgage iceberg. They are discovering that they actually have to apply for their home loans anew because, in some cases, the white nominee in the close corporation signed surety for the loan. As that surety no longer applies, the homeowner has to re-apply for a mortgage giving details, such as proof of income.

The *FM* understands that the lending institutions are bending over backwards to assist in smoothing the way for these re-bonding applications, often not charging processing fees for valuations and other costs usually levied during the purchase of a property. Even so, people are finding they're paying dearly for a technicality and, ulti-

mately, for apartheid legislation that was not of their doing.

The principle is clearly unfair and will cost an extra R4 000 on a R100 000 property. Perhaps fortunately, only a few people took advantage of the nominee and close corporations systems to buy across the colour line, though the exact numbers are not known. While some institutions and multinationals used the nominee system specifically to enable black staff freedom of choice in terms of where they lived and owned property, they are staying tight-lipped about how extensively the system was applied and there are obviously no official statistics available.

However, a clearer picture emerges from a Rondebosch estate agent in the Cape. The agent, who has asked not to be named, says he has, over the years, kept a computer record of all property transactions in the middle-class suburbs of Rondebosch East and Kenwood. These suburbs have a total of about 4 500 properties of which about 600 homes were bought through CCs or family trusts specifically to get around the Group Areas Act. There were other close corporation purchases, but these were made for different reasons.

"I wrote to these 600 people, or CCs, about the Abolition of Racially Based Land Measures Act and its implications, offering my services," he explains. "The response was good and most of those who came back to me

were aware of the new legislation. However, they were finding the process of gearing up to make the change slow. One reason is that attorneys are a little hesitant, still fishing around to see what needs to be done.

"Nevertheless, some of the properties have gone through the process and been reregistered with little or no difficulty."

He adds that most of those who have already had their homes transferred into their own names have been shocked by the cost of the so-called free transfers, particularly in terms of reregistering bonds.

A future amendment to the Act should make provision for compensation. ■

GORDON'S BAY

Setting sail



FM 20/9/91

It took longer than planned but the ambitious marina development at Gordon's Bay on the Cape coast got under way this week when builders moved on site.

The Harbour Island development is the first fully fledged marina on the False Bay shoreline, according to the developers. Anglo American's Marina da Gama across the bay near Muizenberg was designed as a marina, with direct sea access, but the plan was altered and there is no open channel.

Harbour Island will include a harbour for
continue

FM 20/9/91

THE TIDE COMES IN



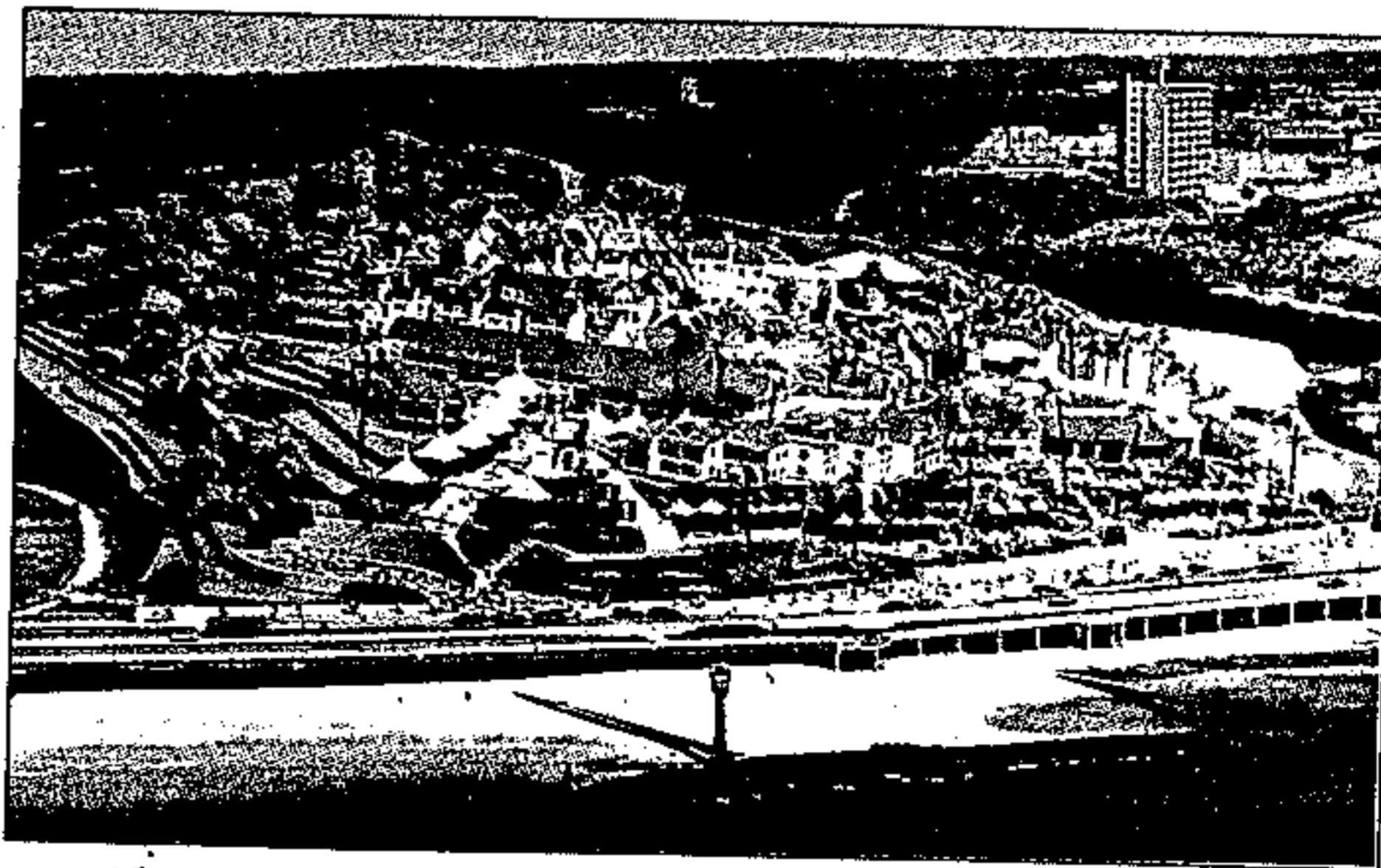
Some people are convinced that a tourist boom is inevitable. Among those prepared to back the belief with action (and funding) are Brookes Hill (Pty), developers of Port Elizabeth's R80m-plus Brookes Hill Development. The scheme is a mixed one and includes provision for

hotel and conference facilities, a health spa, including health and beauty clinics, and shareblock chalets.

Work on the project is expected to begin within the next month or so for completion in a few years.

The development will occupy a 5,9 ha site on Brookes Hill off Beach Road, Humewood, adjacent to Port Elizabeth's Happy Valley.

The hotel will initially have conference facilities for 600 delegates and shareblock chalets will be sold on an eighth-share basis — each owner will be entitled to spend six weeks a year there.



Victims of removal to talk to govt

REPRESENTATIVES of 20 communities, victims of forced removals, were expected to meet Development Aid Minister Jacob de Villiers today, the National Land Commission said, yesterday.

The commission said the repeal of the Group Areas and Land Acts as well as the overall change in government policy had given rise to expectations that the communities' land would be returned to them.

"The government's White Paper on Land Reform and the legislation which accompanied it did not address the demands of these communities," a commission statement said.

The delegation would also propose to the Minister that white farmers leasing land belonging to the communities vacate the land.

"Where white farmers have been sold land which was stolen from us, the government should fairly compensate them and return the land to us," the statement added. — Sapa.

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UNITY .. Rev Stanley Mogoba

End legacy of land apartheid

CP Reporter *CP Press* 6/10/91.

THE Church should have a common mission in the world and stop competing in a manner which contradicts its very nature.

So said Rev Stanley Mogoba, presiding bishop of the Methodist Church in Southern Africa, at the Church's 108th annual conference in Port Elizabeth on the theme "Sharing".

On the positive side, the Church in South Africa had almost been united in its condemnation of apartheid and in exercising a ministry of reconciliation, Mogoba said.

On the question of one land for

all, Mogoba said the racial zoning of South Africa was a monumental blunder.

The Group Areas Act balkanised the country in such a way that different groups became strangers instead of neighbours. But apartheid failed because it did not partition South Africa successfully. It remained effectively one country.

"Apartheid simply had to fail because it is a heresy based on greed and selfishness."

Every law that inhibited full sharing - particularly land and equal opportunities - had to be speedily removed. Stressing that the question of

(80)

land was not an easy one to resolve, Mogoba suggested a few guidelines:

- Land should be available to all without any consideration for race, class, sex, colour or creed.
- Agricultural land should be used for food production in a well-planned and more productive way.
- People who did not live on their farms but who had other means of income should be made to relinquish the land for occupation and use by new farmers who would clearly come from the black people who had been forcibly removed from their land in the past.
- Black farmers should be assisted generously as a form of affirmative action. In addition, they should be given intensive training.
- People living on farms and in the rural areas should be assisted with modern infrastructure such as schools, clinics, recreation and training centres.
- Agriculture as a whole should be regarded as a primary industry, inferior to none other.
- Farms should be kept under strict surveillance and any failure to meet the necessary standards should disqualify the farmer.
- Farmers should be drawn from people who love the land and whose loyalty to the country is not in question.

Savimbi a big hit with Natal industrialists

Political Correspondent

DURBAN — Unita leader Dr Jonas Savimbi last night received a standing ovation at the Natal Chamber of Industries dinner.

The African National Congress and the Azanian People's Organisation objected to the NCI inviting Dr Savimbi, saying the South African taxpayers' money he spent fighting his bush war should have been spent on social upliftment in South Africa.

180 The ANC declined an invitation to the NCI dinner.

Chief Minister Mangosuthu Buthelezi was the first to embrace Dr Savimbi after his 40-minute address captivated Natal's industrial bosses.

Dr Savimbi spoke without notes, made a few quips, pledged peace in Angola and called for close relations between the two countries.

He tipped himself as the winner of the September 1992 elections in Angola.

Stev 25/10/91

NCI bosses called him "president". They introduced him as the Unita army commander who waged a freedom struggle, and won the title of spokesman for people in search of freedom.

He introduced members of his party, including three senior military officers, who were warmly applauded.

Dr Savimbi distributed copies of Unita's policy on economic democracy and guidelines on foreign investment. He called guests at the dinner

"my fellow Africans of South Africa".

He said he was not ashamed of his association with South Africa over many years.

Without South African support, he said, it would have been impossible for Unita to have opposed the 1975 invasion of Angola by communists, Cubans and Russians.

And, he said, without Unita's fight there would not have been elections in Angola, changes in South Africa or democracy in Namibia.

Making amends for illegal transactions

Southern 7/11/91

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200 103

PROPERTY acquired in contravention of the Group Areas Act can be transferred without paying transfer duties, stamp duties or fees of office.

Individuals who acquired property in contravention of the Group Areas Act have the opportunity to take transfer of the property in question paying stamp or transfer duty or fees of office if application is made to the Registrar of Deeds before or on December 29, 1991.

According to a property expert, Mr. Lawrence Kaplan, under Section 48 of the landmark legislation, the Abolition of Racially

By **JOSHUA RABOROKO**

Based Land Measures Act 1991, a transaction whereby a nominee owner acquired property for another person (the principal in violation of Section 40 of the group Areas Act is no longer deemed illegal or as constituting an offence.)

The new legislation makes provision for the principal to take transfer of the property without paying stamp or transfer duty or fees of office by submitting to the relevant registrar of deeds by December 27, 1991, a written request accompanied by the title deed and affidavits or

solemn affirmation by the nominee owner and the principal who is to become the registered owner of the property.

These documents must state that the individuals were party to an transaction, the exclusive object of which was to circumvent the Group Areas Act.

If a nominee owner refuses, omits or cannot be found to make such a statement, the principal can apply to court for an order authorising the transfer.

Transfer, which is by way of endorsement, is subject to certain provisions, such as that any mortgage bond over the property has to be disposed of before or upon application to the

Registrar of Deeds, and that the usual rate clearance must be lodged with each application.

Provisions of the legislation also apply in cases where a company or close corporation is nominee owner.

"This is a unique opportunity for individuals affected by the Group Areas Act to literally put their house in order, and to take advantage of a concession that could save a significant amount of money," Kaplan said.

"It is essential, however, to lodge the application with the Registrar of Deeds by December 27 1991, if the transaction is to be exempted from the relevant duties."

Committee to meet Minister over land disputes deadlock

DARIUS SANAI ^{5/10/91} 26/11/91

THE National Land Committee (NLC), which represents victims of forced removals, is to meet Land Affairs Minister Jacob de Villiers later this week to try break the deadlock over the composition of government's Advisory Commission on Land Reform.

The NLC is refusing to negotiate with the commission, which was appointed by President F W de Klerk earlier this month to resolve land disputes.

An NLC spokesman said yesterday composition of the seven-member commission — which is headed by Appeal Court judge T H van Reenen — was unacceptable to the forcibly removed communities it represented, and demanded that some of its own nominees be appointed.

He added that a meeting to discuss the matter with De Villiers had been scheduled for later this week.

Support

A Land Affairs Department spokesman said yesterday it would be difficult to add to the current composition of the commission as the legislation only allowed for a certain number of members.

However, the spokesman said De Villiers was keeping an open mind with regard to negotiations over land and "nothing is impossible".

He added that De Villiers said last week all five NLC nominees had been approached but had turned down the request to serve on the commission.

The spokesman confirmed De Villiers would be meeting representatives of the NLC later this week.

The NLC spokesman said the organisation would be actively seeking support from opposition groups including the ANC, DP, Inkatha and the SA Council of Churches for its stand against government.

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Allegation of 'silent apartheid' as white landlords refuse black tenants

BLACK people seeking rented accommodation in elite suburbs near the city are being blocked by "silent apartheid" imposed by apartment owners.

Estate agents said some flat owners believed renting their properties to blacks could lead to overcrowding and rent boycotts and insisted white tenants be found.

Sowetan 3/2/92

**Sowetan
Correspondent**

A spokesman for Comp-U-Rent said most estate agents did not state that properties were exclusively for whites, but in fact some privately owned dwellings were so reserved.

"The majority of our clients are black and if agents or individuals insist on

whites only, we refuse to include them on our lists of properties," he said.

Steer and Company director Mr John van der Spuy said his agency had not encountered a reluctance by apartment owners to rent flats to people who are not white.

"The only thing flat owners have insisted we check on is that the person

who is renting an apartment can afford it. We also make sure the flat is not overcrowded," he said.

However, a 40-year-old receptionist who has been looking for a flat to rent for six months felt she was being discriminated against because she was black.

A computer letting agent had advised her that a particular agent was looking

for a tenant for a bachelor flat in a block in Regent Road, Sea Point.

A white man who was moving out of the flat was told that she could not rent it because she is not white.

The agent said: "You must understand, it is not our decision. The body corporate has decided that no blacks are allowed to live there."

Wendy Orr Interdict: allegations against SAP members

67. Mr E W TRENT asked the Minister of Law and Order:

- (1) With reference to the affidavits submitted to the courts in the case following the Wendy Orr Interdict, (a)(i) what were the names of the policemen against whom criminal behaviour was alleged and (ii) how many allegations were submitted against each policeman and (b)(i) what was the rank of each of these policemen at the time of the allegations and (ii)(aa) how many of them were still in the Police Force, and (bb) what was the rank of each such policeman, as at 28 January 1992 or

the latest specified date for which information is available;

(2) whether any of these policemen have been (a) suspended or (b) dismissed from the Force; if so, what are the relevant details;

(3) whether an internal inquiry was instituted into this matter by the South African Police; if not, why not; if so, what were the findings;

(4) whether the record of this inquiry is a public document?

B157E

The MINISTER OF LAW AND ORDER:

(1)(a)(i) and (ii), (b)(i), (ii)(aa) and (bb).

NAMES	ALLEGATIONS	RANK 1985	SERVING MEMBER	RANK IN JAN 1992
George J Beeton	1	Capt	Yes	Capt
Izak P du Plessis	1	Capt	Yes	Lt-Col
Charl P Strydom	2	Lt	Yes	Capt
Gideon	3	Lt	Yes	Capt
Deon A Els	1	Lt	Yes	Capt
Eric A Taylor	1	Lt	Yes	Capt
Gerhard J Loitz	1	Sgt	Yes	Lt
Gert P Bezuidenhout	1	W/O	Yes	W/O
Francis V Coetzee	7	W/O	Retired	W/O
Neil Coetzee	1	W/O	Yes	W/O
Carel H Swart	5	W/O	Deceased	W/O
Freddie van Wyk	1	W/O	Yes	—
Theminkosi A Faku	7	Sgt	Deceased	Capt
Templeto Luthi	2	Const	Yes	Const
Matthew M Mpokeli	2	Sgt	Yes	Sgt
Mzikoyise A Tungata	3	Sgt	Yes	Sgt
Phumzile H Jam	4	Sgt	Yes	W/O
Rodwell Ndyane	5	W/O	Retired	W/O
Vukile M Nesi	16	Const	Yes	Const
Wilberforce M Sikwebu	1	Const	Yes	Const

(2) (a) No.

(b) No.

(3) A departmental investigation is still pending at present together with certain civil actions which were lodged in the case in question. Departmental steps will be considered after finalization of the civil actions and the relevant investigation.

(4) Falls away.

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The MINISTER OF DEFENCE:

(a), (b) and (c)

Figures are not supplied as it creates the opportunity for certain individuals and/or organisations to use them for political gain and this is not in the national interest or in the interest of the SA Defence Force.

Official population figures

78. Mr M J ELLIS asked the Minister of Home Affairs:

(a) What are the official population figures for the (i) Republic of South Africa and (ii) Natal/KwaZulu region and (b) in respect of what date are these figures furnished?

B223E

The MINISTER OF HOME AFFAIRS:

The preliminary results of the 1991 population census are furnished. The information is as enumerated and has not yet been adjusted for undercount.

Certain mixture: complaints

80. Mr M J ELLIS asked the Minister of National Health:

(1) Whether she or her Department has received any complaints, enquiries and/or representations regarding a certain mixture, the name of which has been furnished to the Minister's Department for the purpose of her reply, which is available in certain retail pharmacies in the Republic of South Africa; if so, what (a) is the name and (b) are the ingredients of this mixture;

(2) whether any of these ingredients or the mixture as a whole contains any habit-forming or addictive substances or has such qualities; if so, what are the relevant details;

(3) whether she or her Department intends taking any action (a) against the manufacturer, and (b) in respect of the sale, of this mixture; if not, why not; if so, what action?

B225E

The MINISTER OF NATIONAL HEALTH:

(1) Yes, (a) "Eazislim". It consists of three separate products supplied in the form of

a kit, that must be mixed beforehand by the pharmacist before the mixture is sold to the public and (b) d-nor-pseudoephedrine powder a tonic called Liviton, a mixture containing senna;

(2) the constituent of the mixture, d-nor-pseudoephedrine can be abused and may be habit-forming. The substance is currently sheduled in Schedule 2 which means that it may only be prescribed by doctors and pharmacists and that the particulars of each sale must be recorded in a prescription book. The Medicines Control Council has on numerous occasions considered the rescheduling of the substance, but has decided that the risks involved with the controlled use of the substance is not so large that the substance should be placed under more stringent control;

(3) (a) steps have already been taken against the distributor of the mixture. The mixture is no longer sold as "Eazislim", and the distributor now sells the individual components to pharmacists and

(b) the sale of the mixture took place as a result of a loophole in the regulations which were promulgated in terms of the Medicines and Related Substances Control Act, 1965 (Act 101 of 1965). Steps have already been taken to amend the regulations to curb this sort of activity.

Free settlement areas

98. Mr P G SOAL asked the Minister of Local Government and National Housing:

(a) How many free settlement areas have been proclaimed since the promulgation of the Free Settlement Areas Act, No 102 of 1988, (b) where are these areas situated, (c) what is the size of each, (d) how many persons are living in each of these areas and (e) in respect of what date is this information furnished?

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The MINISTER OF LOCAL GOVERNMENT AND NATIONAL HOUSING:

(a) 13.

HOUSE OF ASSEMBLY

National servicemen: 1992 intake

72. Mr A GERBER asked the Minister of Defence:

(a) How many national servicemen were called up for compulsory military service for the January 1992 intake, (b) how many of these national servicemen reported for such service and (c)(d) how many of them were sent back to their homes and (ii) why were they so sent back?

B164E

Continue

(b)

Midrand (Country View) Transvaal	479,0 ha
Windmill Park (Transvaal)	60,4 ha
Warwick Ave Triangle (Natal)	8,9 ha
Diepsloot (Transvaal)	880,0 ha
Zonnebloem (Cape)	93,0 ha
Waterval (Transvaal)	211,0 ha
Zuurbekom (Transvaal)	1 375,0 ha
Messina Extension 8 (Transvaal)	35,43 ha
Kynsna Extension 10 (Cape)	90,0 ha
Ottery-Wetton (Cape)	109,0 ha
Cato Crest (Natal)	101,0 ha
Zeekei Valley (Natal)	139,0 ha
Alwijn Balmoral-Litenhage (Cape)	1 205,0 ha
TOTAL	4 786,73 ha

(c) Information not available.
(d) Information not available.
(e) 30 June 1991.

Own Affairs:

Housing units

10. Mr P G SOAL asked the Minister of Housing and Works:

Whether his Department intends building any housing units in the Republic in 1992; if not, why not; if so, (a) in which centres will they be built and (b) how many units will be built in each of these centres?

The MINISTER OF HOUSING AND WORKS: B71E

Yes, the Department of Local Government, Housing and Works has approved projects for the erection of housing units in 1992 in the regions as listed below in respect of local authorities and welfare organisations.

(a)	(b)
Northern Transvaal	613
Southern Transvaal	661
Natal	170
Eastern Cape	189
Western Cape	798
Northern Cape	74
Orange Free State	78

In respect of question 79 asked in 1991 on this it should be mentioned that it was also in

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respect of projects that were approved and for which funds were made available

Teachers: posts/bursaries

14. Mr K M ANDREW asked the Minister of Education and Culture:

(1) How many qualified teachers were made redundant, retrenched or retired early because of a surplus of teachers during or at the end of 1991;

(2) how many teachers who qualified at the end of 1991 were unable to obtain posts from the beginning of 1992;

(3) (a) how many White student teachers have bursaries from the State at present and (b)(i) what is the annual cost to the State of such bursaries and (ii) in respect of what year is this information furnished?

B110E

The MINISTER OF EDUCATION AND CULTURE:

(1) 1 550;

(2) 28*;

(3) (a) 8 652,

(b) (i) R29 268 143,

(ii) 1991.

*Applies to bursars. An approximate figure as the Cape Education Department does not keep statistics of this nature.

Teachers made redundant

15. Mr R M BURROWS asked the Minister of Education and Culture:

(1) Whether any (a) secondary and (b) primary school teachers employed by (i) his Department and (ii) each of the provincial education departments were made redundant in 1991; if so, how many in each case in (aa) his Department and (bb) each province;

(2) whether any of these teachers were subsequently employed in another capacity within his Department; if so, (a) how many and (b) in what capacity was each of these teachers employed in (i) his Department and (ii) each province?

B51E

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The MINISTER OF EDUCATION AND CULTURE:

(1) (a) (b)(i) and (ii) Yes,

(aa) Total in Department	585	841
(bb) Cape	167	165
Natal	161	189
OFS	135	240
Transvaal	122	247;

(2) yes,

(a) 186* teachers who, without a break in service, chose to remain in service and who received no pension benefits,

(b) (i) 89* in permanent and 97* in permanent relieving teaching posts,

(ii) Cape: Statistics of this nature are not kept, Natal and Orange Free State: 0, Transvaal: 89 in permanent and 97 in permanent relieving teaching posts.

*CED statistics excluded.

School facilities: other population groups

18. Mr R M BURROWS asked the Minister of Housing and Works:

Whether, since the reply to Question No 27 on 19 March 1991, any unutilized or underutilized school facilities have been made available to other population groups; if not, why not; if so, (a) which facilities, (b) to whom have they been made available and (c) in respect of what date is this information furnished?

B153E

The MINISTER OF HOUSING AND WORKS:

Yes, the following unutilized or underutilized school facilities have been made available to other population groups during the period 2 March 1991 to 6 February 1992:

- (b) Department of Education and Training
- (a) — Laerskool Tobie Winterbach, district Balfour
- Laerskool Perdokop, district Volksrust

— Laerskool Pienaarsrivier, district Warmbaths

— Laerskool Marong, district Waterberg

— Laerskool Kommadagga, Somerset-East

— Maclean Town Primary School, Maclean town

— Laerskool Tainton Village, Tainton, East-London

— Laerskool Golden Valley, Somerset-East

— Laerskool Venterstad, district Burgersdorp

— Highflats Junior Primary School, Ikopo

— Keate Street Junior Primary School, Ladysmith

— Laerskool Bulwer, Bulwer

— Coronation Park Primary School, Vryheid

— Aiken Park High School, Port Shepstone

— Willem Pretorius Primêre Skool, district Bloemfontein

— Department of Education and Culture: House of Representatives

— Laerskool Tafelberg, Woodstock, Cape Town

— Laerskool Addo, Kirkwood

— Laerskool Elim-eland, district Gordonia

— Laerskool Karos Kanon, district Gordonia

— Laerskool Gariep, district Gordonia

— Laerskool Hermon, Hermon: Malmesbury

— Laerskool Kalbaskraal, Kalbaskraal

— Laerskool Klaasvoogd, district Robertson

— Laerskool Papendorp, Vanrhynsdorp

— Laerskool Riebeeck-Oos, Riebeeck-East

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qualifications during the latest specified period of three years for which figures are available?

D81E

THE MINISTER OF LAW AND ORDER:

Mr Chairman, I do not know whether my colleague here has just taken over my portfolio. I saw him rise when the question was put. [Interjections.]

The answer is as follows:

(a) 1 859

(b) 8 087

These figures include promotion on the basis of appropriate degrees/diplomas and the National Diploma (Police Administration).

Mr M RAJAB: Mr Chairman, emanating from that reply, and I must apologise to the hon the Minister, as the fault was mine, could he let me have the figures pertaining to the people who received diplomas, and the graduates. I should have asked specifically for the figures pertaining to the diploma-holders as well as the graduates.

The MINISTER: I see some of my staff are present. We will see to it that the hon member receives those figures.

THE LEADER OF THE OFFICIAL OPPOSITION: Mr Chairman, further arising out of the hon the Minister's reply, could he let us know whether any member of the Force who obtained the relevant graduation qualifications was not promoted.

The MINISTER: Mr Chairman, I do not have that figure at my disposal. I will look into the matter, and supply the hon the Leader of the Official Opposition with a reply.

Squatter community: Lenasia/Finetown

*3. Mr D K PADIAACHEY asked the Minister of Local Government and National Housing:

- (1) Whether the squatter community in Lenasia Extensions 9 and 10 is to be relocated; if not, why not; if so, when?
- (2) whether this community is to be relocated in the Finetown area; if not, (a) why not and (b) where is it to be relocated; if so,
- (3) whether the Finetown area has been developed for this purpose; if not, why

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not; if so, what are the relevant details?

D92E

THE DEPUTY MINISTER OF LOCAL GOVERNMENT AND NATIONAL HOUSING:

- (1) and (2) Geological tests are at present being conducted to establish whether Lenasia Extensions 9 and 10 are suitable for residential development. Should the results be positive, this area will be developed for residential purposes and the community will not be resettled.

However, should the geological tests indicate that this area is unsuitable for residential development, the community will be resettled on suitable land to be negotiated with them, which could include the Finetown area.

- (3) The Finetown area is at present being prepared for the settlement of homeless families which could include the squatter community in Lenasia Extensions 9 and 10. The lay-out planning has already been completed, while the planning for engineering services is at present in process. It is expected that construction of the infrastructure should commence early in the 1992-93 financial year.

THE LEADER OF THE OFFICIAL OPPOSITION: Mr Chairman, arising from the hon the Deputy Minister's reply in respect of the Finetown area, is he prepared to inform us whether that land belonged to the Administration: House of Delegates, and if so, whether the House of Delegates will be compensated so that it can continue with its own housing programme?

The DEPUTY MINISTER: Mr Chairman, I am not in a position to answer any further questions.

INTERPELLATION

The sign * indicates a translation. The sign †, used subsequently in the same interpellation, indicates the original language.

Own Affairs:

Group Areas Act: return of land

THE LEADER OF THE OFFICIAL OPPOSITION asked the Minister of Housing:

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- (1) Whether he is giving consideration to the return of land under the control of his Department to former owners from whom such land was taken away in terms of the provisions of the Group Areas Act; if not, why not; if so, what method will be applied in determining the price of resale;

- (2) whether he will make a statement on the matter?

D105E:INT

THE CHAIRMAN OF THE MINISTERS' COUNCIL: Mr Chairman, as hon members of this House will know, provision is made in the Abolition of Racially Based Land Measures Act, Act 108 of 1991, for the appointment of an Advisory Commission on Land Allocation, the objects of which are detailed in section 91 of the said Act, and include making recommendations to the State President regarding the identification and allocation of land belonging to the State or any State institution and acquired under any law repealed by the said Act, which land has not yet been developed or allocated for a specific purpose.

Such a commission has been appointed with effect from 1 November 1991, and individuals in the category indicated above, who feel they have justifiable claims of having been disadvantaged under the application of the now repealed Group Areas Act, are at liberty to lodge motivated claims with the said commission for appropriate attention, according to procedures and principles which the commission may adopt from time to time. As the commission is obliged to make its recommendations to the State President, it is incumbent on the State President to decide how such matters will be further dealt with.

The answer to the second part of the question is yes. All of us are fully aware of the fact that this issue is a very sensitive and emotional one due to the immeasurable hardship and loss experienced by our people under the inhumane and ruthless application of the Group Areas Act. I am confident that hon members will also appreciate the formidability of the task of investigating and evaluating this enormously complicated issue with compassion and objectivity and of making reasonable, acceptable and just recommendations.

The acceptance by Parliament of the establishment of the advisory commission was, in my view, an acknowledgement by all of us of the very real intricacies and complexities of the issue, and the undisputed need for an objective and independent body as the instrument to arrive at reasonable and just solutions for this highly emotionalised issue.

It is therefore our perception that it would be in the best interests of all persons who have or feel they have justifiable claims in terms of section 91 of the Act to lodge their claims with the said commission. We believe that the commission will look at the issue in the light of its historical background and any other relevant facts to establish a basis for determining a selling price which would be fair to all parties concerned.

There was also an incident in which land was purchased with the intention of erecting a home, and although planning was done, such plans did not materialise. Upon application by the original sellers to purchase their property, the formula applied to determine the selling price was in accordance with Treasury instructions. Guidelines are set down by the Treasury for establishing the selling price in these situations, namely the price at which the subject land was acquired by the State, plus the Treasury rate of interest from the date of acquisition to the date of sale. The point I make . . . [Time expired.]

THE LEADER OF THE OFFICIAL OPPOSITION: Mr Chairman, compared to what is happening in the House of Representatives and the House of Assembly, this is a very depressing reply, because the House of Assembly, on its own, without suggesting to people that they will be referred to a commission that might give a decision and make recommendations to the State President two or three years later, is returning land that was taken away in terms of the Group Areas Act.

We were treated ruthlessly. This interpellation was placed on the Question Paper because when we discussed this matter and the issue of Cato Manor last year, the Minister of Housing gave an undertaking that the Administration would consider restoring land. We know that our community has been treated ruthlessly. There is no point in suggesting that this was because of a Treasury regulation. When there was a White Minister in charge, and he returned land, the same Treasury regulation applied. One must say,

could

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HOUSE OF DELEGATES

"To hell with the Housing Development Board and to hell with the Treasury regulation." Our people were treated ruthlessly and this stupid system of determining market-related prices when one wants to restore justice must be thrown out of the window.

This is a reply that has been prepared by public servants. I am shocked that the House of Assembly and the House of Representatives do not tell them to go to the commission. Our officials are treating our people with worse ruthlessness than the former department did. We must have the courage to tell them that the hon the Minister is in charge. I hope the new hon Minister of Housing will live by the words of criticism that he has levelled at the former Minister of Housing.

Let us take the case of Kranskop. We did not tell the Kranskop family to go to that commission. That legislation was passed for another purpose. However, what are our officials doing? Do the hon Ministers not have any teeth? Are they all toothless so that the officials have now become Ministers in our Administration?

We have taken a decision to restore that land. What are we doing with regard to the Asiatic Bazaar? Were those exercises not designed to restore the land? Are they going to ask them to pay market value when we know that market value is an artificial value created as a result of the Group Areas Act? In spite of the fact that the group areas legislation has been repealed, we still have an artificial market value. We also have a Chairman of the Ministers' Council who just reads out a reply prepared by public servants who have no feelings for our people. [Interjections.]

I want the hon the Deputy Minister, when he comes into this debate, to discuss the example of Kranskop. Kranskop is one example. We returned properties to people in Rodepoort. Did we tell the people in that particular case to go to that commission in terms of the racially based legislation? That commission is not going to make a decision. They only have an advisory function, and that matter is going to go to the hon the State President.

Mr M RAJAB: Mr Chairman, it is quite clear that the hon the Minister's reply is completely out of touch with the feelings of hon members of this House. In fact, it is completely out of touch with the feelings of the community. I would urge

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the hon the Minister to heed the words that have been expressed here this afternoon by the hon the Leader of the Official Opposition.

I want to endorse fully everything that has been said here this afternoon by the hon the Leader of the Official Opposition. He talked about the insensitivity with regard to this particular issue. Nobody can doubt that. He talked about the ruthlessness with which . . .

THE CHAIRMAN OF THE MINISTERS' COUNCIL: We all agree.

Mr M RAJAB: Yes, we are all agreed on that.

THE LEADER OF THE OFFICIAL OPPOSITION: But our officials are ruthless. You do not have the guts to tell them where to get off.

THE CHAIRMAN OF THE MINISTERS' COUNCIL: The procedures are ruthless.

Mr M RAJAB: I hear the hon the Minister say that the procedures are ruthless. I would then like to take this opportunity to appeal to the hon the Chairman of the Ministers' Council to do something about that. We are in the twilight days of our tenure here. It is about time that we did something very positive. It is about time that this Ministers' Council bucked the system, because at least then it will have left behind a positive legacy. In that regard I would like to endorse whatever has been said by the hon the Leader of the Official Opposition.

THE CHAIRMAN OF THE MINISTERS' COUNCIL: Mr Chairman, reference was made to a property that was offered back to people in Kranskop. The price that was charged in terms of the law was so high that the people who had parted with that land found it difficult to buy it back. We are trying to find some means by which a precedent can be created and the properties sold back at the prices for which they were purchased by the State. There is no real law that enables us to do this.

We agree with hon members regarding the giving back of land that was taken from people, provided that that land is not being used and is not in the process of planning as part of a housing scheme. What is important is that thus far we have not had a sizeable number of applications from people for the return of the land. We must first get the applications and then the process can start. That is when the hurdles can be jumped and the challenges and difficulties addressed.

At this point, however, as far as the Ministers' Council and I are aware, we have not had even half a dozen applications for the return of land which was proclaimed White. I do not think we can disagree that if it is possible to return to our people the land they lost, it must be given back.

With regard to Block AK, a group of Indians from Durban has gone to the land commission about that land. Therefore a precedent is being created in order to establish how this process of evaluation takes place, so that we shall have a case to make. The land commission in fact . . .

Mr M RAJAB: We must join forces with them.

THE MINISTER: That is right. The land commission is empowered in terms of the law to do just that and we are waiting for some decisions from them which can be used as an example.

THE DEPUTY MINISTER OF HOUSING: Mr Chairman, I can understand the feeling of this House in relation to this particular interpellation.

The hon the Leader of the Official Opposition spoke about Kranskop. Yes, I accept that what transpired in Kranskop should never have transpired in the manner in which it did. One does not take land from a family and put it into cold storage for some 12 years. Whilst that is so, when there were changes in this country we went out of our way, although planning in respect of Kranskop was in an advanced stage, to reverse that decision and the moment the hon the Leader of the Official Opposition brought this to my notice—it happens to be in my constituency—we bent over backwards to reverse the entire plan.

Negotiations are in progress with regard to what comprises a fair market value. That is something we should look at. We can understand the pain and frustration people feel when we talk about land. With regard to Cato Manor, what justification is there for what is prevailing there today? Can all the roleplayers who are involved in Cato Manor come forward and, in all conscience, justify what is happening there?

Hon members know the political expediency that plays a role in all these aspects. What is more, this committee has been established. There has to be an awareness within our community that there is an Advisory Commission on Land Allocation which can advise on the redistribution of land.

What about the Indian community which has been totally deprived of settling in different areas? Now, for the first time, the gates have been opened. People are filtering into different areas to resettle. However, let us look at the battle for 39 Home Street and the Asian Bazaar in Pretoria. [Time expired.]

THE LEADER OF THE OFFICIAL OPPOSITION: Mr Chairman, reference has been made to this particular commission's intervening in the matter of Block AK. I want to say that the former Chairman of the Ministers' Council in the House of Assembly, the hon the Minister of Justice, intervened because representations had been made to him. He did not tell these people to go to the commission. The hon the Minister took the initiative.

The stumbling block here, however, appears to be a law with regard to Treasury regulations. Those Treasury regulations existed when Mr Pen Kozé and Mr Marais Steyn were Ministers. When we were in power, what did we do in respect of the Oriental Plaza? What did we do? We gave the people a discount. Somebody was hiding the cost price and so we gave the people a discount of R20 million on the selling price. We had the guts to help our people, but the hon the Chairman of the Ministers' Council does not have the guts to control his officials.

As far as Cato Manor is concerned, many people are making inquiries about the land that is not yet being used for development. What are our officials doing? [Time expired.]

THE CHAIRMAN OF THE MINISTERS' COUNCIL: Mr Chairman, let us make it clear that as far as the Oriental Plaza is concerned, we were all party to the negotiations. It was a negotiated sale. I believe we are now dealing with a matter in which if one does something wrong one is answerable, and nobody will support one when the correctness of the action is being questioned.

We should investigate the process and get the people to apply in the first instance. Let the people apply for the return of their land first. Let us establish a case and undertake an investigation to see how best we can do this and satisfy those people on the basis of what has been said here. However, I want to make it very clear that there are laws and that going against those laws

HOUSE OF DELEGATES

will not work. This may sound like a political statement, but it will not get us any further. (80)

Of course, there is agreement that we have suffered and that our people must be compensated for their pain if it is at all possible. However, this must be done in a way which is legally sustainable and that is what I emphasise in my reply. I appreciate what has been put forward here, but there are no short cuts in doing that kind of work. We do not want to engage in any activity which will redound to the detriment of this House and not be to the credit of the people who are working here. That is very important.

Debate concluded.

QUESTIONS

†Indicates translated version.

For oral reply:

Own Affairs:

Chairman:

Representations: second access road to
Chatsworth

*1. Mr K CHETTY asked the Chairman of the Ministers' Council:

- (1) Whether, subsequent to his reply to Question No 1 on 15 May 1990, he, any members of his Ministers' Council and/or the Administration: House of Delegates has made any representations or further representations to the (a) Minister of Transport and (b) Durban Municipality concerning the second access road to Chatsworth; if not, why not; if so, (i) when and (ii) with what results;
- (2) whether he will make a statement on the matter?

D76E

The CHAIRMAN OF THE MINISTERS' COUNCIL:

- (1) (a) Yes.
 - (b) Yes.
- (i) 3 October 1991 and 21 October 1991.

HOUSE OF DELEGATES

- (1) Whether the post of Chief Executive Director of Education and Culture in the Administration: House of Delegates has been filled; if not, (a) why not and (b) when is it anticipated that it will be filled; if so, (i) when and (ii) by whom;
- (2) whether he will make a statement on the matter?

D75E

The MINISTER OF EDUCATION AND CULTURE:

- (1) No.
- (a) The Commission for Administration directed in terms of section 3(1)(a)(i) of the Public Service Act, 1984 that the post be re-advertised with an explicit indication of the duties and requirements of the post.
- (b) The post had been re-advertised in national newspapers and within the Public Service. This seeks applications up to 21 April 1992. Thereafter candidature of suitable candidates will be submitted to the Commission for Administration for a recommendation according to the Public Service Act's directives. An appointment is, therefore, not expected before these procedures have been complied with.

- (i) falls away.
- (ii) falls away.

(2) No.

The LEADER OF THE OFFICIAL OPPOSITION: Mr Chairman, arising out of the hon the Minister's reply, in accordance with established procedure in this country for the past 20 years, did he make a recommendation to the Cabinet through the Ministers' Council and, if not, why not?

The MINISTER: Mr Chairman, since the Commission for Administration was involved in this matter and since the Director-General is responsible for all personnel and administration, it was left to the Director-General to expedite this matter.

The LEADER OF THE OFFICIAL OPPOSITION: Mr Chairman, further arising out of the hon the Minister's reply, is he not aware of the

fact that the commission deals only with ratings, and that it is the political arm that has to make a recommendation on the advice of the commission? Why was such a recommendation not made?

The MINISTER: Mr Chairman, that information is privy to the hon the Leader of the Official Opposition. As far as we are concerned, the Director-General in the House of Delegates is responsible for its administration. The Commission for Administration was given that type of recommendation by the Director-General, and the Ministers' Council left it in their hands to expedite this matter.

Mr M RAJAB: Mr Chairman, further arising out of the hon the Minister's reply, am I to assume that the Ministers' Council made absolutely no recommendation with regard to the filling of this post?

The MINISTER: Sir, the Ministers' Council was briefed by the Director-General and recommended that this position should be filled expeditiously.

Mr M RAJAB: Mr Chairman, further arising out of the hon the Minister's reply, did the Ministers' Council recommend the name of one particular individual who, in its wisdom, it felt should have been appointed?

The MINISTER: Sir, the Ministers' Council did not make a specific request for the appointment of any specific individual, because we wanted to leave it to the Director-General to make an objective decision.

Appointments for new council: University of Durban-Westville

*2. Mr A SINGH asked the Minister of Education and Culture:

Whether any appointments have been made for the new council of the University of Durban-Westville; if not, why not; if so, what appointments?

D79E

The MINISTER OF EDUCATION AND CULTURE:

- Yes, as follows:
1. Dr Y Mimy
 2. Prof. G C Oosthuizen

HOUSE OF DELEGATES

- arrange National Games in co-operation with the Confederation; and
 - perform such other functions as may be entrusted to it by its members;
- Currently it is one of the members of the National Olympic Committee of South Africa.
- (2) The names of the bodies are as above.

INTERPELLATION

The sign * indicates a translation. The sign †, used subsequently in the same interpellation, indicates the original language.

Own Affairs:

Dwelling units owned/managed/subsidized by Department

Mr R V CARLISLE asked the Minister of Housing and Works:

- (1) How many dwelling units were owned, managed or subsidized by his Department as at the latest specified date for which information is available;
- (2) whether he intends to make these units available to all South Africans, if not, why not; if so, on what basis? B475E, INT

The MINISTER OF HOUSING AND WORKS: Mr Speaker, the number of dwelling units referred to in the question was approximately 25 000 as at 31 December 1991. These dwellings comprise 8 000 units erected, owned and managed by the Department of Local Government, Housing and Works and 17 000 units erected, owned and managed by local authorities and utility companies. These dwellings are funded and subsidised by the Development and Housing Fund.

The wrong perception that there is no housing shortage in respect of the White community may lead to the incorrect assumption that this housing stock is more than adequate to meet the needs of this community. It must, however, be pointed out that recent surveys conducted by the Development and Housing Board and the Robson Working Group on the Poverty Problem amongst Whites established that there was a housing need for 104 000 poor White families.

The latest surveys by the RSA Database Markets indicated that 60% of White families in need of low-cost housing were earning less than R2 000 per month. It is therefore an established fact that we have a critical housing shortage in the White community at present.

Be that as it may, it is common knowledge that the Group Areas Act has been repealed. Should a housing project financed by the Development and Housing Board no longer be required or not be fully occupied by members of the White community, I would therefore be prepared to consider making such a project, or units therein, available to members of other population groups. The admission procedures in respect of housing schemes under the control of local authorities and utility companies must be applied in the same manner, and they have already been informed accordingly.

We realise that something urgent must be done to alleviate the serious housing problem within the shortest possible time. The Department of Local Government, Housing and Works, in collaboration with the Development and Housing Board, is at present investigating the feasibility of disposing of certain properties owned by it and unsuitable for welfare or family housing in order to generate additional funds to address the need for further low-cost housing.

It is also investigating the net present value of outstanding loans in respect of certain housing projects with a view to the redemption of these loans. Should this exercise be feasible, the Development and Housing Fund will receive a substantial inflow of additional capital.

Private sector organisations have also been approached and have shown an interest in becoming involved in the provision of low-cost housing. Discussions will be held with local authorities with a view to obtaining their support for the utilisation of their surplus housing fund reserves to erect low-cost housing in their areas of jurisdiction.

If this action proves successful, it will reduce the need to make additional demands for funds from the Treasury to provide low-cost housing for the White group. [Time expired.]

Mr R V CARLISLE: Mr Speaker, the hon the Minister has drawn our attention to the shortage of housing for Whites, and it is precisely for that reason that I have raised this matter. There is a

shortage, a very serious one, and it is very disturbing to hear the Government's approach to alleviating this shortage.

I want to make three points. The first is that the provision of housing in South Africa is absolutely fragmented. It is fragmented with regard to the Budget, in that there are five different Votes which provide for housing in South Africa, or nine, if one include the provincial Votes. It is fragmented from the point of view of statute, in that there are 16 different Acts which govern the provision of housing. It is fragmented from the point of view of agencies supplying housing, in that we have Development Aid, Development Planning, own affairs, SADT, the SA Housing Trust, the Independent Development Trust, etc.

Secondly, the provision of housing remains on a racial basis. I hoped that we would hear something from the hon the Minister today to indicate that it was not so. All he said was that, given the shortage of 104 000 units for Whites, if one unit should become available by some strange chance, he would be prepared to make it available on a non-racial basis. That is nonsense. That is White housing. The point I want to make is that the provision of services on a racial basis is detrimental to Whites. The absence of an overall policy of housing, subsidised and otherwise, has greatly contributed to the housing problems we have.

I want to put it to the hon the Minister and his colleagues that there is no housing policy in South Africa. There is a nonsense, a shambles, a scrambling for budgets used in all sorts of ways, a duplication which wastes the taxpayers' money. At the end of the day there is just a growing shortage of houses in every sector and for each race group. One cannot provide housing rationally on a racial basis. Race may be a criterion, but there are much more important criteria.

The net result of all of this is the misery of people—the forgotten people of our society—who have nowhere else to go. In Cape Town and elsewhere the shortage of such accommodation for so-called White people is reaching crisis proportions. The problem has been accentuated by the deregulation in all respects of the protection of these people, except for the protection in respect of race, which is no protection at all. In fact, it is a disadvantage. The principal victims of this are old people and single parents who live in

conditions of anxiety and fear, which is a disgrace to all of us. [Time expired.]

*Mr H J COETZEE: Mr Speaker, it is clear that the hon member for Wynberg has put the question that reflects his thinking, which is that the Cape Liberals wants to discriminate against the Whites. [Interjections.]

They enrich themselves by putting such a question. They are expelling poor Whites from their living space. The purpose of the question was . . . [Interjections.] I am pleased that the hon the Minister did not simply say that he would make all these houses available—he did qualify why he was going to do this—but that essentially he also said that people of colour could have them. It is amazing that he is prepared to do this.

I want to ask the hon the Minister and the hon member for Wynberg whether they know exactly who occupies those houses. Do they know exactly what the requirements are for somebody to occupy them? How does such a person qualify? A person earning less than R1 000 per month has to have children to be able to live in them, otherwise he is not permitted to do so. If one of the parents dies, the other has to move.

The former State President said that everything would be done to help the poor. The present hon State President and the Cabinet say destroy them; they are a burden and an embarrassment to us. Over the past three years the Government has made more than R3 billion available for Black housing. Nevertheless the hon the Minister bewailed his lot this afternoon in connection with all the money that was required for White housing. What is he doing about this? Nothing, because the Government has turned its back on the Whites. It is amazing that the hon the Minister said that. I consider it a disgrace and further proof that the NP has turned its back on the Whites.

The Government was quick to threaten pensioners and tell them that they would lose their pensions if they did not vote Yes. Say this today . . . [Interjections.] I ask the hon the Minister today whether they are going to throw open old age homes. He must tell us this today. Is he going to throw open the various houses that are required. [Time expired.]

The MINISTER OF HOUSING AND WORKS: Mr Speaker, I would just like to complete my initial answer. The actions I have

described will have the beneficial result that more funds will become available for the provision of low-cost housing for other groups.

In reply to the hon member for Wynberg I want to say that due cognisance will also be taken by the Department of Local Government, Housing and Works of the De Loor Report and its recommendations in order to address the country's housing backlog *in toto*.

We are aware of the serious problems as far as housing in this country is concerned. It is a very big problem. The hon member referred to the fragmentation in the provision of houses. This is one of the things that the De Loor task group is taking cognisance of and is addressing.

The hon member also said there is no housing policy. I do not agree with him. There is one. However, these questions are addressed by a representative committee that has been appointed 18 months ago. Its report is nearly completed. As soon as possible it will be in the hands of my colleague the hon the Minister of National Housing, who will then consider the matter. Then the Cabinet will take certain decisions in this regard. Therefore I want to assure the hon member that we are aware of the housing problems of this country.

We have great sympathy with people who do not have houses, and it is one of our highest priorities that every person in this country should be in possession of a house.

* I should like to return to the hon member for Middelburg. He made his speech too late. He should have made it before 17 March. Now the referendum is over, however. [Interjections.] The hon member said we did not know who occupied all these houses. We do know. [Time expired.]

Mr D H M GIBSON: Mr Speaker, the hon the Minister knows that I have a very high personal regard for him. He will therefore forgive me when I tell him that I discovered today, to my surprise, that he is the Minister of Housing. I asked my colleagues around here, and nobody knew who the Minister of Housing was. [Interjections.] That does not necessarily mean that I am ignorant. What it probably means, and what it more likely means, is that this hon Minister has made no impact whatsoever with regard to housing since he was appointed. [Interjections.]

He tells us today that he is aware of the housing crisis in South Africa and that he is sympathetic about it. However, what he has not told us is what is going to be done to resolve it. He tells us about a committee that was appointed 18 months ago. Well, we are waiting, with the same bated breath as the hon the Minister, for that committee to tell this Government what policy they should follow. [Interjections.]

The hon member for Wynberg made the allegation, I think absolutely correctly, that there is no co-ordinated policy or co-ordinated approach in South Africa. It is precisely because of this divided control among various departments and Ministers, none of whom concentrates on this as his priority. All the people who are dealing with housing, deal with it as a sort of part-time adjunct to their other duties. It is for this reason that the housing crisis continues in South Africa. I want to say that there is no field of activity in South Africa that is of more importance to creating economic growth, bringing about stability and a sound family life than the improvement of housing standards in our country. It must be the most exciting project which could be tackled by any government. One of the biggest benefits which we will have, when we move away from the current own-affairs situation to one Cabinet, is that somebody will give attention to this crisis. [Time expired.]

Mr R V CARLISLE: Mr Speaker, we have had 44 years of the White man's government, and at the end of 44 years that hon Minister—whom it is hard to dislike, I agree with my colleague—gets up and says that we have got a housing shortage of 114 000 units for Whites, and a further 1 million units for other race groups. He says they do not have a policy and that they do not know what to do, but that they have good old Joop de Loor having a look at the problem, and that he is going to come back and tell the NP what to do. After 44 years we hear this admission of failure, an admission of no direction and no answers on the single most important factor that would bring stability.

What is the cost of this failure? We have to double the size of the SA Police Force, because this Government has not been able to provide housing, because it does not even have a policy to provide housing and because it has no answers for the future. [Interjections.] Another commission, and when that commission has published its

report, there will be another commission to look at how we can tie it in . . . [Time expired.] [Interjections.]

*The MINISTER OF HOUSING AND WORKS: Mr Speaker, I first want to finish dealing with the hon member for Middelburg. That hon member made the statement that the present hon State President said: "Destroy them; they are an embarrassment to us." I want to tell the hon member that this is completely untrue and that the hon member is guilty of making a disgraceful remark. There is no basis for it, and I am telling the hon member this.

The hon member also said that the NP had turned its back on Whites. This is just as much of an untruth. [Interjections.] This is the greatest nonsense that one could think of. [Interjections.] The hon member also said the NP had threatened pensioners. This is an untruth too! Those hon members went about telling lies to old people with the stories that they told them! [Interjections.] I withdraw that, Mr Speaker! [Interjections.]

*Mr J H VAN DER MERWE: Mr Speaker, the hon the Minister said "those hon members" and pointed at my colleagues.

*The MINISTER: I withdrew that, Mr Speaker!

*Mr SPEAKER: Order! The hon the Minister has already withdrawn his statement. [Interjections.] The hon the Minister may proceed.

*The MINISTER: They told old people stories that were not true. [Interjections.]

I do not know where the hon member for Yeoville was. [Interjections.] The hon member for Wynberg who is sitting there said we were not doing anything. [Interjections.] I am only responsible for housing for the White group in this country, not for people of colour! [Interjections.] The hon member had better take a look at this. [Interjections.]

I gave hon members the facts. They should just read my statement again. [Interjections.] Those hon members should just read my statement to see what we are doing to collect money and funds to help these groups which are experiencing a great crisis.

I want to say again that we have the utmost sympathy with all the people in this country who do not have a home. [Interjections.]

*We are doing everything in our power to ensure that they obtain accommodation. [Interjections.] Debate concluded.

QUESTIONS

†Indicates translated version.

For written reply:

General Affairs:

Crime/political violence in Pietermaritzburg

31. Mr R F HASWELL asked the Minister of Justice:

- (1) How many persons were charged with (a) murder, (b) assault, (c) public violence, (d) attempted murder, (e) culpable homicide, (f) arson, and (g) illegal gathering, related to political violence in the Pietermaritzburg magisterial district in 1990;

- (2) in respect of each of the above categories, how many of those charged stood trial in a court of law?

B93E

The MINISTER OF JUSTICE:

- (1) and (2).

It is not necessarily recorded at criminal proceedings whether a crime is related to "political violence" or not. The required information is therefore not available.

Pietermaritzburg: persons convicted/acquitted

32. Mr R F HASWELL asked the Minister of Justice:

- How many persons were (a) convicted and (b) acquitted of (i) murder, (ii) assault, (iii) public violence, (iv) attempted murder, (v) culpable homicide, (vi) arson, and (vii) illegal gathering, related to political violence in the Pietermaritzburg magisterial district in 1990?

B94E

The MINISTER OF JUSTICE:

It is not necessarily recorded at criminal proceedings whether a crime is related to "political violence" or not. The required information is therefore not available.

Land redistribution is the priority

Soweto 13/3/92

I HAD hoped the column last week would generate an intense debate on the environment - how we view it and how we integrate it into our programme of action - the fight for truth and justice.

Mr Charles Ndabeni, a member of the South African Council of Churches' Justice, Peace and Integrity of Creation has written an effusive response.

He argues that the fight to save our environment must be people-centred and reflect more on people and their relationship with nature. But I will not give myself the burden of translating what he said.

Here is his response:

As rightfully indicated in the article, there is an environmental apathy especially among the majority of the people in this country.

Before any blame could be apportioned to any person or organisation, some serious analysis should be done to identify the primary reasons for this state of affairs.

It should also be indicated that the struggle for environmental justice in the world, and in South Africa in particular, is a process that has been ongoing for some time now. It has been happening without greater public awareness.

Furthermore, land is central to environmental conservation in this country. There cannot be an environmental conservation without addressing the question of land - the 87 percent and 13 percent distribution.

This is precisely why the Justice, Peace and Integrity of Creation (JPIC), a World Council of Churches initiative, at its assembly in 1983 in Vancouver called on the churches to engage 'in a process of mutual commitment to justice, peace and integrity of creation'.

The problem with such an initiative is putting it into context for particular countries - especially South Africa with its multi-dimensional problems. It also goes with the kind of support it can gain within a short space of time.

But because of the long struggle against injustice by the majority of the people of this country, many structures and organisations already exist and are presently waging a strong battle against unjust laws and practices in all levels of society.

The JPIC process is not intended to operate independently of these, which includes advocacy work on injustice issues, mainly restoration of human rights and distribution of the wealth, land and other resources.

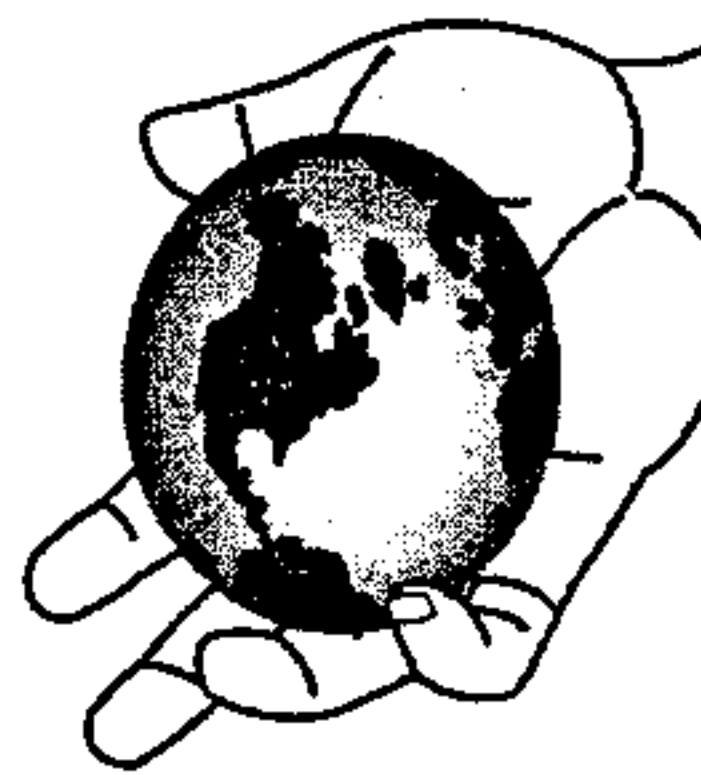
Our country is plagued with injustice, oppression, violence and destruction of the environment, thus the issue of the apathy on the already abused environment, should not be seen as an isolated incident completely divorced from the pursuit for justice and peace in this country.

Because of the disproportionate distribution of land, environmental concern or conservation has been and continues to be the preserve of whites in this country because of their standing relationship to the land.

Let us just pause for a minute and think of the following Act No 73 of 1989: Environment Conservation Act of 1989. There was no consultation for submissions from black people with reference to environment conservation in South Africa.

There is close to more than a thousand conservation, wildlife and general environmental groupings in this

ROOTS AN ENVIRONMENTAL COLUMN



By MUSA ZONDI

country and all are predominantly white-controlled.

There are very few black faces in these organisations.

Surely there are good intentions and reasons for this.

The only organisation well-known in the black community is the National Environmental Awareness Campaign which is unfortunately only based in Soweto.

The liberation movements have desks or departments already set up on environmental issues. Surely these are good signs.

But in spite of these well-intentioned efforts towards achieving environmental conservation in South Africa, the result just does not yield as yet what is desired.

This is true as we realise how disproportionate desire and results, or how separate wishes and facts could be. But still, who can stop us from wishing and desiring for a free, safe and clean environment?

JPIC calls for action on environmental issues in this country.

At no point in time than today is the concern for environmental conservation so urgent. But at the same time, we also realise how blatant and devastating our experience of apartheid is.

Maybe part of the reason for our lack of involvement and participation on environmental issues, is that people are presently preoccupied with violence and the unfolding political process, thus not giving much attention to this important issue. But we also know that our people's desire for peace in South Africa is very strong.

Poisoning of the air and water, and increasing loss of soil fertility causes more diseases, hunger and anger. Much of what is happening is the result of the apartheid system in South Africa.

We need to:

- Affirm that God is in charge of creation, and that He has coded a close bond between justice, peace and the well-being of the whole of creation.

- Work towards the creation of unity that seeks to build trust and respect for each other's differences.

- Affirm that all life is sacred and that we shall strive together to stop the violence which our country is presently engulfed in.

- We shall create areas of wilderness as sanctuaries to be preserved for human contact with nature.

Together with many others, we can advance environmental conservation in South Africa. I will certainly go along with a people-centred environmental ethic.

I also agree that our dreams for a new society cannot remain dreams, thus our envisaged freedom and liberation should include the liberation of the present unsafe environment riddled with toxic waste deposits, polluted water resources, extensive deforestation, land degradation and soil erosion.

Stop selling state land, says judge

STimes

15/3/92



THE head of the Advisory Commission on Land Allocation has called on the state to freeze the sale of all land which his committee is to review.

"It is my perception that the state is accelerating the sale of state-owned land in terms of their privatisation policy," said Mr Justice van Reenen this week.

His statement follows his recommendation earlier this month that a public auction of farmland claimed by the Amahlubi community near Estcourt in Natal be halted. The sale was frozen on

By DAWN BARKHUIZEN

the instruction of the Minister of Land Affairs, Mr Jacob de Villiers.

It was the second attempt to auction the land. In November last year a storm of public protest halted an earlier attempt by the government to auction the farm De Hoek.

This Amahlubi claim dates back to 1873, when the Hlubi chief Langalibalele clashed with the government. His 1 000-strong tribe was scattered from the land it had occupied since about 1800.

Mr Justice van Reenen, appointed to head the newly formed land committee last November, said various state departments had earmarked about 1-million hectares — 140 pieces of land ranging from 1 000 hectares to two hectares — for the attention of the committee.

This is roughly a third of about 3-million hectares specified as state-owned.

According to the judge, the committee's first public hearing will start within a month.

The land in dispute — 11 plots measuring 250 square metres in the Asiatic Bazaar in the Pretoria business district — is being claimed by six Indian businessmen and an Islamic institution.

Value

The land was expropriated to promote the aims of Group Areas Act from 1968. It is currently owned by the House of Delegates.

The plots, prime real estate, have an estimated value of R75 000 each, according to a legal representative for the businessmen.

Notice of the hearing was given in the Government Gazette on Friday.

Mr Justice van Reenen said investigations into other claims received by the committee, including those from 19 communities represented by the National Land Committee, were still in the early stages.

Claims had been slow in coming and staff were battling to sort through deeds dating back hundreds of years. This was further complicated by the fact that land was controlled by different state departments.

Squatters

"The real job will, however, start when the hearing begins. All sorts of information could be presented that we will have to investigate," the judge said.

Some cases had been further complicated by the arrival of squatters on contested land.

The committee, although it has the go-ahead to recommend the return of expropriated land, is purely an advisory body. Hearings will be public, but its findings and recommendations given to the state president will be confidential.

It has been briefed to investigate claims on state and privately owned land that was removed under apartheid laws or has development potential.

'No excuse to drop tradition'

Sowetan 23/3/92

THE dominant feeling among blacks who have moved to former whites-only suburbs is that living there should not be an excuse for abandoning traditional practices such as slaughtering for ancestors, hosting weddings or any other festivities which are a norm in the townships.

Although some feel it is necessary to alter the practices to suit the surroundings, most will stick to traditions.

During funerals in townships, the usual proceedings involve a week of visitors pouring in to console the bereaved, slaughtering of a cow and a night vigil before the funeral.

After the deceased has been buried, mourners proceed to his/her home where meals are served.

Mr Dan Hlahatsi, who works for the Katlehong Town Council, lives in a Germiston suburb.

He says from his great-grandparents to his father, slaughtering for any festivity has been a norm.

"Why then change attitudes because of a different environment?"

"If I have a funeral, buckets of water will be put at the gate for people to wash their hands, especially those who were involved in spade work at the cemetery.

"That will be accompanied by all the proceedings which are done in the township," he says.

Mr Zweni Nkosi, who also lives in a formerly white suburb, says his family have no rituals.

For the few funerals they have had, there was no slaughtering.

"For those who have family rituals, it is about time they uphold their values without being apologetic to the neighbours.

"It was never an inconvenience in the townships, why should it be in town? Whites should get used to our traditional practices," he added.

Mr Tso Modise says his area is predominantly Jewish.

"Jews have their own celebrations which include slaughtering. They therefore do the same as us. I have slaughtered twice for my ancestors since I got to my new home.

"My neighbours, of course, will be informed if there is a wedding or funeral, only as a matter of decency," explains Modise.

There are, however, people such as Mr Ike Makgothi who feel neighbours should not be inconvenienced unnecessarily.

"If I were to have a funeral I would leave out a night vigil because it is noisy. There are few people even in the townships who still hold vigils.

"The long queues for food outside the yard, as done in the townships, will be altered to a suitable arrangement," he says.

He would not go out of his way to upset the

neighbours as he is still new in the area.

There are council by-laws which prohibit slaughtering in the suburbs.

The Sandton legal advisory department, however, says the by-laws do not prohibit slaughtering as such, but there are steps to follow for permission to be granted.

For instance the health department first has to assess things such as cleanliness of the premises and its size.

A number of blacks who live in suburbs have vowed that no law will deter them from practising their cultures.

On the other hand, their white neighbours would hear nothing of street weddings, funerals and vigils.

This is the general opinion found in Boksburg and Roodeport.

Although most of them refused to comment on the issue, Mrs Anna Potgieter of Roodeport said those were the reasons why they refused to stay with blacks.

"We differ a great deal with those people and we can't allow them to ruin our peaceful surroundings," she said.

Most whites from Johannesburg's northern suburbs, who have black neighbours, told *Sowetan* they would not object, but they should be told in time.

Blacks will have property taken away - CP

So wefan
OPPOSING the repeal of the Group Areas Act, the Conservative Party warned blacks with land in white areas that their property would be taken away should the party come to power.

However, two prominent CP members sold their houses on the east Rand to blacks, according to the South African Institute of Race Relations 1991/92 survey.

According to the survey, the Minister of Housing in May said the repeal of the Act would not necessarily

26/3/92
lead to major change in racial settlement patterns.

At least 45 black families were, however, reported to have bought houses in white suburbs in and around Pretoria, apparently without any problems.

Residential desegregation occurred in smaller towns too. A supervisor at Palaborwa Mining Company became the first person to move into the town despite opposition from the CP-controlled town council, which had called a referendum in August to gauge public settlement.

Only 20 percent of the town's population had voted, but more than 95 percent of them voted against desegregation, the institute says in the survey.

Estate agents reported, after the repeal of the Act, that an additional influx of black buyers into white areas had not materialised, apparently because wealthy black buyers had already found a way around the legislation, mainly by

using white nominees.

If anything, the survey adds, the market had been more active in this sphere before the repeal of the Act than afterwards.

Rent boycotts continued and were supplemented by threats to stop mortgage bond repayments unless financial institutions lowered their interest rates.

Defaulters

One building society said that 85 percent of black home owners were up to date with their repayments, but that more and more people were losing their jobs and were unable to carry on paying off their bonds.

Repossession of houses from defaulters ran into the problem that potential new occupants were threatened with necklace execution if they moved into the property from which the previous owner had been evicted.

The survey said that the Institute for Housing of Southern Africa had

pointed out that more than 56 percent of African households living outside the homelands were not capable of contributing towards their housing needs.

The figure for whites, Indians and coloured people were, respectively, two percent, eight percent and 31 percent.

A set of scenarios for South Africa produced by Nedcor and Old Mutual proposed "kick-starting" the economy by investing R5,5 billion a year in shelter and housing for blacks, providing 400 000 serviced sites, half of them with starter homes and half being made available to families to build informal dwellings for themselves. A national electrification programme aimed at building up 1 million connections a year by 1995 was also proposed. These two initiatives, which were said to be well within the country's capacity, would generate 500 000 new jobs and boost GDP by nearly six percent a year in 1992 and 1993.

No. 963

31 Maart 1992

AANWYSING VAN MINISTER KRAGTENS ARTIKEL 96 VAN DIE WET OP DIE AFKAPPING VAN RASGEBASEERDE GRONDREËLINGS, 1991 (WET No. 108 VAN 1991)

Die Staatspresident het kragtens artikel 96 van die Wet op die Afkapping van Rasgebaseerde Grondreëlings, 1991 (Wet No. 108 van 1991), die Minister van Streek- en Grondsake aangewys as die Minister onder wie se beheer die administratiewe werk verbonde aan die verrigting van die werksaamhede van die Adviserende Kommissie op Grondtoewysing verrig moet word.

No. 963

31 March 1992

DESIGNATION OF MINISTER UNDER SECTION 96 OF THE ABOLITION OF RACIALLY BASED LAND MEASURES ACT, 1991 (ACT No. 108 OF 1991)

The State President has under section 96 of the Abolition of Racially Based Land Measures Act, 1991 (Act No. 108 of 1991), designated the Minister of Regional and Land Affairs as the Minister under whose control the administrative work incidental to the performance of the functions of the Advisory Commission on Land Allocation shall be performed. (80)

BELANGRIKE AANKONDIGING

Sluitingstye

- (1) AANSOEKE OM DRANKLISENSIES
- (2) AANSOEKE OM VERPLASINGS VAN LISENSIES

Hiermee word bekendgemaak dat kennisgewings vir aanname die Vrydag, twee kalenderweke voor datum van publikasie, ingedien moet word.

Die sluitingstyd is stiptelik **15:00** op die volgende dae:

- ▷ **19 Desember 1991**, vir die uitgawe van Vrydag **3 Januarie 1992**.
- ▷ **24 Januarie 1992**, vir die uitgawe van Vrydag **7 Februarie 1992**.
- ▷ **21 Februarie 1992**, vir die uitgawe van Vrydag **6 Maart 1992**.
- ▷ **20 Maart 1992**, vir die uitgawe van Vrydag **3 April 1992**.
- ▷ **23 April 1992**, vir die uitgawe van Vrydag **8 Mei 1992**.
- ▷ **21 Mei 1992**, vir die uitgawe van Vrydag **5 Junie 1992**.

L.W.: Laat kennisgewings sal in die daaropvolgende uitgawe geplaas word.

Gegewens word presies weergegee soos verstrekk op Vorm 2 en Vorm 28 van voornemende aansoeker.

IMPORTANT ANNOUNCEMENT

Closing Times

- (1) APPLICATIONS FOR LIQUOR LICENCES
- (2) APPLICATIONS FOR REMOVAL OF LICENCES

Notice is hereby given that notices are to be submitted for acceptance on the Friday, two calendar weeks before date of publication.

The closing time is **15:00** sharp on the following days:

- ▷ **19 December 1991**, for the issue of Friday **3 January 1992**.
- ▷ **24 January 1992**, for the issue of Friday **7 February 1992**.
- ▷ **21 February 1992**, for the issue of Friday **6 March 1992**.
- ▷ **20 March 1992**, for the issue of Friday **3 April 1992**.
- ▷ **23 April 1992**, for the issue of Friday **8 May 1992**.
- ▷ **21 May 1992**, for the issue of Friday **5 June 1992**.

Note: Late notices will be placed in the subsequent issue.

Information will be reflected exactly as furnished on Form 2 and Form 28 of prospective applicant.

2 APR 1992

REPUBLIEK
VAN
SUID-AFRIKA



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Vol. 321

PRETORIA, 31 MAART
MARCH 1992

No. 13905

PROKLAMASIES

van die

Staatspresident

van die Republiek van Suid-Afrika

No. 22, 1992

OORPLASING VAN SEKERE KANTORE NA DIE DEPARTEMENT VAN STREEK- EN GRONDSAKE

Kragtens die bevoegdheid my verleen by artikel 22 (1) van die Wet op die Opgradering van Grondbesitregte, 1991 (Wet No. 112 van 1991), plaas ek hierby met ingang van 1 April 1992 alle kantore—

- (a) vir die registrasie van grondbesitregte vermeld in Bylae 1 by genoemde Wet; en
- (b) wat opmetingsdienste verskaf,

en wat in die Departement van Ontwikkelingshulp ingestel is, na die Departement van Streek- en Grondsake oor.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Pretoria, op hede die Dertigste dag van Maart Eenduisend Negehonderd Twee-en-negentig.

F. W. DE KLERK,
Staatspresident.

Op las van die Staatspresident-in-Kabinet:

J. DE VILLIERS,
Minister van die Kabinet.

No. 23, 1992

HERROEPING VAN DIE WET OP SWART SAKE, 1959 (WET No. 55 VAN 1959), EN VERBANDHOUDENDE WETTE

Kragtens die bevoegdheid my verleen by artikel 23 (2) van die Wet op die Afskaffing van Rasgebaseerde Grondreelings, 1991 (Wet No. 108 van 1991), bepaal ek hierby 1 April 1992 as die datum waarop artikel 23 van genoemde Wet in werking tree.

256 — A

PROCLAMATIONS

by the

State President

of the Republic of South Africa

No. 22, 1992

TRANSFER OF CERTAIN OFFICES TO THE DEPARTMENT OF REGIONAL AND LAND AFFAIRS

Under the powers vested in me by section 22 (1) of the Upgrading of Land Tenure Rights Act, 1991 (Act No. 112 of 1991), I hereby with effect from 1 April 1992 transfer all offices—

- (a) for the registration of land tenure rights mentioned in Schedule 1 to the said Act; and
- (b) which renders surveying services,

and which have been established in the Department of Development Aid, to the Department of Regional and Land Affairs.

Given under my Hand and the Seal of the Republic of South Africa at Pretoria this Thirtieth day of March, One thousand Nine hundred and Ninety-two.

F. W. DE KLERK,
State President.

By Order of the State President-in-Cabinet:

J. DE VILLIERS,
Minister of the Cabinet.

No. 23, 1992

REPEAL OF THE BLACK AFFAIRS ACT, 1959 (ACT No. 55 OF 1959), AND RELATED LAWS

Under the powers vested in me by section 23 (2) of the Abolition of Racially Based Land Measures Act, 1991 (Act No. 108 of 1991), I hereby determine 1 April 1992 as the date on which section 23 of the said Act shall come into operation. (80)

13905 — 1

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Pretoria, op hede die Dertigste dag van Maart Eenduisend Negehonderd Twee-en-negentig.

F. W. DE KLERK,
Staatspresident.

Op las van die Staatspresident-in-Kabinet:

J. DE VILLIERS,
Minister van die Kabinet.

No. 24, 1992

OPDRA VAN BEPAALDE BEVOEGDHEDE, PLIGTE EN WERKSAAMHEDE VAN DIE MINISTER VAN ONTWIKKELINGSHULP AAN DIE ADMINISTRATEURS VAN DIE ONDERSKEIE PROVINSIES

Kragtens die bevoegdheid my verleen by artikel 15 (1) van die Wet op Provinsiale Regering, 1986 (Wet No. 69 van 1986), dra ek hierby met ingang van 1 April 1992 die bevoegdhede, pligte en werksaamhede ingevolge die omskrywing van "Administrateur" in artikel 1 van die Wet op die Opgradering van Grondbesitregte, 1991 (Wet No. 112 van 1991), aan die Minister van Ontwikkelingshulp toegewys, aan die Administrateurs van die onderskeie provinsies op.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Pretoria, op hede die Dertigste dag van Maart Eenduisend Negehonderd Twee-en-negentig.

F. W. DE KLERK,
Staatspresident.

Op las van die Staatspresident-in-Kabinet:

J. DE VILLIERS,
Minister van die Kabinet.

No. 25, 1992

OPDRA VAN DIE UITVOERING VAN SEKERE WETTE VAN DIE PARLEMENT AAN DIE ADMINISTRATEURS VAN DIE ONDERSKEIE PROVINSIES

Kragtens die bevoegdheid my verleen by artikel 15 (1) van die Wet op Provinsiale Regering, 1986 (Wet No. 69 van 1986), dra ek hierby met ingang van 1 April 1992 die uitvoering van die bepalings van die wette in die Bylae genoem, vir sover daardie bepalings by Proklamasies Nos. 224 en 227 van 1988 aan die Minister van Onderwys en Ontwikkelingshulp opgedra was, aan die Administrateurs van die onderskeie provinsies op.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Pretoria, op hede die Dertigste dag van Maart Eenduisend Negehonderd Twee-en-negentig.

F. W. DE KLERK,
Staatspresident.

Op las van die Staatspresident-in-Kabinet:

J. DE VILLIERS,
Minister van die Kabinet.

Given under my Hand and the Seal of the Republic of South Africa at Pretoria this Thirtieth day of March, One thousand Nine hundred and Ninety-two.

F. W. DE KLERK,
State President.

By Order of the State President-in-Cabinet:

J. DE VILLIERS,
Minister of the Cabinet.

(80)

No. 24, 1992

ASSIGNMENT OF CERTAIN POWERS, DUTIES AND FUNCTIONS OF THE MINISTER OF DEVELOPMENT AID TO THE ADMINISTRATORS OF THE VARIOUS PROVINCES

Under the powers vested in me by section 15 (1) of the Provincial Government Act, 1986 (Act No. 69 of 1986), I hereby assign with effect from 1 April 1992 the powers, duties and functions entrusted to the Minister of Development Aid in terms of the definition of "Administrator" in section 1 of the Upgrading of Land Tenure Rights Act, 1991 (Act No. 112 of 1991), to the Administrators of the various provinces.

Given under my Hand and the Seal of the Republic of South Africa at Pretoria this Thirtieth day of March, One thousand Nine hundred and Ninety-two.

F. W. DE KLERK,
State President.

By Order of the State President-in-Cabinet:

J. DE VILLIERS,
Minister of the Cabinet.

No. 25, 1992

ASSIGNMENT OF THE ADMINISTRATION OF CERTAIN ACTS OF PARLIAMENT TO THE ADMINISTRATORS OF THE VARIOUS PROVINCES

Under the powers vested in me by section 15 (1) of the Provincial Government Act, 1986 (Act No. 69 of 1986), I hereby assign with effect from 1 April 1992 the administration of the provisions of the laws mentioned in the Schedule, in so far as those provisions were assigned by Proclamations Nos. 224 and 227 of 1988 to the Minister of Education and Development Aid, to the Administrators of the various provinces.

Given under my Hand and the Seal of the Republic of South Africa at Pretoria this Thirtieth day of March, One thousand Nine hundred and Ninety-two.

F. W. DE KLERK,
State President.

By Order of the State President-in-Cabinet:

J. DE VILLIERS,
Minister of the Cabinet.

'Whites-only ads protect the old from murderers'

By Donald Zake

South

4/14 - 9/4/92

GROUP areas, white baasskap and separate amenities are flourishing six days a week in the classified advertisement columns of the National Party mouthpiece, Die Burger.

On one day the classified section carried no fewer than nine ads offering services under white supervision or lodging and holiday accommodation for whites only.

Die Burger's advertising manager, Mr Inus van Eeden, who is apparently unaware of the contentious ads, said his newspaper did not publish racist advertisements. Racist advertising "is not applica-

ble any more", he said. If a client insisted on mentioning race, Die Burger declined to accept the advert.

"Absolutely. With all the developments (in the new South Africa) I think it is unethical to state race in advertisements," said Van Eeden.

Among this week's ads were ones for plumbing "by a qualified white tradesman" and for a holiday room at the Strand — "whites only".

Three firms offered furniture removal or transport under "white supervision". One said: "Efficient service. White personnel". A Miss Van As in Goodwood

was "looking for white male to share house".

When phoned to ask why she had specified the race of her prospective tenant, she said, "That's surely my business. There's surely nothing wrong with that. It's not necessary for me to tell anyone why I wrote 'white' in the newspaper."

However, at DC Garden Services ("White supervision; top service") a Mrs Steppe was happy to explain the wording of her ad.

"Older people prefer to have a white person there," she said. "So many old people are molested, murdered and raped ... It's mostly (by)

these blacks and coloureds.

"You're actually protecting the older generation. We find they don't want a team that consists only of coloureds."

She said one of her coloured teams last year had been very bad. They had no respect for the business' equipment and did not work well.

It was necessary to have a white person oversee them because "it's necessary to have a higher intellect and IQ than that type", she said.

"There's no racial discrimination. It's only to render a service to the public," said Steppe.

Whites should thank 'us for giving them shelter'

Sowetan 9/4/92

By JOE MDHLELA

THE idea of a white homeland by rightwingers was last night rejected by callers to the Sowetan/Radio Metro Talkback as ludicrous.

One caller asked: "All the land is full of Africans (sic) ... which land do they want?"

Gideon of Evaton said whites should be grateful that they had been accommodated in this country by Africans.

"They should be happy they live among the Africans," he said.

A similar sentiment was expressed by Lucky of

80

SOWETAN
Building the Nation

RADIO METRO
TALKBACK

Jabulani in Soweto.

"Whites came from Holland and stole our land. We will accommodate them on our own terms," he said.

Callers also focused on the failure of successive Nationalist governments to implement the grand "Verwoerdian" concept of separate development.

Not only was it costly, argued some of the callers, but it indoctrinated many whites into believing that they alone were entitled to live in this country.

The stereotypes of the past are hard to overcome, hence the oft-repeated request by the conservatives of their own "Volkstaat," one caller asserted.

A caller warned that even Codesa would have no mandate to accede to the demands of a "Volkstaat" by the conservative whites.

If it did, they would regard Codesa as a "sell-out."

included reporting back at set times. This system was implemented prior to the investigation of the Pickard Commission.

The Government accepted the report of Judge Pickard and I deemed it necessary to send a letter to the functionaries of every authority receiving part of the estate of the now defunct Department, drawing attention to the findings, proposals and recommendations of the report so that they could take effective steps to rectify the deficiencies.

Turning to the hon member for Springfield, I agree that it is a shame that some officials abused their powers. The culprits will be brought to justice and will be punished properly, either in the courts or in terms of the Public Service Act.

Secondly, it is indeed tragic that this mismanagement took place at the expense of the development of the clients themselves. It is very tragic, because we cannot afford to further marginalise the people in the rural areas.

Regarding whether all those involved will be tracked down, I think this whole process was set in motion by Judge Pickard's report. He said that he would show us the trends, and we could follow matters up and bring all the culprits to book, as the hon the Leader of the Official Opposition suggested.

However, we will have to prove their guilt and this will have to be done in an ordinary court of law. I do not want to deal with the question of whether Mr Justice Pickard should be appointed, but we have the Ombudsman in the person of Mr Justice P J van der Walt who deals with these matters. He is there and he was put there especially for this purpose.

Mr M F CASSIM: Mr Chairman, it is always a great pity when people in high office abuse their posts and their positions. We feel terrible about that situation.

Inasmuch as we want to go after the people who have committed these misdemeanours, we must also look at the other important aspects, namely procurement, the State Tender Board and the purchases made today, tomorrow and next week. It is important that we do not allow these things to happen, but it is also important that we pronounce to the world and the country at large that this will not be tolerated. Perceptions are so important!

What is happening is that we are trying to close the stable door after the horse has bolted. However, that is only part of the solution. The more important, credible solution is the steps being taken now to ensure that these things do not happen and are not happening even as we speak.

We agree that it is good that the Government appointed Mr Justice Pickard and we compliment the Government on that. It is good that the Government intends to prosecute these people and that procedural steps are being taken to ensure that such things do not happen. It is also good that structural adjustments are taking place and that bilateral talks are taking place between the TBVC states and our country. We applaud that and we endorse that.

We wish to encourage the Government in the steps it has taken, but we say they should go beyond that and speak to the people out there in our country who do not believe that it is possible to have good, orderly and credible government. The Government should tell them that action is being taken and that active steps are being taken to put these things right. The most important thing at this stage in our country is that that which was part of an ideological system—the rot that set in was part of that ideological system—is being swept away. That is the most important thing that has happened. We now accept that the principles of apartheid and all that it spawned were rotten and that those things are being swept away. The present Government is taking the lead in doing so. [Time expired.]

Mr M RAJAB: Mr Chairman, I appreciate the hon the Minister's commitment to tracking down those who were responsible, but I must point out that they have obviously covered their tracks and that in a court of law it might be difficult to get a conviction.

I spoke about the SA Development Trust Corporation Ltd. As all hon members know the commission reported adversely on the workings of this particular corporation. We therefore also call upon the hon the State President to institute a further independent investigation into allegations of irregularities, misuse of public funds and inefficiency in the corporation's management system which were ventilated in weekend media reports.

Finally, what also needs to be investigated is how the Department of Development Aid, a State department with a budget of nearly R6 billion, managed to become such a mess and to find out who was responsible in terms of ministerial accountability, which is an accepted convention of the political system from which ours is derived. The Government's silence in this regard has been deafening.

The chairman of the SA Development Trust Corporation Ltd, Mr Van de Walles, is a former Director-General of the Department of Development Aid and has thus far escaped a full public scrutiny of his affairs. It is time that this took place.

In the final analysis, public money must be protected by the vigilant and thieves must be punished. Those who fail to prevent the theft must be called to account.

THE MINISTER OF REGIONAL AND LAND AFFAIRS: Mr Chairman, I wish to go on with the point raised by the hon member for Springfield relating to the SA Development Trust Corporation Ltd. May I say at this point that, in response to the recommendations made in the Pickard Report, the auditing firm of Strydom and Company was appointed to do such a study and go into the utilisation of national assets from that angle.

With regard to the second point, I agreed with the SA Development Trust Corporation Ltd in October last year that they would transfer their functions and operations, which take place on a regional level, to regional corporations, and that is now in the process of implementation. By the end of August, 70% of this devolution should be complete.

To respond to the hon the Leader of the Official Opposition, I really believe that I would never be able to do justice to the exemplary role played by the hon the Minister for State Affairs in South Africa, specifically in respect of the policy of normalisation and that of the abolition of discrimination on the basis of race or colour. His experience was brought to fruition in the ambit of his responsibility in the Department of Development Aid.

I might say that in my office I have had the opportunity to experience first-hand the meticulousness with which he completed his work, the responsibility with which he executed his job, the

depth of his knowledge and the incisiveness of his questions in comments and queries. I really do not think the ineffectiveness of the various investigations he instituted can be laid at his door.

I will have the point the hon the Leader of the Official Opposition raised about the public servants investigated in order to have this matter exposed properly.

THE CHAIRMAN OF THE HOUSE: Order! I regret that the hon the Minister has exposed himself to the situation that his time has run out.

QUESTIONS

†Indicates translated version.

For oral reply:

General Affairs:

Advisory Commission on Land Allocation

*1. Mr M RAJAB asked the Minister of Regional and Land Affairs:

(1) Whether the Advisory Commission on Land Allocation appointed by the State President has received any applications for compensation; if so, what are the relevant details;

(2) whether he will make a statement on the matter?

THE MINISTER OF REGIONAL AND LAND AFFAIRS:

(1) No applications for compensation have been received. However the Advisory Commission have received numerous requests and representations falling within the ambit of its objectives. In a nutshell this entail advice to the State President regarding the identification of—

* land belonging to the State or any State institution and acquired for the purpose of promoting the objects of a law repealed by the Abolition of Racially Based Land Measures Act, 108 of 1991;

- * rural land with a view to the acquisition thereof for purposes of agricultural settlement;
- * the planning and development of such land; and
- * the allocation of such land.

Within this context and these parameters the Advisory Commission have received applications from a broad spectrum of individuals and communities across the country. Various enquiries and discussions have already taken place. No advice on how to deal with the applications has as yet been submitted to the State President. Some requests and representations could not be considered due to the fact that the relevant applications fell outside the ambit of the Advisory Commission's statutory powers.

- (2) No. The Advisory Commission is an independent creation of statute which must advise the State President. It would not be proper for me to make any statements prior to or in anticipation of reports still to be forwarded to the State President.

Mr M RAJAB: Mr Chairman, arising from the hon the Minister's reply, could he tell this House whether any applications were made for the return of vacant property held by State departments to former owners of those properties?

The MINISTER: Mr Chairman, I think the answer to that question is yes. However, I am not able to supply full details in that regard, because, as I have indicated, the advisory commission is an independent body, and does not function within the ambit of my Ministry. I do not receive information directly from that commission, and therefore I shall have to make enquiries.

The LEADER OF THE OFFICIAL OPPOSITION: Mr Chairman, further arising from the hon the Minister's reply, could he let us know what the policy of the State is concerning restitution and redistribution, on matters relating to the return of land that was expropriated?

The MINISTER: Mr Chairman, I refer to the hon the Leader of the Official Opposition to the White Paper we published last year on the whole process that we utilized in Parliament during the course of 1991. This led, *inter alia*, to the

establishment of the Advisory Commission on Land Allocation. Within the ambit of this commission and of discussions, we reached consensus in Parliament on how to deal with this. The other matters should be debated elsewhere.

The LEADER OF THE OFFICIAL OPPOSITION: Mr Chairman, further arising from the hon the Minister's reply, is he aware of the fact that undertakings were given by former Ministers of Community Development that resettlement premises would be supplied and restoration of land, wherever applicable, would be done on the basis of the cost price at the date of construction or acquisition? If such undertakings are confirmed, is the State prepared to honour them?

The MINISTER: Mr Chairman, I have made a note of the points the hon the Leader of the Official Opposition has raised. I am not aware of these undertakings given by other Ministers, because I do not deal with that portfolio. However, I will have the matter investigated and then supply the hon the Leader of the Official Opposition with an answer.

Mr M RAJAB: Mr Chairman, further arising from the hon the Minister's reply, will he concede that, primarily because we are in a reconciliation mode, the activities of this particular advisory commission should be completed as soon as possible?

The MINISTER: Mr Chairman, I do think it is important that the activities of the Advisory Commission on Land Allocation should be completed as soon as possible. However, I also believe those investigations should be done properly. One cannot hasten a body which has to investigate fully all the circumstances, and then has to come up with definite advice for the hon the State President.

Death of certain person of Phoenix

*2. Mr M RAJAB asked the Minister of Law and Order:

- (1) Whether the South African Police have investigated the circumstances relating to the death of a certain person of Phoenix who died of brain injuries allegedly sustained as a result of police action on or about 22 March 1992, and whose name has been furnished to the Police for the

purpose of the Minister's reply; if not, why not; if so, what are the findings;

- (2) whether he will make a statement on the matter? D154E

The MINISTER OF LAW AND ORDER:

- (1) Yes, a case of murder has been investigated by the South African Police. Except for an identification parade, to be held in the coming week, and the post mortem report, which is still being awaited, investigations have already been completed. The case docket will be handed to the Attorney-General for his decision as soon as these aspects have been dealt with.

- (2) No.

Business interrupted in accordance with Rule 180C (3) of the Standing Rules of Parliament.

Rezoning of sites: Lenasia/Lenasia South

*3. Mrs R EBRAHIM asked the Minister of Local Government and National Housing:

- (1) Whether any residential, crèche or religious sites in the Lenasia and Lenasia South area have been rezoned by his Department for business purposes since January 1989; if so, what sites;
- (2) whether any betterment fees were paid; if not, why not; if so, what are the relevant details;
- (3) whether the comments of the respective management committees were obtained in this regard; if not, why not; if so, what were their comments;
- (4) whether he will make a statement on the matter? D160E

The MINISTER OF LOCAL GOVERNMENT AND NATIONAL HOUSING:

- (1) Yes, the following sites have been rezoned from residential, crèche, or religious sites for business purposes since January 1989:
- (a) Erf 1879, Lenasia South
- (b) Erf 136, Lenasia
- (c) Erf 4423, Lenasia
- (d) Erf 2612, Lenasia

- (e) Erf 4859, Lenasia Extension 4
- (f) Erven 2434 and 2437, Lenasia Extension 1.

- (2) Yes. Particulars with regard to betterment fees are as follows:

- (a) Erf 1879, Lenasia South: No betterment fees were necessary because no services had to be improved.
- (b) Erf 136, Lenasia: Dispute with the calculation of the betterment fees. Contribution is being recalculated.
- (c) Erf 4423, Lenasia: No betterment fees were necessary because no services had to be improved.
- (d) Erf 2612, Lenasia: No betterment fees were necessary because no services had to be improved.
- (e) Erf 4859, Lenasia Extension 4: Contribution R506,00.
- (f) Erven 2434 and 2437, Lenasia Extension 1: Contribution R236,00.

- (3) Yes. Comments are as follows:

- (a) Erf 1879, Lenasia South: Committee supported the application.
- (b) Erf 136, Lenasia: Committee objected.
- (c) Erf 4423, Lenasia: Committee had no objection.
- (d) Erf 2612, Lenasia: Committee was consulted. (Comments not available.)
- (e) Erf 4859, Lenasia Extension 4: Committee objected.
- (f) Erven 2434 and 2437, Lenasia Extension 1: Committee objected.

- (4) No.

Overseas women wrestlers

*4. Mr K PANDAY asked the Minister of National Education:

- (1) Whether he intends allowing overseas women wrestlers to take part in wrestling contests in South Africa; if not, why not; if so, when;
- (2) whether he will make a statement on the matter? D171E

Respite for black property owners

STAR 21/5/92 (80) ~~1/11/92~~

Political Staff

CAPE TOWN — Untangling the bureaucracy of apartheid is proving a time-consuming business.

The Government has been compelled to give black property-owners who bought land in the name of a white buyer more time to transfer the property into their own names.

Provision for this was made in the Abolition of Racially Based Land Measures Amendment Bill that was tabled in Parliament yesterday.

The Group Areas Act was repealed by the Abolition of Racially Based Land Measures Act that was passed last year.

One of the provisions of the Act says the cases where black people bought their land in the name of white people in

conflict with the Group Areas Act were deemed "not to be an illegal transaction or a transaction which constitutes an offence".

The buyers and their fronts were given six months from when the Act came into effect on June 30 last year to request the Registrar of Deeds to transfer property from the front to the real owner.

The six months ran out on December 31.

A memorandum on the amendment Bill said the requirements of practice indicated that this period should have been longer, and "this Bill seeks to extend the period to two years".

"The extension is to be made with retrospective effect, so that there will be no interval in the currency of the authorisation granted."

NEWS IN BRIEF

Blow 2/15/92 ~~(80)~~ (80)
Bill amends old land measures

PEOPLE who because of apartheid laws had occupied properties registered to bogus companies, or had white nominees buy them on their behalf, should use the provisions of the Racially-Based Land Measures Amendment Bill published yesterday to register them in their own names before the end of June 1993, Peter Soal (DP Johannesburg North) said in Parliament.

'IFP ordered silence even under torture'

STAR 21/5/92

Top Inkatha leaders at meetings at Soweto's Nancefield hostel in 1991 told supporters that if anyone was arrested for being in possession of guns or for murder, they should not say anything to the police, even if tortured.

This was said in Pretoria yesterday by a witness, who may not be named, before a Goldstone Commission committee inquiring into violence on trains.

The witness said Inkatha Freedom Party members Themba Khoza, Musa Moyeni and Humphrey Ndhlovu told the meetings lawyers would be arranged for those arrested.

He said while living at Nancefield hostel from 1989 to 1991 he noticed Zulu leaders on various occasions addressing dwellers and encouraging them to fight ANC followers, especially because of attacks on IFP members in Tokoza at the time.

The witness told the commit-

tee a reason for the violence was that Zulus did not want to be ruled by Xhosas.

He said the attacks on trains stemmed from songs and slogans in coaches which insulted IFP leader Chief Mangosuthu Buthelezi. The songs were referred to at the hostel meetings.

The witness said that in 1990 he heard of a reward being offered by the police for information on illegal weapons.

Later that year he went to Soweto's Protea police station where he met Detective Warrant Officer Sjula Sithebe, who was in the firearms unit and involved in the reward offer.

"I was introduced to (a) Captain Kruger and I gave him information about people who were in possession of firearms. Acting on this information the police went to the hostel and found the firearms, and I was paid for the information."

He continued working for the police and attended many meetings at the hostel, some of which were addressed by Mr

Khoza. He said he volunteered to join a group that was prepared to use spears and pangas.

He continued reporting people with firearms, and arrests were made as a result of his information. He also identified people who took part in attacks.

The witness described a number of meetings at which plans to attack train commuters at railway stations were discussed, and how the attacks were carried out.

He said that in November last year he was told by his cousin, who also lived in the hostel, that he (the witness) was to be killed because he was a police informer. He escaped through a window.

Later he was told by his contact at the police that a Captain Vermaak had sold him out to the hostel dwellers.

He said he was not paid R10 000 for information about a train attack in June 1991 nor R30 000 for additional information on a train attack in October the same year. — Sapa.



Dive into your pocket . . . and make a donation to C employees Victoria Mall and M M Gooler.

Respite for black property owners

STAR 21/5/92 (80)

Political Staff

CAPE TOWN — Untangling the bureaucracy of apartheid is proving a time-consuming business.

The Government has been compelled to give black property-owners who bought land in the name of a white buyer more time to transfer the property into their own names.

Provision for this was made in the Abolition of Racially Based Land Measures Amendment Bill that was tabled in Parliament yesterday.

The Group Areas Act was repealed by the Abolition of Racially Based Land Measures Act that was passed last year.

One of the provisions of the Act says the cases where black people bought their land in the name of white people in

conflict with the Group Areas Act were deemed "not to be an illegal transaction or a transaction which constitutes an offence".

The buyers and their fronts were given six months from when the Act came into effect on June 30 last year to request the Registrar of Deeds to transfer property from the front to the real owner.

The six months ran out on December 31.

A memorandum on the amendment Bill said the requirements of practice indicated that this period should have been longer, and "this Bill seeks to extend the period to two years".

"The extension is to be made with retrospective effect, so that there will be no interval in the currency of the authorisation granted."

Detained youths due home from Swaziland

STAR 21/5/92

MBABANE — A group of South African youths, who were detained after allegedly crossing illegally into Swaziland and claiming they were ANC members on their way to undergo military training, were expected to re-

turn home yesterday.

This was according to a three-person ANC delegation which interviewed the 47 youths — who have been held in Swaziland's Big Bend prison for about two weeks — on Tuesday.

At a press briefing yesterday, delegation leader Jackie Selebi said the youths had told him they had been recruited in Natal, although not through the ANC offices.

Mr Selebi said his or-

ganisation was investigating.

Some of those involved in the recruitment were known to the ANC, and at least one was a member, Mr Selebi added. — Sapa.

ALL ROADS LEAD TO THE CITY

BATHROOM BONANZA

WHITE OR COLOUR

R1300⁰⁰

VAT INCL.

Land evictions go private

South 2/5-7/5/92.

THE 'new' South Africa has spawned a new type of forced removal — by the private sector.

In the past, attorneys have successfully defended plateland communities, such as those at Reagie near Kostef and Outkasi outside Brits, against forced removal by the state.

With the repeal of racial land legislation, communities like those at Goedgevonden and the Mfengu in the Eastern Cape have also sought legal help to return to land from which they were forcibly removed.

In the Eastern Transvaal, the Legal Resources Centre (LRC) has been involved for the past four years, through its rural legal clinics, in defending labour tenants faced with eviction.

Members of this group are among the most vulnerable in terms of land rights.

During an 18-month period up to July 1991, the LRC represented such tenant families. But the tempo of eviction of ten-

ants, many of whom have been there for generations, is increasing noticeably.

About 80 clients recently asked for help because they had received eviction notices, known as "trekpasses", or believed they were under threat of eviction.

Political flux, and perceptions about a possible re-allocation of land under a future dispensation, underlie what appears to be concerted pre-emptive action by a growing number of farm owners against possible future land claims by tenants.

Litigation in the local magistrate's courts and negotiation with farm workers has yielded limited success in promoting the legal rights of tenants.

It has not been possible to obtain for them the right of security of tenure.

Considerable success has been achieved concerning the right to a period of notice and correct legal procedures before eviction.

For some families negotiation has achieved more favourable terms of eviction.

But as an LRC attorney told a recent tenant meeting: "One thing we have not been able to win is the right to live on your land forever."

In this crisis, it has become apparent that the potential of protecting tenants' interests through litigation and negotiation in individual cases has been exhausted because of the limited legal rights tenants have.

In one Supreme Court case the judge said three months' notice was the minimum reasonable requirement.

Following advice by the the South African Agricultural Union, most farmers are now issuing three-month "trekpasses".

A successful challenge to this notion in the Supreme Court is still needed.

It is the LRC's view that notice must, at the very least, allow a tenant to sow and reap his annual crops, and to find adequate alterna-

tive accommodation.

A legal strategy alone can ultimately do little to protect people, other than to help highlight their problems.

What is required is collective political lobbying by tenants. Although some of the evictions will continue to be challenged in court, land rights groups and tenants are now acting to elevate their struggle to the level of national politics.

A meeting of the National Land Commission (consisting of land rights groups and attorneys involved in land rights issues) was held in November.

In February, a committee was elected at a conference of labour tenants as a start to articulating their needs and demands.

The conference called for, among other things, a moratorium on all evictions and resolved to meet the relevant sub-committee of Codesa, as well as arrange urgent political meetings with political leaders.

— **The LRC Review**

years of service are projected until age 65 years. In addition to the gratification and yearly amount which is payable out of Income, the member or his next-of-kin is also compensated from the Pension Fund.

(3) No.

THE LEADER OF THE OFFICIAL OPPOSITION: Mr Speaker, arising out of the hon the Minister's reply, is he able to tell the House how many policemen have been attacked while not wearing bullet-proof vests?

THE MINISTER: Mr Speaker, I cannot give the hon the Leader of the Official Opposition the answer to that. I would appreciate it if he would place that question on the Question Paper.

Mr M RAJAB: Mr Speaker, further arising I yield to the hon member.

Mr SPEAKER: Order! I did not see the hon member for Springfield. The hon member for Malabar may proceed.

Mr K PADAYACHY: Mr Speaker, further arising out of the hon the Minister's reply, could he tell us how many policemen lost their lives this year? I know that last year 137 members paid the highest price in the execution of their duties. Three weeks ago a young policeman who was known to me was shot and killed in Port Elizabeth, and according to newspaper reports over the past two days . . . [Interjections.]

THE MINISTER: Mr Speaker, I do not have the exact figure, but I believe it is well over 70.

Mr M RAJAB: Mr Speaker, further arising from the hon the Minister's reply, he indicated that the Department had made provision for a financial package to be paid to the next-of-kin of a member of the Force who is killed on duty. I would like to ask the hon the Minister whether he is referring to a package by way of insurance cover to which all members of the Force contribute, or whether this is something that is provided over and above that particular provision? My second question, which arises from my first one, is whether the hon the Minister has considered putting into effect an insurance package for all members of the Force for which the Department would pick up the tab.

THE MINISTER: Mr Speaker, as I have already indicated, compensation is paid out of State funds from the income account. I cannot tell the

terms of national acts or provincial ordinances.

Moreover, the Department of Environment Affairs also initiated a wetland conservation programme which will, *inter alia*, determine the need to promulgate any additional legislation. The programme is based on past endeavour to protect wetlands in South Africa, whilst giving consideration to the sustainable use of resources.

Of the 64 Contracting Parties only 7, of which South Africa is one, have established a national committee to guide wetland conservation activities in terms of the Convention.

In pursuance of the objectives of the Convention a national policy on wetland conservation is at present being developed in terms of the Environment Conservation Act, 1989 (Act No 73 of 1989). The first draft of this policy has been presented to a subcommittee of the Committee for Environmental Management and is currently being circulated to relevant departments for comment.

Once the policy has been adopted, any additional legislation, as may prove necessary, will be promulgated.

(2) No.

INTERPELLATION

The sign * indicates a translation. The sign †, used subsequently in the same interpellation indicates the original language.

Own Affairs:

Housing Development Board: shops sold at cost price

1. **THE LEADER OF THE OFFICIAL OPPOSITION** asked the Minister of Housing and Agriculture:

(1) Whether he and/or any of his predecessors gave any undertakings to the effect that shops owned by the Housing Development Board would be sold at cost price to tenants who are resettlement cases; if so,

(2) whether he intends honouring these undertakings; if not, why not; if so, what are the relevant details?

D185E.INT

THE MINISTER OF HOUSING AND AGRICULTURE: Mr Speaker, the answer to the first part of the question is no. With regard to the second part, as far as can be ascertained no undertakings were ever given. However, from records held by the Administration it appears that a previous Minister of Community Development had intimated that the premises would be sold at a reasonable price, taking into account the cost plus interest to date and all other relevant factors, such as the cost of maintaining the premises, administrative services, and so forth.

The Administration therefore resolved to give existing tenants the first option to purchase the shop complexes which they are occupying at present. Furthermore, to ensure that the prices were reasonable, the department obtained market values which I then discounted to compensate for the loss, hardship and trauma suffered by the affected traders.

THE LEADER OF THE OFFICIAL OPPOSITION: Mr Speaker, I want to be very critical of the hon the Minister of Housing and Agriculture, because the question asks "whether he and/or any of his predecessors" gave any undertakings. Of course the present hon Minister did not give any undertaking, but he is not sure whether or not his predecessors gave any undertakings. This matter was raised in this House from time to time and was not disputed.

Of course, there is a contradiction in the hon the Minister's reply when he says that according to the records a previous Minister of Community Development has given certain undertakings. I shall name that Minister. He was the Minister of Community Development, Mr S J Marais Steyn, who was succeeded by Mr Pen Kotzé. He gave the undertaking that all the shops where victims of the Group Areas Act had been resettled would be sold to the occupants, who were resettlement cases, at the cost at the date of construction. There are witnesses to this promise. We would like the hon the Minister to tell us in his reply where these records are and what the details are as far as the records are concerned, because I was present when that particular Minister gave this undertaking.

As a follow-up action, the House of Delegates—I think it was in 1986 when the present hon Chairman of the Ministers' Council was the Minister of the Budget—honoured that undertaking when the price of the Oriental Plaza in Johannesburg was determined. The perception in our community was that there would be fairness under a White administration and a White Minister in dealing with the victims of the Group Areas Act. However, as far as the present Administration is concerned, there is a tremendous measure of ruthlessness when one wants to introduce the concept of market value to be determined in any way in dealing with the victims of the Group Areas Act. I am sure the hon member for North Western Transvaal and the hon member for Eastern Transvaal, who have expressed these sentiments in this House from time to time, will confirm that such undertakings were given.

The fact that such undertakings were given, was not denied. This matter was also raised repeatedly in our Housing Advisory Committee. The purpose of this interpellation is to ensure that the victims of the Group Areas Act are treated with a tremendous measure of fairness, in the same manner in which they were treated before the House of Delegates was established in the Tricameral Parliament.

Records in Chatsworth and in the Shallcross area, which the hon the Minister serves, testify to the price of the construction of the shopping centre. It was sold eight years after the date of construction for approximately the construction cost. This question of determining the market-related cost, or shall I say replacement cost, was never adhered to by the previous Minister. I appeal to the hon the Minister to examine the records. He should gather evidence from those who were present so that we can ensure that the undertakings given to these victims of the Group Areas Act are honoured.

In 1983 the former Department of Community Development sold a particular property in Chatsworth for R25 000, when the market value of that property at the time of the sale was R75 000. It was sold at one third of the market value because it was sold to a victim . . . [Time expired.]

Mr Y M MAKDA: Mr Speaker, I have a particular interest in this matter, because there are shopping complexes in a large part of my

constituency. I shall just name the towns very quickly: Bloemhof, Coligny, Lichtenburg, Louis Trichardt, Pietersburg, Potchefstroom, Rustenburg, Schweizer-Reneke, Swartuggens, Vereeniging, Wolmaranstad and Zeerust. I am going to touch very briefly on the history of Rustenburg. [Interjections.] The Asiatic Bazaar in Pretoria is included as well.

As far as Rustenburg is concerned, it is recorded in history that the Indians settled there in 1880 and have traded there ever since. When expropriations in terms of the Group Areas Act took place, one particular trader was expropriated at a cost of R75 000 and the local authority sold that land to the OK Bazaars at R500 000. In 1970 the Department of Community Development engaged an economist to look at the economic viability of a shopping complex in the Indian area.

He concluded that it would not be economically viable, but the local authority insisted on having it constructed and moving the Indian people. They refused to concede that moving the Indian traders would be morally wrong, economically unsound and historically unjustified. The shopkeepers were offered the shops at the erection cost at that time, but because of the uncertainty they were not prepared to make this capital outlay. Some of them decided to buy the shops after two years, but their money was held back and returned after some five years, after deducting rentals.

Last week I went to great lengths to explain to the hon the Minister the contents of a letter I had received from the former town clerk of Pietersburg, in which he stated that he could confirm that the former Minister had given an undertaking that these complexes would be sold at erection cost.

To compound the matter, the House of Delegates has now spent R180 000 on renovations to those complexes in Rustenburg, instead of selling them to the individuals concerned. [Time expired.]

The MINISTER: Mr Speaker, we have examined all our records and have found no indication that there was a categorical undertaking that shopping complexes would be sold at market value. However, I hasten to say that I found the following indications in a reply from one of the

former Ministers of Community Development. The actual words of the reply are as follows:

. . . intimated that premises will be sold at a reasonable price, taking into account the cost plus interest to date and all other relevant factors.

What are these other relevant factors? Shopping complexes were let at reasonable rentals from the beginning. The maintenance costs were considerable. In addition to maintenance costs, administrative costs had to be borne. At present we are actually offering a considerable discount on the price of the shops in relation to their market value, because the Government has indicated that if we do not sell the shopping complexes and other assets, we shall have to return these assets to the State.

The Ministers' Council is fully aware of the hardship, pain and suffering that members of the Indian community, and particularly people in the business sector, have experienced. [Time expired.]

Mr M RAJAB: Mr Speaker, it is my considered view that instead of approaching this particular interpellation on the basis of whether an undertaking was given by some or other official, we should approach it on the basis of the spirit and the thrust of this particular interpellation which has been proposed by the hon the Leader of the Official Opposition. I believe that we should really view this interpellation against the background and the perspective of the Group Areas Act, its applications and its repeal.

There is no denying the fact that the Group Areas Act was responsible for our people's being dispossessed of their land for a mere pittance. This fact has been recognised by the present Government, hence the appointment of the Advisory Commission on Land Allocation. This has been done in a spirit of reconciliation, and that is the principle to which we should really be addressing ourselves in this interpellation this afternoon.

It is my belief that the Housing Development Board, about which the hon the Leader of the Official Opposition spoke, and the Community Development Board are really one and the same thing. The only thing that differentiates one from the other, is that in terms of the tricameral constitution the latter board falls under the House of Delegates' Department of Housing.

I believe we should really be looking at the whole idea of recompense. We should really be addressing that particular issue.

I have great sympathy for the argument that was advanced by the hon member for North Western Transvaal. I certainly believe that the formula in terms of which the Housing Development Board is addressing this problem at present, is inadequate. I understand the motivation and rationale behind it and I appreciate it, but I do not believe that enough is being done. [Time expired.]

THE LEADER OF THE OFFICIAL OPPOSITION: Mr Speaker, I suggest to the hon the Minister that in terms of the law one goes by decided cases. He should examine the sale price of the Oriental Plaza in Cape Town, the sale price of the Oriental Plaza in Johannesburg and—what is nearest and dearest to his heart—the sale price of the shopping centre in Shallcross, as well as the rentals which the former Department of Community Development and our Administration are charging in many of our centres.

Let us take one example, namely the Asiatic Bazaar in Pretoria. Irrespective of what final price is determined, the hon the Minister should ensure that offers made by the tenants are not ignored. Our Administration should not determine a price and impose it on a take-it-or-leave-it basis, "telling the tenants they have 30 days to decide, and threatening that if they do not accept this price, they will sell the shopping complexes on the open market, even if it means . . ." [Time expired.]

The MINISTER: Mr Speaker, if the hon the Leader of the Official Opposition wants us to double the 30-day period by increasing the number of days to 60 days, we are prepared to play the game. However, there is a problem.

Mr M RAJAB: The prices in Havenside were far!

The MINISTER: There is a problem in that we are not putting up these shopping complexes at market prices. If there is any evidence to show that we have put up shopping complexes at market prices, I give hon members the assurance that the director of the department would stop the sales. We are satisfied that the only reason we get a valuator is to find out what the market price is, merely to ensure that our prices are far below that market price. Unfortunately we can-

not debate this now, but it is a subject which one could discuss at great length. However, I want to assure hon members that we are by no means overlooking the historical aspects of the shop.

The hon member for Springfield raised a very interesting and important point pertaining to the Group Areas Act.

Mr P NAIDOO: Mr Speaker, is the hon the Minister prepared to take a question?

Mr SPEAKER: Order! The hon the Minister's time is very limited, but it is up to him to decide.

The MINISTER: I am prepared to take a question.

Mr P NAIDOO: Would the hon the Minister afford a similar opportunity to the thousands of householders who are much more deserving of such special treatment?

The MINISTER: I would like to, but I cannot. I had hoped to, but I could not. I might as well stipulate some of the conditions or factors that are taken into account before finally arriving at the price at which we are offering these shops. The situation of the shop is taken into account, as are the present condition of the premises and the type of business. If there are too many barber shops, for instance . . . [Time expired.]

Debate concluded.

HOUSE OF ASSEMBLY

QUESTIONS

Indicates translated version.

For written reply:

General Affairs:

Transfer of land to Minister of Public Works

291. Mr P G SOAL asked the Minister of Regional and Land Affairs:

- (1) Whether, in terms of paragraph 1(c) of Proclamation R28 of 31 March 1992, certain land under the control of his Department is to be transferred to the Minister of Public Works; if so, (a) what land is to be transferred and (b) what is the purpose in doing so;

- (2) whether the Government intends selling the land in question; if not, why not; if so, to whom?

B737E

The MINISTER OF REGIONAL AND LAND AFFAIRS:

- (1) Yes.

- (a) The properties mentioned in Schedule 3 of Proclamation No R28/1992 have already been transferred to the Department of Public Works with effect from 1 April 1992.

- (b) To further dispose of the properties.
- (2) The Department of Public Works will dispose of the properties taking into consideration in this regard the advice of the

Advisory Commission on Land Allocation and the practical utilization of un-economic units. Further particulars in this respect should be obtained from the Department of Public Works.

Own Affairs:

Model C schools: subsidized posts to be lost

66. Mr A GERBER asked the Minister of Education and Culture:†

Whether his Department has already determined how many teachers in (a) ordinary public and (b) state-aided schools will lose their subsidized posts after the conversion from ordinary public schools to Model C schools has been completed; if not, why not; if so, (i) how many teachers in each case and (ii) how many of them (aa) with and (bb) without a pension?

B608E

The MINISTER OF EDUCATION AND CULTURE:

- (a) (i) 155

- (ii) (aa)* 155

- (bb) 0

- (b) (i) 3 661

- (ii) (aa)* 3 658

- (bb)** 3

* Depending on whether a person occupies a temporary or a permanent position and on his/her years of service an annuity or a gratuity or an annuity and a gratuity are paid out.

** Part time posts.

STAR 23/6/92

80

Committee to control land sales

By Jo-Anne Collinge

In the light of claims for land restoration by victims of racial property laws, State departments wanting to sell their land will soon be obliged to obtain the approval of an inter-departmental committee constituted by Minister of Regional and Land Affairs Johan Scheepers.

"State-owned land can no longer, as was the case in the past, simply be alienated for whatever purpose," Mr

Scheepers said in an interview in the July issue of the Government publication, RSA Policy Review.

In many cases the State had retained ownership of land from which blacks were removed in the 1960s, '70s and early '80s.

Already, other State departments had been "expressly" informed that the Department of Regional and Land Affairs and the State President's Advisory Commission on Land Allocation should be "consulted to consider possi-

bilities for the use of State-owned land for development purposes before vacant and surplus land is disposed of".

Mr Scheepers said that although the Government did not intend a "comprehensive programme" to restore land to victims of forced removals, it believed that restitution of tenure rights which had been violated in "the enforcement of apartheid legislation of the past, could be considered in cases where the land is still in possession of the State.

B1027
30/6/92

Funds for welfare (2)

A TOTAL of R152m had been allocated from the Development and Housing Fund in the 1992/93 financial year for low-cost welfare and family housing projects for whites, Housing and Works Minister Adriaan Vlok said yesterday.

(KO)

Land seizure 'is morally wrong'

8/way 11/6/92
SUN CITY — Confiscation of property from rightful owners to give it to someone else was morally wrong and economically disastrous, DP leader Zach de Beer said yesterday at the SA Property Owners' Association (Sapoa) Silver Jubilee convention.

"However, unless the majority of our people can see their economic lot improving and the wealth gap narrowing over the next few years, our fledgling democracy is likely to be hijacked by some populist dictator with a mouthful of deceitful promises and a gun in his hand," De Beer said.

Tongaat-Hulett group chairman Chris Saunders told the convention transferring resources from the "haves" to the "have-nots" was not a solution. He said there were too many have-nots for wealth taxes and other similar measures to be effective.

The prime object of SA's political and economic policy had to be the enabling of the masses to share in the creation of new wealth, he said.

PAC secretary-general Benny Alexander said nationalisation was not an effective means of redistribution in itself, as it transferred wealth from only one elite group to another. "Redistribution has to take place at the points of production." Alexander said nationalisation was not the

PAC's primary approach.

He pointed out that redistribution could not be paternalistic, as people needed to become self-sufficient. "Black workers, managers and entrepreneurs have been targeted to benefit from this. A system must be created that allows the worker to feel part of the country and of the economy, thereby adopting a more responsible attitude and satisfying their expectations."

Private business would be asked to facilitate this by creating black equity programmes and issuing new shares or reducing present shareholders' interests. This would include representation and voting rights.

"Redistribution must also not take place from one elite to another and must take place primarily at the point of production and involve those at this level of operation," he said.

Arthur Andersen senior tax partner Pierre du Toit said it was almost inevitable that SA would get a land tax of some sort.

It would be a political move as no future regime would be able to resist the political pressure to tax land.

"A land tax should not be instituted as a tool of restitution or redistribution," he said.

PETER GALLI

Low cost homes for 'white' areas

B/D 15/6/92

(80)

~~80~~

ADRIAN HADLAND

A MAJOR property developer backed by the Urban Foundation has started building low-cost, higher density black housing in traditionally white suburbs and is looking at extending these plans across the country.

The plans, which would affect several northern and southern Johannesburg suburbs, were part of an attempt by developers to racially reintegrate the city.

The initiative is also in line with a Johannesburg City Council planning drive to increase residential densities and prevent urban sprawl.

Developers continue to find low-income township development a costly and risky exercise despite new incentives in the Taxation Laws Amendment Bill introduced in Parliament last week.

Increasingly stringent building society lending criteria for black home buyers have further aggravated the viability of development companies in the low-income sector.

The difficulty blacks had in getting loans led one major developer, the Urban Foundation's New Housing Company, to modify its strategic thrust in November last year to include "in-fill" projects in white areas, NewHCo CE Rod MacGillivray said.

The Time Developments group recently pulled out of the low-income housing market. The Urban Foundation was recently forced to restructure its endangered housing utility operations and establish NewHCo, which was founded last year with initial financing of R17,5m from the Urban Foundation, the IDT and the private sector.

It is a non-profit organisation try-

ing to facilitate the provision of low-income housing and development, largely site and service provision in black townships. Feasibility studies into white area development across SA are currently under way.

The CE of FHA Homes, a Transvaal regional division of NewHCo, John Weaver, said several pieces of land not in townships were under-utilised, adding that all major metropolitan areas throughout SA were being examined for reintegration and densification.

MacGillivray said NewHCo was trying to find a niche below where the private sector delivered homes, and hoped to provide houses at below the R100 000 mark.

Urban Foundation executive Matthew Nel said the foundation was "working with a number of agencies investigating opportunities for in-fill projects, refurbishment and conversion of existing buildings and the development of strategic land holdings such as District Six and Cato Manor".

Also being assessed was the possibility of upgrading existing CBD office space into affordable residential accommodation, the development of vacant mining land and the creation of a financial mechanism to allow the redevelopment of inner city areas such as Hillbrow and Joubert Park.

In-fill projects are already underway in Port Elizabeth and Maritzburg, where a total of 88 houses are being built. Weaver said feasibility studies on potential areas in Johannesburg were well advanced.

Planners must change minds

CIPren 12/7/92

80

A NEW state of mind will help town planners design townships in the new SA, according to University of Cape Town architect Revel Fox.

In a speech titled "New townships for old", Fox told the winter school at the Grahamstown Arts Festival that "designing for the poor has often been neglected".

"What exists are dormitories, hostels that don't cater for the needs of the community."

He said the apartheid regime had consciously isolated townships from the white communities in town.

Calling for more accessibility, he said when planning townships an architect must bear in mind that most people rely on trains and buses.

Ownership of the land by the tenant must be taken into consideration so that the house can be extended to accommodate boarders.

Fox pointed out Bisho in Ciskei and Lilongwe in Malawi as typical old townships which have been transformed into new ones.

Skilled architects, ideas from the community and financial assistance from the State formed the best approach to planning new townships. - ANA

Meat to get new marking
 BIDA 20/8/92
 GERALD REILLY

PRETORIA — A meat marking system which will identify all carcasses and meat fit for human consumption was announced yesterday by Agriculture Department meat hygiene director Jan Coetzee.

He said the step had been taken to help the public and local health authorities.

The public assumed meat products bought in shops originated from approved sources but this was not necessarily the case because of illegal slaughtering, he said. 20/8/92.

The directorate, Coetzee stressed, was responsible only for health and hygiene control within an abattoir. Outside abattoirs, this became the responsibility of the National Health Department and local authorities.



Perez Olindo of Kenya, who was recently appointed Bophuthatswana National Parks Board chairman, at a news briefing yesterday. Picture: ROBERT BOTHA

Redistribution of land is on the cards, says ANC
 BIDA 20/8/92

BLOEMFONTEIN — It was not ANC policy to nationalise land, but "maldistribution" of land would have to be addressed and there would have to be redistribution, ANC agricultural spokesman Derek Hanekom told the Free State Agricultural Union annual congress yesterday.

The challenge faced by the ANC was the unequal access to land, productivity and efficient production to ensure sustainable food production.

Hanekom said a bigger problem than the forced removal of blacks from farm land was the prevention of people buying or leasing land.

The greatest source of income in rural areas had been remittances from migrant labourers, but as more people lost their jobs, those on the

land became more dependent on subsistence farming.

Hanekom said the ANC proposed a land claims court to deal with people who had been forcibly removed.

He said the ANC land reform programme was not a socialist system, and gave Taiwan as an example of successful land reform.

He suggested a land tax could lead to the release of land by those who were not using it productively.

The ANC did not have a comprehensive agricultural policy, he said.

MP Paul Farrell (NP Bethlehem) said the NP and government regarded organised agriculture as the mouthpiece of the farmer. It was accepted that groups other than whites would have a voice.

Agricultural finance would depend on the repayment capacity of land.

Surpluses were a bigger problem than shortages and quality would become increasingly important.

MP Dries Bruwer (CP Lydenburg), who is the CP's agriculture spokesman, said that Western economies would recover only if agriculture recovered. The CP believed a government which did not care for farmers, or did not recognise them as a special sector, was a stupid government.

The CP believed in private land ownership and commercial farming based on private initiative. It rejected any form of state interference that would lead to artificial redistribution of agricultural land, collective land ownership, and socialistic agricultural economic systems.

Land courts were not part of CP policy because a healthy legal system could deal with land claims. — Sapa.

Urgent need to plan for water shortage
 BIDA 20/8/92

PRETORIA — SA's limited water resources would force the country into a supply crisis unless co-ordinated planning and management techniques in the southern African region were developed swiftly.

This was stressed at the water week conference at the Council for Scientific and Industrial Research which ended yesterday.

Speakers said water scarcity intensified by mismanagement, degradation or underdevelopment of the region's water resources would hobble economic growth. Water Affairs engineer P H van Niekerk said the undervaluation of water would lead to shortages and low economic growth throughout southern Africa.

GERALD REILLY

If the price of water was to reflect its scarcity, other options such as regional transfers and desalination would become viable, speakers said.

Correct pricing would control demand, encourage careful use and provide the finance to ensure a co-ordinated water resources development.

Water Affairs Commission executive director Piet Odendall said water demand from SA's growing population would outstrip supply by the second decade of the new century.

Speakers warned conflict among water users was escalating as growing needs outstripped the natural geographic availability of water.

Water Affairs engineer A H Conley said with the increasing scarcity of water and the reduction of suitable sites for new projects, the costs of supply schemes were rising rapidly.

For water provision to be sustained, the concept of users paying an economic price would have to be accepted, he said.

Speakers stressed SA's water supply sector remained highly fragmented. Institutions involved included homeland governments, local authorities and water boards.

Planners were confronted by alarming policy and strategy deficiencies that prevented comprehensive programmes being initiated in developing communities.

'Trim own affairs to pay for houses'

THE own affairs system should be "rationalised" to effect savings which could be used to address the problems of providing housing for all, National Housing Minister Leon Wessels said yesterday.

Opening the 13th SA Building and Construction Exhibition at Nasrec in Johannesburg, Wessels said the fiscal implications of the De Loor commission on housing were formidable, but the necessary resources should not come from increased taxation. Rather, these should come from a redirection of expenditures within the current overall share of expenditures in GDP.

"Duplicated institutional structures brought about by the own affairs concept could be rationalised, uniform policies could be adopted and savings in bridging and other financial outlays could be directed (to) the real problem, that of providing

THEO RAWANA

adequate shelter for everyone."

Wessels said he had undertaken not to implement unilaterally the proposals of the De Loor commission but to achieve consensus as far as possible among all players in the housing field.

He said many of the De Loor proposals could be branded as revolutionary, but it was essential that opportunities not be lost through timid or generalised proposals.

Although the housing industry had already played an important part in providing formal housing, it had to come up with innovative ways of expanding its role.

He invited the private sector to join government in creating the correct climate for communities to work with them in the task of housing.

● Picture: Page 2

25/10/92
16/09/92

'Talks failed to halt AWB'

RAY HARTLEY

POTCHEFSTROOM — A series of 11th-hour meetings between police, NP and AWB members failed to defuse potential confrontation on the eve of the "Battle of Ventersdorp" last August, the Regional Court heard yesterday.

Gen Lourens Malan, who was in charge of police operations during the clash which claimed three lives, said this in testimony in the trial of 15 right-wingers charged with public violence related to the incident.

He said police had met NP and AWB members the day before the massacre and warned lives could be lost, but he had not asked the NP to call off the meeting because this was a decision the meeting organisers had to make.

"I made a plea to (AWB leader) Eugene Terre'Blanche to use his influence to defuse the looming conflict between the AWB and the police. His reaction was that the President collected taxes from the residents of Ventersdorp and he had a right to attend the meeting to ask the State President certain questions."

A thousand policemen and a nearby

army unit were mobilised to maintain law and order and to protect President F W de Klerk, who spoke at the meeting which was disrupted by hundreds of armed right-wingers, Malan said.

He said tens of thousands of rands had been spent on security for De Klerk.

Malan admitted he had not arranged to control traffic because it was "a small detail which I didn't think about".

Two of the dead were run over by vehicles during the conflict.

Malan later admitted no loudspeakers had been set up to inform passersby and protesters that demonstrations had been banned in the area around the hall.

He also said the tyres of a water cannon had been slashed, rendering it useless, and police had not been issued with gas masks.

The conflict came to a head when the town's electricity was cut off, firecrackers were thrown at police helicopters and police shouted to him that teargas and hand-guns had been fired at them, he said.

The trial continues.

New-look housing dept proposed

PRETORIA — The Housing Task Group has recommended the establishment of a restructured, nonracial housing department.

The restructured department would have jurisdiction over the entire country, including the self-governing states, trust areas and eventually the TBVC states should they be reincorporated into SA.

Addressing a seminar on Housing in SA yesterday, National Housing executive

director Neville Krige said many of the deadlocks in the housing sector stemmed from current political differences and constitutional changes.

Other recommendations included the encouragement of private sector initiatives with regard to small housing loans, the dissolution of central government's housing-related development funds and the liquidation of fixed assets

to the best advantage of the state.

The group also felt activities and assets of the local authorities loans funds should be transferred to the proposed Housing Finance Corporation, and the structure of the Development Bank of Southern Africa should be used to accommodate the corporation as a second development fund under a separate board of trustees. — Sapa.

WORLD Bank experts have begun a study on how to amalgamate SA's racially divided cities.

They rank with those in the former Soviet Union as the most economically inefficient in the world.

The Witwatersrand, Cape Town, Port Elizabeth and Durban will be studied in the first phase of a project designed to contribute to SA policy making.

The study is intended to facilitate the process of urban reform, the bank being one actor in the process, says a bank source.

The results of the study, which kicks off formally with the visit of a bank mission to SA in November, are intended to provide a technical tool for politicians, the source says.

The study will include a full fiscal analysis of local government.

Conflict

It will consider housing strategies in the context of the overall urban economy.

The study will include white local authorities, which are efficiently managed and largely self-financing, partly because they do not carry the responsibility for the low-income population as do most cities in other parts of the world.

A World Bank position paper, *Cities in Conflict*, says an urban strategy for SA will need to be guided by three principles.

Apartheid structures will have to be dissolved, decision making must be transparent and accountable and local governments must have the technical and financial ability to deal with inequalities in urban living conditions.

Whites in the Pretoria-Witwatersrand-Vereeniging area, says the paper, enjoy an annual per capita expenditure of about \$552 on the principal types of residential infrastructure.

World Bank seeking to link cities

By KEVIN DAVIE: Washington

This is much higher than cities such as Stockholm (\$223), Munich (\$267), Hong Kong (\$267), Melbourne (\$335) and Singapore (\$338).

Data for blacks, in contrast, suggests that more than 50% of them in urban areas are informally housed.

About 40% of the land within a 10km radius of SA city centres — the focus of employment — is vacant.

This leads to real economic costs. It increases transport, depresses the housing sector and labour market and contributes to the growing fiscal deficit. It causes inefficient investments in bulk infrastructure.

Urban transport subsidies are projected to cost R1,9-billion next year. Black households will still spend more this year on transport than on housing, the paper says.

The average distance travelled by urban commuters has grown from 24km 10 years ago to 37km.

The paper says housing has been depressed by apartheid. Housing investment at about 2,5% of GDP is much lower than the 4% to 9% in other countries at similar levels of income per capita.

The paper says three policy archetypes typify the housing debate: huge government intervention in the provision of housing, enabling strategies which require the

Government to play the role of facilitator of largely private-sector and community-based efforts to deliver houses, and enabling strategies accompanied by a targeted programme of subsidies for the most disadvantaged members of society.

The paper says that international experience has shown that the first option does not work. In the US, for instance, it has been found that publically funded housing schemes lead to a decrease of privately funded ones. There is little net increase in the overall housing stock.

Demand

It suggests that the Government will need to intervene nonetheless to ensure the success of enabling strategies.

"On the demand side there will need to be active intervention to increase the availability of housing finance, improve security of tenure and design effective subsidies.

"On the supply side, government will have to ensure adequate infrastructure supply (including electricity, water, sanitation, drainage and water facilities), rationalise the legal and regulatory framework and foster a competitive building and construction industry."

Prospects dimmer

POINTERS to recovery from one of the worst recessions of the century are diminishing and uncertain, says the Bureau for Economic Research (BER) in its survey of the manufacturing sector.

The BER says domestic sales, new orders and unfilled orders in relation to sales have fallen from the previous mild positive expectations reported in the second quarter.

Stocks are still considered to be too high and there are indications of substantial spare capacity in the whole manufacturing sector. Production and employment are expected to remain under pressure, even after economic conditions start to improve. (SITimes BASS)

There was also a significant rise in the number of respondents reporting the general political climate as a serious constraint — both on day-to-day business activity and fixed-investment plans. 27/9/92

The BER says a downward spiral is identifiable because increased unemployment will have a negative impact on social unrest and political progress.

Business confidence suffered in the process and reached a new low in the third quarter, it says.

Kaye quits

LASER Transport managing director and executive chairman Dennis Kaye has resigned. Peter Thomson will become executive chairman and Eric Puccini will fill in as managing director.

Mr Kaye, who founded the company 23 years ago and took it to the JSE in 1986, says Laser has a competent management that can cope well without him. He will retain his 56% shareholding.

St Helena cut

GENGOLD's St Helena gold mine, near Welkom, will reduce its staff complement by almost a half before the end of the year.

Staff numbers will be cut from 5 700 to 3 000 in two phases. In the first, 2 300 will be retrenched.

Ore production will drop by half to 50 000 tons a month and gold output will fall by about 250 kilograms a month to about 360.

Seeff's latest

PROPERTY investor Seeff Holdings has launched Seeff Projects for project-related townhouse and cluster-home developments.

It starts with a R300-million residential property portfolio, half of which is in up-market development in the Western Cape.

Seeff Projects will offer developers a one-stop project marketing service, which includes site procurement, building design, financial and legal considerations as well as sales and marketing input.

M3 in tune

SOUTH Africa's broadly defined money supply, M3, showed a year-on-year rise of 8,72% in August, according to preliminary figures from the Reserve Bank. This is well within the bank's 7% to 10% guideline for 1992 and compares with a revised 10,11% for July.

SITimes
27/9/92

NEWS IN BRIEF

~~Land judgment today~~ (80)

A FAR-reaching judgment on the right to land acquired by the state in terms of the Group Areas Act will be handed down in the Cape Town Supreme Court today.

A court application was brought by the Hendricks family of Rondevlei challenging the state's right to sell land acquired through the Group Areas Act. The family hopes to get the land back.

"Despite the fact that they still live on the land and that the Group Areas Act has been repealed, they discovered that the land had been resold without their knowledge. The court will decide whether or not this sale should go ahead," the Surplus Peoples Project said.

29/01/92
LUCAS



Group Areas victims in new battle

By Justin Pearce

ALBERTUS Sias and Sarah Williams used to be property owners. Now they have no land and not enough money to buy back what was once theirs.

Neither of them sold their land by choice. They were dispossessed of their property in the seventies under the Group Areas Act.

With this act scrapped, the government is making gestures towards reparations: The 1991 White Paper on Land Reform stresses that the removal of racial restrictions is not enough to make land accessible to black people. It recommends development strategies formulated in consultation with the communities concerned.

Yet Sias and Williams have both tried to invoke the law to get their land back, without success.

They are only two of the many people country-wide who are still suffering the effects of a repealed law. In terms of the legislation in force when they were dispossessed of their land, the properties were bought by the Community Development Board (CDB). This board, which was succeeded under the tri-cameral constitution by three own-
affairs boards, was responsible for

the reallocation of dispossessed land.

In terms of the legislation governing the CDB and its successors, the boards are supposed to dispose of the land in a way that is beneficial to community development, and which discourages profiteering. But the boards may eventually sell land to private people.

With the repeal of the Group Areas Act, the Advisory Commission on Land Allocation (Acla) was established with the intention of overseeing the reallocation of land of which people had been dispossessed under apartheid legislation.

But in practice, Acla is nowhere near as powerful as it may seem. One major shortcoming in the legislation governing Acla is that Acla cannot make recommendations concerning land that has been sold by the state into private ownership.

This is why Sias and Williams are still landless. The two pieces of land for which they were each paid R5 000 in the seventies have subsequently been sold to a property development firm called Procorp. The land has been divided into a total of eight erven which are now being sold off for a total of R240 000.

"We want to get our land back

for the same price we paid for it," Sias says.

There is a case to be made for selling the land back to the original owners at the price they received, plus interest calculated on the basis of inflation rates since the sale.

On the other hand, most of the dispossessed families have already spent the capital paid out to them by way of compensation. Forced to seek out rented accommodation, they were unable to invest the money they received.

Sias claims he would be able to buy back his land if it were offered to him at R5 000. Williams says she would be able to do the same by banding together with her sisters who were joint owners of the property.

Acla will not consider the claims of Sias and Williams as the land is no longer owned by the state. But even in cases where land is still in state ownership, dispossessed property owners may find themselves unable to take advantage of the legal means which exist for them to recover their land.

Last week the Cape Supreme Court intervened to stop the sale of a property at Zeekoevlei to a private speculator. The property, originally bought by Mr John Hendricks in

1948 and now occupied by his children and grandchildren, was bought by the Development and Housing Board in the House of Assembly in 1985.

The proposed sale to Mr P Basson, which would have gone ahead were it not for the urgent Supreme Court Action, involved a number of irregularities:

- The clause in the standard deed of sale preventing Basson from reselling the land was deleted. Basson had already arranged to sell the land at a profit of over 500 percent.

- The sale was to have happened soon after Basson having been rehabilitated following sequestration in 1987.

"This case casts doubt on the state's sincerity in addressing land reform as it set out to do in the White Paper tabled more than a year ago," said Mr Henk Smith of the Legal Resources Centre.

According to a report by Ms Aninka Claassens of the Centre for Applied Legal Studies, these sales represent an about-face in state policy regarding land sales. She quoted a legal textbook as saying that, "State land is not disposed of lightly . . . and is not sold out of hand to private persons, but by means of advertisement in the Gazette and

the press all persons are given an equal chance of tendering to purchase it."

The case of the Hendricks family seems to suggest a consistent effort to sell off state-owned land (thus putting it outside the jurisdiction of Acla) before it can be returned to its original owners.

A similar case occurred this year with the community of Majeng in the north western Cape. Members of the community, who had been forcibly removed under the Group Areas Act, registered a claim for restoration with Acla in March. In May, rumours began to circulate that the government was selling the land to white farmers. On June 16, the lawyer acting for the community faxed Acla to request clarity on the rumours.

A week later, the sale of the land to the white farmers was effected. According to Claassens, the sale was effected exceptionally quickly by bypassing some of the normal bureaucratic procedures.

At a Land Forum meeting on August 8, Deputy Minister of Agriculture Mr Tobie Meyer joked that he wanted to proceed with land sales as quickly as possible because he "didn't want to be an estate agent for ever".

Land owners urged to unite for future

BLDM 18/10/72
PRETORIA — Deputy Land Affairs Minister Johan Scheepers urged land owners this week to oppose any effort by a future government to subdivide or nationalise their land.

Scheepers said in Port Elizabeth a clear policy on land, not to be confused with the White Paper on land reform, was being developed.

Owners should form a pressure group to ensure the maintenance of their title rights and the protection of

GERALD REILLY

property rights, he said.

The group would also have to watch developments in land speculation and exorbitant land prices.

"What is important, too, is that those who were disadvantaged in the past by race-based legislation will have to become land owners."

There was an imbalance between white land ownership and the rest of

the population, he stressed.

This would have to be addressed by making land available and accessible to disadvantaged people, and those who had valid claims to state land had to be given the opportunity to put forward their cases.

He said direct state intervention in the land market should be kept to a minimum. Legal and administrative impediments to the change, use and ownership of land should be removed.

NEW NEIGHBOURS

Overcoming Group Areas

The greying of once-white suburbs, with the repeal of the Group Areas Act, has not been the disaster many would have us believe. Real Estate Surveys MD Erwin Rode, who has kept a close track on developments, brought this message to delegates at the *FM* Investment Conference.

Rode talks of invasion — which he says is a sociological term used in the US — rather than the less emotive term urbanisation favoured in SA. Whichever way you look at it, though, blacks tend to move to neighbouring suburbs, irrespective of ethnicity. As Rode points out: "People prefer to stay close to their social infrastructure — friends and religious centres."

What is noticeable is that blacks prefer to move into areas first occupied by coloureds and Indians where the perceived social distance is shorter, as in the case of Joubert Park, Hillbrow, in Johannesburg, and Lenasia, among others.

In the Cape Peninsula, Rode notes, a movement of coloureds is evident into Rondebosch East, Kenwyn, Ottery, Wetton, Lansdowne, Southfield and Plumstead.

On the Witwatersrand, upwardly-mobile blacks are moving into Lenasia (Indian), Ennerdale (a coloured area close to Soweto) or Kelvin (a white area close to the black township of Tembisa). Because there is talk of a mosque being built in Johannesburg at Observatory, he says, there is evidence that more Indians are buying in that suburb and in nearby Cyrildene. Parts of Benoni and Boksburg are also becoming popular among Indians because of the mosque in Actonville.

While these movements may initially result in a decline in property values, Rode points out that "some select areas might recover their initial capital loss, once the penetration is complete. Examples might be in Johannesburg's Fordsburg and Mayfair West, already about 85% Indian and where a *gentrification* process is taking place." These areas were originally Indian before government declared otherwise.

Regarding informal settlements and their effect on land and house prices, movements monitored by Rode in Randburg's Bloubostrand area — the centre of the Zevenfontein storm — have interesting pointers. At the end of January it was announced that the Zevenfontein community would be settled close to Bloubostrand, a white middle-class suburb. After much local reaction, it was decided in June that the community would be resettled north of the R28 at Diepsloot and Nietgedacht and that land in Bloubostrand would be earmarked for formal, low-cost housing.

Uncertainty over the fate of the squatters resulted in no sales of residential stands taking place in Bloubostrand in February but, amazingly, land prices kept on growing in March and April and peaked at R43 000. After the June announcement they dropped

to R34 000, the level of the year before.

House prices, meanwhile, fell from a peak of R149 000 in January to R100 000 in February — the one and only sale — and by June had shown a decline of 11% to an average of R132 000. The big surprise was that by July, average house prices were back at R140 000. "It means the market either does not think low-cost housing will be allowed or that it is not fazed by this prospect. If not fazed, this would be good news for SA," Rode concludes.

No doubt property researchers like Rode will still be watching developments and property price movements in Bloubostrand. ■

The great land hoax continues

Wimal 27/11 - 3/12/92

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THERE is growing evidence to suggest that the government may be engaged in a giant hoax against victims of forced removals and that the authorities are moving behind the scenes to block restitution.

Thirty-eight dispossessed black communities have issued an ultimatum to President FW de Klerk to act on the land issue, or face a renewal of the re-occupation campaign which threatened to precipitate racial clashes last year.

The threat comes amid other developments which throw doubt on the genuineness of the government's reform plans with regard to land restitution. They include:

- The virtual collapse of the Advisory Commission on Land Allocation (Acla) — De Klerk's initiative to defuse the controversy over restitution — as it becomes apparent that it was designed in such a way as to be almost totally ineffective.

- Indications that the authorities are selling off state land in order to move title to the properties beyond the reach of the dispossessed.

In the face of growing disillusionment with De Klerk's promises to deal "fairly" with the land issue, the African National Congress is investigating proposals for the creation of a "land claims court" with powers of expropriation.

A confidential discussion document circulating within the organisation suggests that such a court be given powers to investigate claims going back to 1948 — or 1913, when the notorious Land Acts were introduced, carving up the country into racially defined territories and giving the black majority 13 percent of it.

But the volatility of the issue was underlined this week when Afrikaner Weerstandsbeweging leader Eugene Terre'Blanche told a rally in Durban that Nelson Mandela would be "necklaced" if the ANC tried to seize white farmland. The AWB staged a horseback parade through the streets of Durban on Tuesday night and burnt the ANC flag to chants of "burn Nelson".

The 38 dispossessed rural communities have given De Klerk until the end of January 1993 to take effective action on land restitution. In a statement sent to the president last week, under the aegis of the National Land Committee, they said "we have very little patience left" with Acla.

The ultimatum follows last month's government announcement that it was transferring large chunks of state land to the homelands of Lebowa and QwaQwa, with other transfers expected to follow. This step has the effect of making it more difficult to recover land lost to black communities under apartheid's laws.

Acla, set up by De Klerk last year to defuse bitter controversy surrounding efforts by victims of forced removals to re-occupy their land, is believed to have completed some 15 investigations into specific claims. But neither the commission nor the state president — to whom it is meant to report — has produced any conclusions.

Apart from the delays, the credibility of the commission has been shattered by an extraordinary case in Kimberley in which the supreme court refused to halt the government's sale to white farmers of land from which the Majeng community had been forcibly evicted in the 1970s.

Evidence led in the case described a bizarre series of events leading up to the court action. After the repeal of the Land Acts last year, the Majeng community, with 13 others, asked the state president to restore their land. Minister of Regional and

State dispossession of black land is far from over — and the patience of its victims is wearing dangerously thin. Weekly Mail Reporters

Land Affairs Dr Jacob de Villiers appealed to them at the meeting — and subsequently on television — to take their cases to Acla, which would deal "fairly" with them.

The Majeng people lodged a claim with Acla, but before it could be heard the state sold the disputed land to six white farmers. Government officials persuaded the registrar of deeds in Kimberley to rush through the transaction on the grounds that there was a danger "squatters" would occupy the land.

The Majeng community discovered the transaction by chance and applied to the supreme court for an order to halt completion of the sale until Acla had had a chance to hear their application for restoration.

Incredibly, the government — which had persuaded the Majeng people to go to Acla in the first

place — then appointed lawyers to oppose the court action, on the grounds that the matter could not be heard by Acla anyway because it fell outside its jurisdiction.

The terms of reference given to Acla by De Klerk restrict it to hearing applications relating to land owned by the state, which has been acquired by the state under the race laws and "which has not yet been developed or allocated for a specific purpose".

There is legal opinion that these restrictions are so tight that the only cases the commission is in fact empowered to hear are applications by white farmers whose land has been expropriated for incorporation into the homelands.

Other evidence that the government may be actively working to undermine any future restitution programme has been uncovered by the Sur-

plus People's Project in Cape Town.

Its researchers have established that the Community Development Board was registered late last year as the owner of over 5 000 urban properties, a large proportion of which were expropriated under the Group Areas Act. By July this year, the figure had fallen to 3 241 — suggesting that large-scale selling is taking place. A search on April 14 this year showed that in the Zeekoevlei area, 34 properties were registered with the board; by July 9, only three were left.

The researchers investigated two individual cases where families had been forced off their land in the 1970s, receiving less than R6 000 each in compensation. Last year, the families made inquiries at the development board about whether they could get the land back, but were told the properties had been sold. Records showed they were in fact sold to a private property developer in January this year, for R100 000 each. The families appealed to Acla to investigate, but were told the cases fell outside its terms of reference.

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The Weekly Mail
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(See PAGE 6)

FW requested to stop land deals ⁸⁰

THE National Land Committee this week urged State President FW de Klerk to declare a moratorium on the further sale of public land, including land allocated to the self-governing territories, as a first step to creating the basis for an equitable and just land dispensation. ~~(29)~~ ~~(30)~~ ~~(31)~~

The NLC said the land question and land hunger in SA was a potentially explosive issue.

Appealing to De Klerk on behalf of 38 communities attempting to have their land restored to them, the NLC said in the past year and in spite of the creation of the Advisory Commission on Land Allocation, there was no victory in sight for the dispossessed. *Cipen 6/12/92*



Commission seeks new

powers to return land

S Times 13/12/92.

By EDYTH BULBRING
Political Correspondent

PEOPLE who had property confiscated under the Community Development Act could be given compensation, or have their property restored to them in terms of new proposals to be submitted to the cabinet.

The Department for Land Affairs has approved recommendations by the Advisory Commission on Land Allocation (ACLA) that its powers be broadened.

ACLA is at present empowered to consider only claims to land that was expropriated under a number of discriminatory acts repealed by the Abolition of Racially Based Land Measures Act introduced last year in parliament.

One of the acts repealed was the Group Areas Act.

However the Group Areas Act was used primarily to identify land for particular race groups. When it came to expropriating the land identified it was, in most cases, done in terms of the Community Development Act.

This act was never repealed. As a result ACLA has not had the authority to investigate the vast majority of land claims.

Now the Department of Land Affairs has, in principle, approved ACLA's proposal that it also be allowed to consider claims by communities — like Pageview — whose land was expropriated in terms of the Community Development Act.

The proposal is to go before the cabinet for final approval.

ACLA is still restricted to considering claims by communities only if the disputed land is still owned by the state and has not been developed or allocated for a specific purpose.

It cannot consider restoring land to a dispossessed community if it is now owned by an individual or business.

However, ACLA can recommend to the state president that compensatory land, also owned by the state, be given to the communities. In this regard, ACLA has also recommended that all land owned by provincial and local authorities be considered "state land". This recommendation has also been accepted by the department.

Confirmed

This would mean that a community like Pageview could be compensated with property owned by the local authority.

Land Affairs deputy minister Johan Scheepers yesterday confirmed that the department had suggested a number of recommendations that would broaden the powers of ACLA.

However, he said these proposals still had to go before the cabinet for approval and he could not comment further.



STAYING PUT: Maria Segopolo in her dining room. The corrugated iron walls have been insulated and decorated with magazines. Picture: CATHY STAGG

HOWEVER difficult it might seem for political groups to agree on a new constitution, however troublesome the development of an economic forum might be, however formidable it might be to find ways of preventing South Africans from killing each other, all these problems pale into insignificance compared with the land question.

By all appearances, South Africans can now conceive of a new constitution, they can hope for economic harmony, they can dream of a country at peace, but an agreement on the land question that satisfies anyone still seems remote, despite signs last week of a reconciliatory government approach.

The reasons for this are diverse and numerous. However, at the root of the problem is a single, pivotal statistic: 70% of SA's land is held by 60 000 white farmers. The incapacity of a mere government to rectify this overwhelming imbalance is matched only by the desire of black South Africans that it should be attempted.

The powerful symbolic importance of land and its historical and cultural significance feed an almost insatiable land hunger, not to mention the political injustices that grand apartheid perpetrated.

More than 475 000 people can still remember being forcibly removed from their land between 1960 and 1983. In many parts of the country, the colonial deprivation of land is only a generation old. Ancestors' graves, now located in the midst of large white farms, are still respected and tribal people still hanker after the valleys of their birth. However tempting it may be to argue that black South Africans would now be well advised to leave their rural past behind and concentrate on getting the education necessary to participate in a modern world, it just cannot be done. Centuries of culture cannot be wished away with something as cold and simplistic as logic.

Apart from the problem of the concentration of land in white hands, there are other chasm-like differences. How should it be used? How should it be transferred? What form of land tenure system should be employed? Should the black spot removals be reversed, and how? Is

Resolving the land issue remains the toughest task of all

B/DH-1 14/12/92

TIM COHEN

nationalisation the answer?

It is a measure of the difficulty of the problem that these issues are not even being jointly addressed, despite a series of useful Consultative Business Movement multiparty meetings. The groups are still floundering on the question of what kind of forum might eventually get round to grasping the nettle, and even on this preliminary issue they are miles apart.

Land Affairs Deputy Minister Johann Scheepers gave impetus to the debate recently by suggesting the establishment of a commission on land policy. The commission would be drawn from the community, it would be of a temporary nature and it would meet on an ad hoc basis, he said. The National Land Committee was quick to reject the idea, demanding that government first institute a moratorium on the sale of state-owned land.

The committee argues that a policy group such as the one suggested by Scheepers could work only if government agreed first to desist from unilateral and pre-emptive actions. Trust and a true consultative process require it.

The committee and the ANC are particularly irked by government's decision to hand over pieces of state land to homeland governments, and speak darkly of bribing potential political allies.

From here the argument bounces back and forth like a ping-pong ball.



Forced removals deprived many black families of their land

Scheepers refuses to implement a complete moratorium on the transfer of state-owned land. To do so would be ridiculous — governing the country cannot be put on ice just because the ANC thinks it would be a nice gesture. Anyway, the current land transfers were negotiated, by planned, promised, agreed to by Cabinet, and legislated. Going back now would be seen as betrayal.

National Land Committee head

Joanne Yawitch says all those decisions were made under a different (apartheid) policy.

But, says Scheepers, government did not transfer the land outright. It will be jointly administered by SA and the homelands.

Yawitch counters that these administrations are corrupt and incompetent. The transfers (which amount to about 1.2-million hectares) are explicable only in terms of political opportunism.

Scheepers says this does not make sense. One of the biggest transfers was to Lebovwa, a supporter of the ANC at Codesa.

And so the two sides' eloquent spokesmen look horns and get nowhere. The only solution is that the ANC and its allies must be satisfied with something less than total control of the process and government must make every attempt to listen with sympathy, understand carefully and act on their sensible suggestions. This, Scheepers claims, he will do even if it is on a bilateral rather than multilateral basis. However, government's record in doing so is not good, while the ANC and its allies must at some stage realise that demand and prerequisite policies are serving them badly.

Assuming this preliminary issue can be dealt with, what could be agreed on? Not much, says Inkatha's Errol Goetsh. The idea that there is a treasure chest of land waiting to be

dispersed is just wrong. Much of the state-owned land is already occupied, and what little there is left no one would want to occupy, let alone farm.

And so the focus of the debate turns on what can be done to resolve conflicting claims to land and how it can be redistributed.

On these issues, the current debate revolves around the question of a land claims court. The court is favoured by such diverse organisations as the SA Agricultural Union (SAAU), the Urban Foundation, the National Land Committee and the ANC. But government disagrees, although Scheepers says it is an issue his proposed policy body could look at. Perhaps the underlying issues could be dealt with by a reconstituted commission on land allocation, he says.

The weekend announcement that government had accepted the Advisory Commission on Land Allocation's recommendations that its powers be extended is a promising one. At present, it is restricted to considering claims to undeveloped state land.

Yawitch said earlier that government's refusal to accept the idea of a land claims court was inexplicable. But Goetsh points out that many of the parties have different expectations of the court. The ANC thinks it will redistribute land and return land to the victims of forced removals. The SAAU does not think it will do that at all: it thinks such a court will protect its members' freehold rights, many of which extend back centuries.

Where changes can be made, and where debate would be most fruitful, is on rural development and agricultural policy, and here much work has already been done.

Government's White Paper on land reform, the Urban Foundation's rural development policy document and the SA Development Bank's research work ought to be the focus of the debate. Whether the political groups will now wrench themselves away from potentially endless land justice questions remains to be seen, but they could at least spare a passing thought for rural development. Here some of the lost ground can be made up.

Move on expropriated land

TIM COHEN

PRETORIA — The Advisory Commission on Land Allocation is to invite communities deprived of 100 000ha of land in terms of apartheid legislation to apply for their land back.

Among other recommendations, the commission said at the weekend that it had identified 100 000ha of state-owned land expropriated in terms of the Development Trust and Land Act of 1936.

Details of this land, scattered around SA, would be made known to the public early next year and individuals or communities who had historical claims to the land would be invited to make representations to the commission.

The transfer of the land, which is

under the control of the Department of Public Works, has been approved by Cabinet.

Although other decisions of the commission were welcomed by the National Land Committee, an association of rural organisations, the committee has recorded its "concern" about the recommendation.

Until now, the advisory commission had advised of land under its consideration on a case by case basis. In the case of state land, a policy of full disclosure would be "constructive" and would allay fears that land that could potentially be claimed was being secretly and speedily disposed of, the committee said in a statement.

The committee therefore called on the commission to make public an inventory of all state land under its consideration, which would enable the public to have an overall understanding of the nature and extent of the land involved.

It was also announced at the weekend that two communities displaced from Roosboom and Charlestown 25 years ago will have their land restored to them. The National Land Committee welcomed this.

The commission will have its powers extended, if Cabinet agrees to the recommendations of the commission being accepted. Land Affairs Deputy Minister Johan Scheepers intends to lobby for the commission to be given a wider jurisdiction.

17/12/92
10/12/92

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Dist 6 land claims open?

Own Correspondent

PRETORIA. — Millions of people, including some former residents of District Six, who were evicted from their homes in central Cape Town in the 1960s, may soon be able to apply to have their land returned — or for compensation.

Those evicted under the Group Areas Act and other related acts, including those affected by removals to do away with "black spots", and some dispossessed landowners of Pageview in Johannesburg, could be the beneficiaries of mooted changes in the powers of a key government land commission.

Sweeping changes to the jurisdiction of the Advisory Commission on Land Allocation were hinted at recently by deputy Land Affairs Minister Mr Johan Scheepers.

He said he believed a solution to the land question would be to create a department of land affairs. Control of land issues is currently fragmented among different departments.

The commission's acting chairman Professor Nic Olivier said this week that if the changes were made "whole new worlds will open".

The commission, which has been operating for a year and which recently announced the acceptance by government of several of its findings, has until now been restricted to hearing claims affecting rural areas.

The commission has recommended that its jurisdiction be widened to in-

To page 3

From page 1

District 6

clude urban areas.

Cape Town City Council's town planning committee chairman Mr John Muir said yesterday that if asked they would like to make representations to the commission about District Six.

Legislation currently specifies that the commission can only hear claims where the land is in the possession of a "state institution".

The commission does not have the right to inquire into land owned by local authorities, but is now seeking authority to make recommendations.

Other suggested changes are:

- That the commission be allowed to inquire into land appropriated under the Community Development Act and the 1936 Trust Land Act;

- That legislation be introduced to clarify what is meant by the "allocation" of land. Currently, the commission does not have powers to recommend the return of land that has been allocated or developed;

- That the effective date by which the allocation should have been made should be June 1, 1991. This would give the commission the power to investigate pieces of land hurriedly "allocated", and

- That the commission be allowed to investigate all state land, not only land appropriated in terms of legislation. This would give the commission the power to investigate land reclaimed by the Land Bank at the insolvency of farmers.

Prof Olivier said some areas of District Six and Pageview had already been developed, and these areas would fall outside even the commission's extended jurisdiction.

Key land concessions hailed 80

W/Mail 18/12 - 22/12/92

By FERAL HAJFAJEE

IN an apparent move to clear the decks for constitutional talks, the government has made key land concessions and promised far-reaching reforms of its land commission next year.

This follows the recent appointment of Democratic Party luminary Professor Nic Olivier to the helm of the Advisory Commission on Land Affairs (Acla), also hailed as a vital move in beefing up a largely ineffectual body.

Olivier, former DP MP and the party's research director, recently took over as acting Acla chairman, after the retirement in October of Judge Tobias van Heerden.

"Olivier is on our side and we welcome his appointment," said a representative of the Transvaal Rural Action Committee this week. He was sure the new man would be confirmed as chairman next year, which "throws the balance on the commission in our favour".

Acla, hamstrung by the restrictive terms of reference given it by President FW de Klerk, has been branded a government ploy to avoid the land issue and stave off land restitution. The National Land Committee (NLC) recently threat-

ened to occupy 38 contested areas in January after a year of fruitless talks with the commission.

Last week, Acla made far-reaching recommendations for the broadening of its powers, including a proposal that it be allowed to investigate all land claims, not only those relating to rural land.

And in other moves:

● President FW de Klerk decided that the Roosboom and Charlestown communities in the Kliprivier and Newcastle districts, removed under grand apartheid, would get their land back.

● The government decided that an Indian trader could claim property in the Pretoria city centre from which he was evicted in 1966, and that the commission could allocate 100 000ha of unoccupied state land for redistribution to those with historical claims.

The NLC welcomed the return of land to the Roosboom and Charlestown communities, recognising its precedent-setting potential: "We are hopeful this will mean that other communities claiming land are in line for a speedy process of restoration."

The decision also means that hundreds of Indian traders forced

from city centres across the Transvaal may now lodge claims for property they lost.

But the concessions fall short of NLC demands and reveal a number of hurdles yet to be crossed for effective land negotiations.

The commission was unable to make a recommendation on the claim of the GaMampuru community, near Groblersdal, because they are not claiming state land — the only land which falls within the commission's jurisdiction.

Acla's secrecy clauses are also a problem: De Klerk did not make public his decision on contested farms near Queenstown, and he is not compelled to give reasons for his decision.

The NLC insists the state should identify all the public land available for reclamation, not merely the 100 000ha being claimed. This will "allay fears that land which could potentially be claimed is being secretly and speedily disposed of," says the organisation.

And Acla's proposals for increased powers still fall short of the main demand for the upgrading of the commission's powers, from merely advisory to executive.

Graham Linscott ponders a brutal policy that wrecked so many lives

Black spots that dirtied SA's name

NOW we pick up the pieces.

The problem is you can't put together broken hearts, least of all when those who suffered have already departed this life.

Recently the Government announced that the African communities who were dispossessed of their land at the northern Natal "black spots" of Roosboom and Charlestown will be allowed to return and take title again.

This follows recommendations of the Advisory Commission on Land Allocation, one of President de Klerk's more felicitous and effective ventures in wiping the slate clean.

Roosboom and Charlestown were but two of the dozens of

STAR 22/12/92

black spot removals which so effectively besmirched this country's reputation internationally.

You can't argue with photographs of simple people having their chattels bundled on to trucks for transportation to tents or tin shacks in alien, inhospitable surroundings. This is Siberia stuff.

Or their anguish at being removed from the locality of the graves of their ancestors, a very real and potent issue in wide sections of black society.

It always seemed mindless cruelty. Roosboom, a collection of rickety homes and patches of cultivation and grazing outside Ladysmith, got the axe at least partly because it was considered an "eyesore". It was visible from the

national road and, according to Nationalist politicians of the day, it gave tourists a bad impression.

Now Roosboom and Charlestown are to be reinstated but, of the 30 000 who suffered the heartache in the 1970s, many are no longer with us. Many of their descendants have been sucked into the violence that has engulfed parts of Natal.

But the decision must bring some hope to black spot removal victims everywhere — those who hanker for the ancestral ground — and it will no doubt be a relief to freehold black communities over whom the axe had been hovering for decades.

Now, it seems, all kinds of people may get back their land —

the coloured people of District Six, Cape Town, the Indians of Cato Manor and Block AK, Durban, the Indians of Pageview, Johannesburg, and other Transvaal central business districts.

Plus, according to Professor Nic Olivier, of the Advisory Commission (and a member of the DP think-tank), white farmers who were dispossessed in terms of the 1936 Land Act.

As he says, many left with great unwillingness. These are a barely recorded category of apartheid's victims. They were paid out, certainly, but whites transplant no better than blacks. Many were ruined financially, having grown up on land which had been in their family for generations. □

GROUP AREAS — GENERAL
1993

PROFILE: *The judge who presides over land disputes*

Sticking to the letter of the law

W/maul
29/11-4/2/93. (80) (2/11) (2/11) (2/11)
TO Mr Justice William McCreath has fallen the unwelcome task of undoing forced removals and giving effect to the catch-all phrase of "land redistribution".

But expect no sweeping changes or crusades for a meatier Advisory Commission on Land Allocation from him: McCreath is firstly a lawyer with a deep respect for laws, no matter how tainted they may be.

His legalistic approach to the task before him may be an impediment. But it may be a bonus, promising the 70-year-old judge, recently appointed chairman of the commission, will lend the same objective ear to land cases as he has to the problems which have come before him in his 12 years on the Bench.

He is a very polite man who pours your tea and shows a genuine interest in everyone he meets, but getting to know him and what makes him tick is a little more difficult.

There is no black and white answer as he neatly side-steps controversy with carefully chosen responses:

Will he visit the communities who are reclaiming their land and whose claims he will rule on? "The secretariat does this sort of work."

Does he agree that land reform needs more than just a legal interpretation and that historical, political and social tensions all need to be taken into consideration? "Each case presents its own problems, depending on the matter under consideration."

What does the commission think about the transfers of land to the homelands? "It is not in the commission's ambit to deal with that."

But the one thing that has his unequivocal support and raises passion in his soul is the law:

"The ambit of the commission's work is defined by the Advisory Commission on Land Allocation Act and its jurisdiction is defined by the Act.

"The commission's handling of matters must obviously be done within the ambit of that which is laid down in the Act and beyond that the commission should not and cannot go; it has its defined powers."

This just about puts paid to calls by the National Land Committee (NLC) for drastic changes to the Advisory Commission on Land Affairs.

The new chairman of the Land Commission is more lawyer than politician and his legalistic approach may disappoint those hoping for quick land reform.

By **FERIAL HAFFAJEE**

In his first three weeks in office, Justice McCreath has already had to negotiate a number of storms: an outcry greeted the commission's recent findings in the Group 4 community's claim for RA60, an area bordering Ciskei in the eastern Cape.

The finding provided that the land would go to the Zulukhama people instead of the Group 4 residents. Both groups live on the same land — called RA60.

The RA60 judgment amounted to the transfer of land to Ciskei, believes the Grahamstown Rural Committee (GRC) which assists the Group 4 residents. "The land will go to people who are at least nominal residents and citizens of Ciskei," said the GRC.

"There is no way that land can be transferred to Ciskei. The White Paper on land is very clear that in no ways will land in future be incorporated into the self-governing territories or the independent states with a view to state-forming," says the director of the Commission Secretariat, Nico van Rensburg.

But the government's plans to transfer nearly a million hectares of land to the homelands have attracted the criticism of even Mr Justice Richard Goldstone, who said this could exacerbate violence.

Another problem of the RA60 decision was it was not made public, while the more acceptable decisions on the future of communities in Roosboom, Charlestown and the Asiatic Bazaar in Pretoria were.

Land transfers and the controversy around secret findings are burning issues which could rear their heads again in the 48 cases before the commission.

A narrow interpretation of the commission's terms of reference which ignores these issues is not going to win it any friends.

Perhaps Judge McCreath hesitates to take up issues like these because he is more lawyer than land man.

"I have over the years been connected with land in all its various forms," he says. But the only time he worked consistently with land affairs was before he went to the Bar in 1956 when he served on the Pretoria City Council's Lands and Estates department.

Since then, land cases have occasionally come before him, he says.



Mr Justice William McCreath

Photo: GUY ADAMS

The NLC believes there should be no provision for secret judgments.

It believes the commission should be able to make findings over all land, not just state-owned land.

The organisation also believes the commission should have legislative force, not just recommendatory powers which would effectively make it a Land Claims Court.

"The commission is a creature of statute and it is for parliament to consider what the commission's powers should be," says the chairman.

But confines of the law can be too confining for the vexed question of land retribution.

Reddy censured for Group Areas property sales

(80) S/TIMES 2/1/94
By NORMAN WEST: Political Reporter

FORMER chairman of the House of Delegates, Dr Jagaram Reddy, has been censured for acting as a modern-day Robin Hood to members of the Indian community who were allowed to buy property at a fraction of its value.

His motivation, according to a report by ombudsman, Mr P J van der Walt, appeared to be ad hoc restitution to "displaced traders" affected by the Group Areas Act.

Mr van der Walt said he had held discussions with Dr Reddy in June, following a complaint made to President F W de Klerk.

Dr Reddy, who has since retired from politics, was found to have played "an active role in furthering the applications" for property by two men to the Housing Development Board of the HoD.

In one case, the board — appointed by Dr Reddy, and which reported to him — decided to sell a business site in Gatesville in the Cape for only R123 500, although it had a municipal valuation of R1 338 350.

It also accepted an offer of R150 000 for a service station site at Pelikan Park in the Cape from the same displaced trader, Mr Joseph Thangavelu, who had sold his

property as a result of Group Areas Act proclamations in 1960. The site had been valued at R325 000.

On September 30 1992, the board resolved that two trading sites in the Cato Manor Development be allocated to a Mr Gopaul Reddy (no relation) to compensate him for the businesses and properties lost in Bergville in terms of the Group Areas Act, but the allocations have been frozen by the resolution of the Ministers' Council.

"The role played by Dr Reddy in furthering these applications is a matter of concern," said Mr van der Walt in his annual report tabled in Parliament.

He referred to "the sorry political history of the Group Areas Act" and the "deep-seated resentment and emotions generated" by it, in the report.

"Dr Reddy perceived his duty as chairman of the Ministers' Council of the HoD and former Minister of Housing to do what he could to ameliorate the prejudices suffered because of this (Group Areas) Act by members of the Indian Community," said Mr van der Walt.

"He was over-zealous and acted injudiciously and in haste. His actions and zeal are understandable, and I do not intend to censure him further."

Mr van der Walt said there were also allegations that Dr Reddy had made unauthorised amendments to the minutes of a meeting of the HoD Ministers' Council on July 23 1992.

"Dr Reddy has answered the allegations by accepting that the procedure might have been irregular, but by contending that nevertheless the addition to the contents of the minutes was necessary to reflect the authentic record of what had in fact been decided concerning Gopaul Reddy," Mr van der Walt said in the report.

As far back as February 1978 Dr Reddy, then chairman of the South African Indian Council, made representations on behalf of the Gopaul Reddy family to the then Department of Community Development that they be resettled in respect of both residential and business stands.

The reason was that their Bergville properties had, under the Group Areas Act, been proclaimed for white ownership "and had been sold for whatever prices had been offered," said the report.

A chance to get your land back

WERE YOU CHASED OUT OF YOUR HOME UNDER THE GROUP AREAS ACT?

If you were, your chances of reclaiming your property may improve if new powers are given to the body that was set up to put things right. The Advisory Committee on Land Allocation (Acla), previously described as "toothless", is due to be fitted with dentures in the forthcoming parliamentary session. Acla was established when the Group Areas Act was scrapped in 1990, to oversee the reallocation of land which people had lost. But its severely limited powers have left the majority of dispossessed people unable to make claims.

At present, Acla has influence only over state-owned land. This land was bought by the state and placed under the control of the Community Development Board, a body which has been superseded by three own affairs boards under the tricameral parliament. "When Acla was set up, people commented that its scope was not adequate," said Mr Bahle Sibisi, project officer of the Development Action Group (DAG). "Acla has also realised its own inability, and that it needs to change if it is to gain credibility."

Sibisi said he expected the new legislation to broaden Acla's terms of reference, allowing it to consider land which the state expropriated and subsequently sold to private developers. At present, the tricameral Development Boards are able to put property outside the reach of its former owners by selling it. Last year, a number of hasty sales

of Development Board land provoked fears that the state was trying to get rid of remaining land as quickly as possible, denying former owners the chance of getting it back. In October last year, the Hendricks family of Grassy Park had to seek a Supreme Court interdict to prevent the House of Assembly Development Board from selling land, claimed by the family, to a private speculator. If the court had not intervened, the land would have been sold at a profit before the Hendricks family had had a chance to take their case to Acla. The land, had been expropriated from them in 1985, after the area in which it is situated was declared a white group area. A further criticism aimed at Acla is that it has no executive powers. All Acla can do is to make recommendations to the State President regarding the reallocation of land. Recommendations that the State President is at liberty to accept or reject.

Sibisi predicted this is unlikely to change. But he added that Acla might start operating in a more open way, by making its findings public. At present, Acla's recommendations are only made public after they have been decided upon by the State President's office. In other words, if Acla is sympathetic but FW has other ideas, you won't get to hear about it. However, Acla's assessment will be made public before the State President's ruling — putting the State President under pressure to concur with Acla's decision.

In October last year, the Hendricks family of Grassy Park had to seek a Supreme Court interdict to prevent the House of Assembly Development Board from selling land, claimed by the family, to a private speculator. If the court had not intervened, the land would have been sold at a profit before the Hendricks family had had a chance to take their case to Acla. The land, had been expropriated from them in 1985, after the area in which it is situated was declared a white group area. A further criticism aimed at Acla is that it has no executive powers. All Acla can do is to make recommendations to the State President regarding the reallocation of land. Recommendations that the State President is at liberty to accept or reject.



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[Time expired.]

Mr M RAJAB: Mr Chairman, I must confess that when I tabled this particular interpellation I had no idea that the then hon member Mrs D Gwendler would be replying to it, and I am sure neither did she, going by the newspaper reports. Perhaps it is therefore appropriate for me to begin by offering her my congratulations on her recent appointment as Minister of Education and Culture in this particular House in the dying days of own affairs, which will come to an end very shortly.

I do not want to get involved in the so-called vendetta which the hon member alleges exists between this department and a respected newspaper, because, as all hon members are aware, hitherto that particular newspaper has, in fact, highlighted some very positive things which the hon the Minister's department has done.

Having listened to the hon the Minister, I want to say to her that I am pleased to learn that most of our schools are now functioning adequately. However, one thing that does concern me, and I am sure concerns many in our community, is that this problem that we are talking about raises its head like a hardy annual at the beginning of every academic year. This is of great concern to us.

It appears to us that this is due to the fact that there is some bureaucrat who obviously is not doing his job properly and is not allocating resources correctly. It is this particular bureaucrat who needs to have his behind kicked, because such inefficiency on his part reflects very poorly on the wonderful work that is being done by the department. [Time expired.]

Mr P NAIDOO: Mr Chairman, the deputy director-general's reply to *The Natal Mercury* is a typical case of behaving the messenger of bad news. I would have expected him to address the issues raised in that editorial.

Hon members must pardon me for being nostalgic, but I cannot help but recount the good old days when efficiency and good planning were the hallmarks of our Department of Education. The

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constraints then, unlike now, were many and forbidding. Unfortunately the department has been reduced to a bumbling behemoth merely going through the motions, whose functionaries are burdened with manufacturing promotion instruments which do not work and retirement packages that prematurely rob our Administration and our children of our best brain power. It is a fact that the quality of the planning and support services from Truro House has steadily deteriorated over the years. [Time expired.]

Mr A RAJBANSI: Mr Chairman, I fully agree with the sentiments expressed by the hon the Minister of Education and Culture. Of course, the general impression that there is a crisis in our education was created as a result of the political arm of that particular portfolio overplaying its role. I sincerely hope that the present hon Minister will rectify this situation.

Mess and crisis there are, but these exist in the minds of very narrow-minded people. Our Department of Education is progressing very well indeed. If one looks at the articles in *The Natal Mercury*, one finds that it is not the work of senior journalists, but of one disgruntled journalist who has a vendetta against the Administration.

Of course, as the hon the Minister has pointed out, in such a massive department, which has 11 000 teachers in its employ, one cannot get 100% efficiency. There are problems. There are cases in which principals may not be doing their jobs properly. [Time expired.]

Mr M RAJAB: Mr Chairman, I cannot agree with the hon member for Arena Park, and I must agree with hon nominated member Mr P Naidoo. There is no doubt whatsoever that what has been reported in the newspapers is in fact correct. One would have expected the hon the Minister to have admitted that. I am not saying that it is her fault—she has just inherited that particular portfolio—but what I am saying is that we should be honest enough to admit that there have been problems.

If we forget what has happened this year and go back over the the past four or five years we will find that every time the schools reopen we have a crisis. The crisis relates to textbooks not being allocated correctly, to teachers not being allocated to schools correctly, and that kind of

resource problem. It is merely a question, as I said, of attending to that particular problem which may be created by an inefficient bureaucrat. [Time expired.]

The MINISTER OF EDUCATION AND CULTURE: Mr Chairman, I thank the hon member for Arena Park for his encouraging remarks.

Since my appointment as Minister of Education and Culture, and specifically in preparation for this interpellation, I have established that textbooks were supplied timeously to the greater majority of schools.

Mr M RAJAB: Why not to all schools? That is not good enough.

The MINISTER: Problems were encountered in a few cases where the intake of pupils in high population growth areas was in excess of the anticipated numbers, for example in the Trenance Park and Rustic Manor areas of Phoenix. Minor problems were also caused by a few titles of books being out of print, and because supplies were being awaited from overseas publishers. These problems have now been resolved.

The so-called surfeit of heads of department resulted, as had been expected, from the department's policy of judicious rationalisation, guidance and counselling, and library resource management. Such heads of department became redundant in a few schools until they could be suitably redeployed in their new subject choices and until they could be accommodated in their areas of residence. This problem has also been successfully resolved.

A few schools, especially in areas away from Durban, for example in the Northern Natal and the Richards Bay areas, had teacher shortages for a day or two. This was owing to newly qualified teachers refusing to take up posts in the outlying areas for one reason or another. Of the 277 qualified teachers, 27 did not take up their posts for various reasons. The problem was further compounded by the fact that 50 married female teachers had to be considered for appointment closer to home. The position was further aggravated by a shortage of junior, primary and other specialist teachers in subjects such as technical drawing and computer science. All these problems have been solved to date.

Mr M RAJAB: You should have told us that at the start!

The MINISTER: It is not true that all classes are overfull. The average pupil-teacher ratio in our schools, despite the fact that we have taken in 7 000-plus Black students this year, stands at an average of 35 pupils per teacher in primary schools. [Time expired.]

Debate concluded.

Resale of expropriated properties

2. Mr A RAJBANSI asked the Minister of Local Government, Housing and Agriculture:

- (1) Whether he or his Department has formulated any policies in respect of the resale of properties expropriated in terms of the Group Areas Act or acquired for purposes for which they are no longer required; if not, why not; if so,

- (2) whether any decision has been taken on how the resale prices of such properties are to be determined; if not, why not; if so, what procedure will be followed in this regard?

80 DAELINT

The MINISTER OF LOCAL GOVERNMENT, HOUSING AND AGRICULTURE: Mr Chairman, the reply to the first part of the question is yes. The department has noted the hon the State President's statement in that regard and it will deal with the disposal of such property in terms of his directive when the department's development strategies are considered for review. Each case will be investigated thoroughly and will be considered on merit.

Furthermore, as hon members of this House will know, provision has been made in the Abolition of Racially Based Land Measures Act, Act 108 of 1991, for the appointment of an advisory commission on land allocation, the objects of which are detailed in section 91 of the said Act. They are, *inter alia*:

... to make recommendations to the State President regarding—

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(a) the identification of land belonging to the State or any State institution and acquired under . . . any law repealed by this Act and which has not yet been developed or allocated for a specific purpose.

Such a commission has been appointed with effect from 1 November 1991 and individuals in the category indicated above, who feel they can justifiably claim to have been disadvantaged under the Group Areas Act, are at liberty to submit a claim to the said commission for appropriate attention according to the procedures and principles which the commission may adopt from time to time.

As the commission is obliged to make recommendations on him to the State President, it is incumbent on him to decide how matters should be dealt with. All of us are fully aware of the fact that this is a very sensitive and emotional issue, having regard to the immeasurable hardships and losses experienced by our people under the inhuman and ruthless application of the Group Areas Act. I am confident that hon members will also appreciate the formidability of the task of investigating and evaluating this complicated issue with compassion and objectivity and of making reasonable, acceptable and just recommendations.

The acceptance by Parliament of the establishment of an advisory commission was, in my view, an acknowledgment by all of us of the very real intricacies and complexities of the issue . . . [Time expired.]

Mr A RAJBANSI: Mr Chairman, if the hon the Minister had studied what has been typed for him to read in this House today, he would have known that the areas under the jurisdiction of the House of Delegates, areas in which we are dealing with the development of residential townships, do not fall under that commission, as was explained to residents of Cato Manor who applied for the restoration of their rights.

We know our Indian community well and we know what our customs are. We do not want a lengthy, drawn-out, laborious procedure. We know who lived in Cato Manor. I do not say property should be given back to everyone, but it should be in circumstances that warrant it.

I want to know what the Ministers' Council has decided. I want to know what our own admin-

HOUSE OF DELEGATES

istration has decided. Let us forget about that commission. It was appointed to deal with another issue, for another purpose. We know the property owners in Cato Manor. Block A falls outside our jurisdiction.

The former Minister of Housing gave the multi-party advisory committee an undertaking that he accepted their advice. However, what we now find in our Ministers' Council, is what Pandit Nehru once called "sommolence after a wonderful soliloquy." Are we going to have some action? Will there be follow-ups? What is happening to our people? Can we not return their property? In Kranskop the Maharaj brothers were told that they could have their property back, but grudgingly, at highly prohibitive prices.

The hon the Minister means well. However, he should not read speeches that are irrelevant to the topic under discussion.

I want to make an appeal to him to give us an answer about prices. The last director-general sent a circular to municipalities saying that if the House of Delegates wanted to buy properties, these properties must be sold to them at the cost of services. [Time expired.]

Mr N SINGH: Mr Chairman, I want to agree with the hon member for Arena Park when he says that the hon the Minister did not fully answer the question as placed on the Order Paper.

The hon the Minister has confined himself to one aspect only. I want to deal with the aspect of land acquired for purposes for which it is no longer required. This land was acquired by the Administration: House of Delegates. This is not land that was taken away in terms of the Group Areas Act. It is in this regard that I think the Ministers' Council should formulate some kind of policy.

It is common knowledge that there are acres and acres of land in various constituencies which have been acquired by the Administration: House of Delegates, for the purpose of building schools or other public institutions. These properties are no longer required. Circumstances have changed to such an extent that we have been overtaken by events. The hon the Minister must inform this House of the type of policy his department is formulating with regard to either the selling or leasing of this land. [Time expired.]

The DEPUTY MINISTER OF LOCAL GOVERNMENT, HOUSING AND AGRICULTURE: Mr Chairman, the hon member for Arena Park was waxing eloquent, and I compliment him on that. However, that hon member and I have been fighting this cause for a very long time. Unfortunately we are now sitting on opposite sides. [Interjections.]

Mr A RAJBANSI: But we have no common grounds!

The DEPUTY MINISTER: I do not know whether those common grounds belong to the old Group Areas Act or not.

It is a pity that my colleague the hon the Minister of Local Government, Housing and Agriculture was attacked when he was unable to complete his reply. I am sure that when he gets a further opportunity to speak, he will complete his reply. It is not merely a type-written reply. He has the facts and I am sure he is well aware of what to do and how to do it. With the assistance of hon members of this House, we will be able to resolve some of the outstanding issues.

Mr H M NEERAHO: Mr Chairman, I wish to come back to the restoration of properties in our areas.

At our last meeting with the hon the Minister, we were given to understand that certain pieces of land which had been earmarked for certain purposes were not utilised by the department. We went back to our constituencies and found these properties. We then sent this information to the department. Four months have since passed, and to date we have not received a reply. We do not know what exactly happened to those properties.

We have another problem with the reallocation of land. The officials say they need the approval of the board. I want to know from the hon the Minister who the boss is. Is it the hon the Minister or is it the Housing Development Board? According to the officials, the hon the Minister is the chairman of the board. [Time expired.]

Mr A RAJBANSI: Mr Chairman, I have made reference previously to an instruction given to municipalities by the director-general, who is now the hon the Chairman of the Ministers'

Council, that in resettlement cases municipalities should sell properties to the House of Delegates at cost as at the date on which the services were provided. If a property costs R4 million today, it should be sold at R30 000.

The hon the Minister means well. He is a good Minister, but I notice his deputy disagreed with him during the first debate. Nevertheless, we require action. I am sure the hon the Minister is going to get inputs from hon members of Parliament. Let us put things right. The NP let us down. The House of Assembly owns all the land. Even now they do not want to say yes to the Indian community, but we shall deal with them in the elections.

The hon the Minister is not a member of the NP. He is not bound by the caucus. He should do what his conscience tells him. We want him to take a decision in respect of the land owned. Anybody who says the Housing Development Board is supreme—even if he is a member of the Ministers' Council—is talking rubbish! It is because of this negative mentality that the Housing Development Board is taking decisions in accordance . . . [Time expired.]

The MINISTER OF LOCAL GOVERNMENT, HOUSING AND AGRICULTURE: Mr Chairman, I want to thank all hon members for their contributions regarding this very sensitive issue. It is not the first time that this issue has come up for discussion. This issue has been debated ad nauseam, and hon members are fully aware of its implications.

The hon member for Arena Park referred to the Housing Development Board. He is aware of the recent problems that we have had. We have to define absolute and distinct guidelines that will serve the very purpose for which we are here. If the board now decides it should be the sole custodian, then Parliament has no say. How will Parliament ever be able to . . .

Mr A RAJBANSI: Are you going to tell them you are the boss? Yes or no?

The MINISTER: The Minister is the boss!

HON MEMBERS: Hear, hear!

Mr A RAJBANSI: Long live this Minister! [Interjections.]

HOUSE OF DELEGATES

The MINISTER: I agree with the hon member for Arena Park. Let us take the particular case of the Maharaj brothers in Kranskop. Thirteen years ago land was bought for the purpose of establishing homes. To this day no homes have been built. Naturally that land should revert to its original owners, because it was not used for the purpose for which it was bought.

Mr S PACHAI: What did the local MP for that constituency do? *(80)* *(80)* *(80)* *(80)*

The MINISTER: The hon member for Natal Midlands has asked me a pertinent question. I like the way he smiles. [Interjections.] Between us he and I were able to save that land. The hon the Leader of the Official Opposition is also fully aware of this. Documentation for the building projects was ready just when the Group Areas Act was repealed. [Time expired.]

Debate concluded.

QUESTIONS

†Indicates translated version.

For oral reply:

Own Affairs:

Resettlement: application from certain family

1. Mr A RAJBANSI asked the Minister of Local Government, Housing and Agriculture:

- (1) Whether his Department received an application for resettlement from a certain family, whose name has been furnished to the Minister's Department for the purpose of his reply; if so, (a) when, (b) in respect of what property and (c) what is the name of this family;

- (2) whether the application referred to above is connected with property acquired in terms of the Group Areas Act; if so, what are the relevant details? D6E

(80) *(175)*
The MINISTER OF LOCAL GOVERNMENT, HOUSING AND AGRICULTURE:

- (1) Yes.

- (a) On 19 January 1989.

HOUSE OF DELEGATES

Trading sites: sale at 50% of value

*2. Mr A RAJBANSI asked the Minister of Local Government, Housing and Agriculture:

Whether he or the Ministers' Council in the House of Delegates has decided to sell trading sites at 50 per cent of their value; if so, (a) when and (b) why? *(D7E)*

The MINISTER OF LOCAL GOVERNMENT, HOUSING AND AGRICULTURE:

No.

- (a) Falls Away.

- (b) Falls Away.

Mr A RAJBANSI: Mr Chairman, arising out of the hon the Minister's reply, since he has stated that the answer is no, is he prepared to check the minutes of the meeting of the Housing Development Board to ascertain that the last director-general, who is now Chairman of the Ministers' Council, conveyed the resolution of the Ministers' Council to the board, and that it is minuted accordingly?

The MINISTER: Mr Chairman, I will cross-check those minutes.

Mr P NAIDOO: Mr Chairman, further arising out of the hon the Minister's reply, I would like to know whether it is the policy of the NP that all State assets should only be alienated by an interim government of national unity?

The MINISTER: Mr Chairman, I am now being asked to answer a question about national politics. In my own mind, no matter whom we belong to, we have been oppressed. There are issues in terms of all the discriminatory legislation which have to be addressed as far as the Indian community is concerned, and therefore, even if we have only one hour left, we should do our utmost to see to it that those issues are addressed.

Mr M RAJAB: Mr Chairman, if I heard the hon member correctly, he wanted to know from the hon the Minister what the attitude of the NP would be. The hon the Minister went ahead and replied. Arising out of that, I would like to ask the hon the Minister when he changed his allegiance?

The MINISTER: I am quite prepared to answer that if that hon member has any more information about allegiance. [Interjections.] I have not changed my allegiance. I am independent.

Phoenix: development of a hospital

*6. Mr A SINGH asked the Minister of Health Services and Welfare:

- (1) Whether his Department is giving consideration to the development of a hospital in Phoenix; if not, why not, if so, what is being envisaged in this regard;

- (2) whether he will make a statement on the matter? *(D17E)*

The MINISTER OF HEALTH SERVICES AND WELFARE:

- (1) Yes. The planning of a 500 bed hospital is being proceeded with. Negotiations are at an advanced stage.

- (2) No.

Mr A RAJBANSI: Mr Chairman, arising out of the hon the Deputy Minister's reply, is he aware that the first Minister's Council of this House obtained Cabinet approval in this regard? I also want to know why they have not pressurised the Treasury for funds over the years?

The DEPUTY MINISTER: Mr Chairman, the hon member for Arena Park is quite correct. Such approval was obtained by the previous Ministers' Council, but unfortunately I cannot vouch for the Ministers' Council of my previous party.

Richards Bay: single-sex village for contract workers

*3. Mr M RAJAB asked the Minister of Local Government, Housing and Agriculture:

Whether his Department has concluded an agreement with a certain company at Richards Bay, the name of which has been furnished to the Minister's Department for the purpose of his reply, concerning plans to build a single-sex village for approximately 4 000 contract workers at that town; if so, (a) when was the agreement finalised, (b) by

HOUSE OF DELEGATES

Aim is nine years at school for all children

KAREN MacGREGOR
Weekend Argus Reporter

50
ARG 13/3/93

FREE and compulsory education for all South African children for nine years rather than the present 12 has been proposed by the National Education Coordinating Committee.

It suggests in a report future generations get a school leaving qualification after nine years, followed by two years of optional schooling.

Compulsory education for all would consist of about seven years at basic primary level and two years at "middle" school, and would be conducted in a "mother tongue".

"This would be all the formal education many are likely to receive," according to the Framework Report. "Thereafter schooling will probably not be compulsory, nor necessarily fully subsidized."

Post compulsory schooling would be more selective and streamed for ability and interest. But to ensure children had equal opportunity to enter these schools, there could be national quotas, an "equity budget", a differential funding formula and guidance services for rural and township schools.

The report is the result of nearly two years of NECC commissioned work. It has involved more than 12 research projects in major educational sectors.

Basic schooling, according to the report, should stick to a common curriculum and differences between schools should be minimized in the interests of equality and level attainment. The only difference between "junior" schools would be the language of instruction, which would be in the mother tongue. After compulsory schooling, instruction would be in one or at the most two languages.

The report recommends the two final years of non-compulsory schooling should be varied — though with a common core curriculum — in order to lay the foundation for specialized training. It would be crucial that these school years be geared towards the tertiary sectors.

In post-secondary education, the committee proposed doing away with inefficient and inequitable divisions between sectors, and favoured equivalent funding and greater mobility between institutions — planning education on a regional basis.

LAND

(80) (80)

Tricky transfers

Fm 26/3/93

As with every other attempt to right the wrongs of the past, compensation is not always straightforward and fair. The proposed transfer of expropriated land back to its rightful owners is no exception.

The reality for thousands of South Africans who have lodged claims with the government-appointed Advisory Commission on Land Allocation is that their land will never be given back. They include about 40 000 Cato Manor, Durban, families whose homes were bulldozed when the area was declared white in 1958. The 2 000 ha were allocated for the development of housing and therefore

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Fm 26/3/93

(80) (80)

cannot be dealt with by the commission.

According to a statement by President F W de Klerk at the end of 1991, people who were deprived of properties under the Group Areas Act will be able to claim them provided they have not been developed or allocated for other uses.

The appointment of the seven-man commission, headed by Mr Justice McCreath, followed the Abolition of Racially Based Land Measures Act in 1991.

The ruling affecting the Cato Manor group may be only the tip of the iceberg. Thousands of claims have reached the commission but it is not clear how many fall outside its jurisdiction.

About 40 cases — each involving from two to 150 claimants — are being dealt with in Pretoria. Most of them fall within the ambit of the commission — that is, if the land is still available — and have apparently been successful.

There appears to be another problem. According to Victims of the Group Areas Act chairman Celvan Naiken the various "own affairs" administrations, particularly the House of Delegates and the House of Assembly, may be selling back land without consulting the commission.

"I believe a lot of properties are being offered to their original owners in Seaview, Durban — for about R55 000 each — by the House of Assembly. I also believe that the House of Delegates is negotiating to give back 40 properties in Roodepoort. They should be working through the commission which may give back properties at a much cheaper rate."

Tying up the loose ends of apartheid is going to be a long and complicated business. ■

Apartheid land laws listed for scrapheap

CAPE TOWN — A list of 86 laws that must be scrapped or amended to remove all vestiges of apartheid in legislation on land rights has been drawn up by the advisory committee on nonracial area measures.

The committee, which was established to advise the President on making land rights accessible to everyone, will channel the relevant legislation, accompanied by a recommendation, to him. (80) (80)

The committee said in its first annual report, tabled in Parliament yesterday, that the information document was a provisional list of primary and secondary legislation that might have to be repealed, amended or adjusted. (80) (80)

"The list identifies 86 laws, which are administered by 21 state departments, for further investigation."

The committee, which had its first meeting in March last year, was set up under the 1991 Abolition of Racially Based Land Measures Act to advise the President on how to exercise the power the same Act gave him to readjust matters in a nonracial manner.

As part of the initiative, the land reform cornerstone was laid in the Abolition of Racially Based Land Measures Act of 1991, which envisages that the whole of the statute book be purged of racist provisions governing the acquisition or exercise of rights to land.

In terms of the Act, President F W de Klerk was vested with the rights to readjust certain matters and the committee established to advise him.

The laws identified by the committee affect 21 state departments and also involve ordinary laws which may have to be adjusted to comply with prescribed requirements. Most laws relate to urban areas and deal with, among others, township establishment, town planning and land registration.

The report also contains details of legislation already reviewed and deals with the repeal of the remaining provisions of the Development Trust and Land Act, and the accompanying abolition of the SA Development Trust from today.

The deadline for the completion of the advisory commission's task is December 31 next year.

Copies of the report are available at the Justice Department's head office in Pretoria. — Sapa.

Star 114193

Land laws to be brought in line

CAPE TOWN — A list of 86 laws that have to be scrapped or amended to remove the last vestiges of apartheid in legislation on land rights has been drawn up by the Advisory Committee on Non-Racial Area Measures.

The committee said in its first annual report tabled in Parliament yesterday that the information document was a provisional list of primary and secondary legislation that might have to be repealed, amended or adjusted. — Sapa.

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PRETORIA, 2 APRIL 1993

No. 14688

PROCLAMATION

by the
State President
of the Republic of South Africa

No. R. 23, 1993

AMENDMENT OF THE BLACK AREAS LAND REGULATIONS, 1969 (PROCLAMATION No. R. 188 OF 1969)

Under the powers vested in me by section 87 (1) of the Abolition of Racially Based Land Measures Act, 1991 (Act No. 108 of 1991), I hereby amend the Black Areas Land Regulations, 1969 (Proclamation No. 188 of 1969), as set out in the accompanying Schedule.

Given under my Hand and the Seal of the Republic of South Africa at Cape Town this Ninth day of March, One thousand Nine hundred and Ninety-three.

F. W. DE KLERK,
State President.

By Order of the State President-in-Cabinet:

J. DE VILLIERS,
Minister of the Cabinet.

SCHEDULE

Amendment of section 1 of Proclamation No. R. 188 of 1969, as amended by Proclamation No. R. 16 of 1976

1. Section 1 of the Black Areas Land Regulations, 1969 (hereinafter referred to as the principal Proclamation), is hereby amended—

(a) by the insertion before the definition of "Annexure" of the following definition:

" 'Administrator' means the Administrator of a province acting in consultation with the other members of the Executive Committee for that province;";

98374—A

PROKLAMASIE

van die
Staatspresident
van die Republiek van Suid-Afrika

No. R. 23, 1993

WYSIGING VAN DIE REGULASIES BETREFFENDE GROND IN SWART GEBIEDE, 1969 (PROKLAMASIE No. R. 188 VAN 1969)

Kragtens die bevoegdheid my verleen by artikel 87 (1) van die Wet op die Afskaffing van Rasgebaseerde Grondreëlings, 1991 (Wet No. 108 van 1991), wysig ek hierby die Regulasies betreffende Grond in Swart Gebiede, 1969 (Proklamasie No. R. 188 van 1969), soos in die bygaande Bylae aangedui.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad, op hede die Negende dag van Maart Eenduisend Negehoenderd Drie-en-negentig.

F. W. DE KLERK,
Staatspresident.

Op las van die Staatspresident-in-Kabinet:

J. DE VILLIERS,
Minister van die Kabinet.

BYLAE

Wysiging van artikel 1 van Proklamasie No. R. 188 van 1969, soos gewysig deur Proklamasie No. R. 16 van 1976

1. Artikel 1 van die Regulasies betreffende Grond in Swart Gebiede, 1969 (hieronder die Hoofproklamasie genoem), word hierby gewysig—

(a) deur na die omskrywing van "Aanhangsel" die volgende omskrywing in te voeg:

" 'Administrateur' die Administrateur van 'n provinsie handelende in oorleg met die ander lede van die Uitvoerende Komitee vir daardie provinsie;";

14688—1

- (b) by the substitution for the definition of "arable allotment" of the following definition:

80'
 " 'arable allotment' means land held by a person in terms of these regulations for the production of crops or fruit or both;";

- (c) by the deletion of the definitions of "arable lot", "Black", "Commissioner", "Black areas", "Black Taxation Act", "Development Trust Act", "betterment area" and "Chapter";

- (d) by the insertion after the definition of "chief" of the following definition:

" 'Director-General' means the Director-General of a provincial administration, or any officer of that provincial administration authorised in writing by the Director-General to act on his behalf;";

- (e) by the deletion of the definitions of "Chief Commissioner", "church lot" and "farming lot";

- (f) by the insertion after the definition of "headman" of the following definition:

" 'Land Officer' means any officer of a provincial administration designated in writing by the Director-General concerned as a Land Officer, or any officer of that provincial administration acting in the post of any such officer;";

- (g) by the deletion of the definitions of "holder", "Minister", "minor", "mission reserve", "non-beneficial occupation", "owner", "quitrent title" and "registrar";

- (h) by the substitution for the definition of "registered" of the following definition:

" 'registered' means registered in an allotments register;";

- (i) by the deletion in the definition of "registered holder" of the words "quitrent title or";

- (j) by the deletion of the definition of "released areas";

- (k) by the substitution for the definition of "residential allotment" of the following definition:

" 'residential allotment' means land held by a person in terms of these regulations for residential purposes;";

- (l) by the deletion of the definitions of "residential lot", "scheduled areas", "Secretary", "site", "surveyed beacon", "surveyor-general", "township", "trading lot" and "Transkei Constitution Act";

- (m) by the insertion before the definition of "trading allotment" of the following definition:

" 'State land' means land transferred to the Minister of Regional and Land Affairs in terms of paragraph 1 (e) of Proclamation No. R. 28 of 1992, but excludes any land—

- (a) situate in any area declared under the Self-governing Territories Constitution Act, 1971 (Act No. 21 of 1971), to be a self-governing territory within the Republic;

- (b) deur die omskrywings van "afgesonderde gebiede", "Swarte", "Swart Belasting Wet", "Swart gebiede", "Kommissaris", "Ontwikkelingstrust Wet", "besitter" en "bewerkbare erf" te skrap;

- (c) deur die omskrywing van "bewerkbare perseel" deur die volgende omskrywing te vervang:

" 'bewerkbare perseel' grond wat ingevolge hierdie regulasies deur 'n persoon besit word vir die produksie van gewasse of vrugte of albei;";

- (d) deur na die omskrywing van "bewerkbare perseel" die volgende omskrywing in te voeg:

" 'Direkteur-generaal' die Direkteur-generaal van 'n provinsiale administrasie, of 'n beampte van daardie provinsiale administrasie wat skriftelik deur die Direkteur-generaal gemagtig is om namens hom op te tree;";

- (e) deur die omskrywings van "dorp", "eienaar" en "erfpagtitel" te skrap;

- (f) deur na die omskrywing van "formele kennisgewing" die volgende omskrywing in te voeg:

" 'geregistreer' in 'n perseleregister geregistreer;";

- (g) deur in die omskrywing van "geregistreeerde besitter" die woorde "erfpagtitel of" te skrap;

- (h) deur die omskrywings van "grondaktekantoor" en "handelserf" te skrap;

- (i) deur voor die omskrywing van "handelsperseel" die volgende omskrywing in te voeg:

" 'Grondbeampte 'n beampte van 'n provinsiale administrasie wat skriftelik deur die betrokke Direkteur-generaal as 'n Grondbeampte aangewys is, of 'n beampte van daardie provinsiale administrasie wat in die pos van so 'n beampte waarneem;";

- (j) deur die omskrywings van "Hoofkommissaris", "Hoofstuk", "kerkerf", "landbouhoewe", "landmeter-generaal", "minderjarige", "Minister", "onvoordelige okkupasie", "oopgestelde gebiede" en "opgemete baken" te skrap;

- (k) deur die omskrywings van "registrateur", "registreer", "Sekretaris" en "sendingreserwe" te skrap;

- (l) deur voor die omskrywing van "stam- of gemeenskapsowerheid" die volgende omskrywing in te voeg:

" 'Staatsgrond' grond wat ingevolge paragraaf 1 (e) van Proklamasie No. R. 28 van 1992 aan die Minister van Streek- en Grondsake oorgedra is, maar nie ook enige grond nie—

- (a) wat geleë is in 'n gebied wat kragtens die Grondwet van die Selfregerende Gebiede, 1971 (Wet No. 21 van 1971), tot 'n selfregerende gebied binne die Republiek verklaar is;

(b) contemplated in paragraph (b) or (c) of the definition of 'tribal land' in section 1 (1) of the Upgrading of Land Tenure Rights Act, 1991 (Act No. 112 of 1991); or

(c) which has been declared an irrigation scheme or has been established or is deemed to have been established as a township or town under a provision of any law;"; and

(n) by the deletion of the definitions of "Trust" and "Trust land".

Repeal of sections 2 and 3 of Proclamation No. R. 188 of 1969

2. Sections 2 and 3 of the principal Proclamation are hereby repealed.

Amendment of section 4 of Proclamation No. R. 188 of 1969

3. Section 4 of the principal Proclamation is hereby amended—

(a) by the substitution in subsection (1) for the expression "subsections (2) to (4)" of the expression "subsection (2)"; and

(b) by the deletion of subsections (3) and (4).

Repeal of sections 5 to 9 of Proclamation No. R. 188 of 1969

4. Sections 5 to 9 of the principal Proclamation are hereby repealed.

Amendment of section 10 of Proclamation No. R. 188 of 1969, as amended by Proclamation No. R. 84 of 1971

5. Section 10 of the principal Proclamation is hereby amended—

(a) by the deletion in subsection (1) of the expression "the State,"; and

(b) by the insertion in subsection (2) after the expression "subsection (1)" of the expression "or the Minerals Act, 1991 (Act No. 50 of 1991)".

Repeal of sections 12 to 46 of Proclamation No. R. 188 of 1969, as amended by Proclamation No. R. 95 of 1974

6. Sections 12 to 46 of the principal Proclamation are hereby repealed.

Amendment of section 47 of Proclamation No. R. 188 of 1969

7. Section 47 of the principal Proclamation is hereby amended—

(a) by the deletion in paragraph (a) of subsection (1) of the words "in any Black area" and the expression "section 18 of the Development Trust Act, read with";

(b) wat beoog word in paragraaf (b) of (c) van die omskrywing van 'stamgrond' in artikel 1 (1) van die Wet op die Opgradering van Grondbesitregte, 1991 (Wet No. 112 van 1991); of

(c) wat kragtens die een of ander wetsbepaling tot 'n besproeiingskema verklaar is of as 'n dorp gestig is of geag word as 'n dorp gestig te gewees het;";

(m) deur die omskrywings van "terrein", "Transkeise Grondwet", "Trust", "Trustgrond", "verbeteringsgebied" en "woonerf" te skrap; en

(n) deur die omskrywing van "woonperseel" deur die volgende omskrywing te vervang:

"'woonperseel' grond wat ingevolge hierdie regulasies deur 'n persoon besit word vir woondoeleindes."

Herroeping van artikels 2 en 3 van Proklamasie No. R. 188 van 1969

2. Artikels 2 en 3 van die Hoofproklamasie word hierby herroep.

Wysiging van artikel 4 van Proklamasie No. R. 188 van 1969

3. Artikel 4 van die Hoofproklamasie word hierby gewysig—

(a) deur in subartikel (1) die uitdrukking "subartikels (2) tot (4)" deur die uitdrukking "subartikel (2)" te vervang; en

(b) deur subartikels (3) en (4) te skrap.

Herroeping van artikels 5 tot 9 van Proklamasie No. R. 188 van 1969

4. Artikels 5 tot 9 van die Hoofproklamasie word hierby herroep.

Wysiging van artikel 10 van Proklamasie No. R. 188 van 1969, soos gewysig deur Proklamasie No. R. 84 van 1971

5. Artikel 10 van die Hoofproklamasie word hierby gewysig—

(a) deur in subartikel (1) die uitdrukking "die Staat," te skrap; en

(b) deur in subartikel (2) die uitdrukking "in subartikel (1)" deur die uitdrukking "van subartikel (1) of die Mineraalwet, 1991 (Wet No. 50 van 1991)" te vervang.

Herroeping van artikels 12 tot 46 van Proklamasie No. R. 188 van 1969, soos gewysig deur Proklamasie No. R. 95 van 1974

6. Artikels 12 tot 46 van die Hoofproklamasie word hierby herroep.

Wysiging van artikel 47 van Proklamasie No. R. 188 van 1969

7. Artikel 47 van die Hoofproklamasie word hierby gewysig—

(a) deur in paragraaf (a) van subartikel (1) die woorde "in enige Swart gebied" en die uitdrukking "artikel 18 van die Ontwikkelingstrust Wet gelees met" te skrap;

- (b) by the substitution in paragraph (b) of the said subsection (1) for the words "issue in lieu thereof" of the words "granting in lieu thereof of ownership or any other real right or the issue in lieu thereof";
- (c) by the insertion in subsection (2) after the word "law" of the expression "or after the commencement of the Land Regulations Amendment Proclamation, 1992, in terms of these regulations";
- (d) by the deletion in paragraph (b) of the said subsection (2) of the words "or to persons of a particular race or category";
- (e) by the insertion in paragraph (b) of subsection (3) after the word "with" of the words "the community residing in the area concerned or with";
- (f) by the insertion after the said subsection (3) of the following subsection:

"(3A) Notwithstanding anything to the contrary in these regulations contained—

- (a) no permission to occupy any portion of a piece of land for arable or residential purposes shall be issued after the commencement of the Land Regulations Amendment Proclamation, 1992, unless a similar permission has already been issued prior to that commencement in respect of such piece of land;
- (b) an allotment made in terms of section 49 (1) immediately prior to that commencement in respect of a piece of land for which no permission to occupy may be issued in terms of paragraph (a) shall, after that commencement, be dealt with in accordance with the provisions of the State Land Disposal Act, 1961 (Act No. 48 of 1961);
- (c) no permission to occupy land for purposes other than the purposes referred to in paragraph (a) shall, save as is otherwise provided in subsection (1) (b) or section 58 (5) (b), be issued after that commencement."

- (g) by the deletion of subsection (4); and
- (h) by the deletion in subsection (5) of the words "within a Black area".

Amendment of section 48 of Proclamation No. R. 188 of 1969

8. Section 48 of the principal Proclamation is hereby amended—

- (a) by the insertion in paragraph (a) of subsection (2) after the word "any", where it occurs for the first time, of the expression "community residing in the area concerned,";
- (b) by the deletion in the said paragraph (a) of the word "Black";

- (b) deur in paragraaf (b) van genoemde subartikel (1) na die woord "daarvan", waar dit die eerste keer voorkom, die woorde "eiendomsreg of 'n ander saaklike reg verleen word of" in te voeg;
- (c) deur in subartikel (2) na die woord "wetsbepaling" die uitdrukking "of na die inwerkingtreding van die Wysigingsproklamasie op die Grondregulasies, 1992, ingevolge hierdie regulasies" in te voeg;
- (d) deur in paragraaf (b) van genoemde subartikel (2) die uitdrukking, "of aan persone van 'n bepaalde ras of klas", te skrap;
- (e) deur in paragraaf (b) van subartikel (3) na die woord "met", waar dit die eerste keer voorkom, die woorde "die gemeenskap wat in die betrokke gebied woon of met" in te voeg;
- (f) deur na genoemde subartikel (3) die volgende subartikel in te voeg:

"(3A) Ondanks andersluidende bepalings van hierdie regulasies—

- (a) word geen vergunning om 'n gedeelte van 'n stuk grond vir bewerkings- of woondoeleindes te okkupeer na die inwerkingtreding van die Wysigingsproklamasie op die Grondregulasies, 1992, uitgereik nie, tensy 'n soortgelyke vergunning reeds voor daardie inwerkingtreding ten opsigte van sodanige stuk grond uitgereik is;
- (b) word 'n toewysing wat onmiddellik voor daardie inwerkingtreding ingevolge artikel 49 (1) gemaak is ten opsigte van 'n stuk grond waarvoor geen vergunning tot okkupasie ingevolge paragraaf (a) uitgereik mag word nie, na daardie inwerkingtreding ooreenkomstig die bepalings van die Wet op die Beskikking oor Staatsgrond, 1961 (Wet No. 48 van 1961), afgehandel;
- (c) word, behalwe vir sover subartikel (1) (b) of artikel 58 (5) (b) anders bepaal, geen vergunning om grond te okkupeer vir ander doeleindes as die doeleindes in paragraaf (a) bedoel na daardie inwerkingtreding uitgereik nie."

- (g) deur subartikel (4) te skrap; en
- (h) deur in subartikel (5) die woorde "in enige Swart gebied" te skrap.

Wysiging van artikel 48 van Proklamasie No. R. 188 van 1969

8. Artikel 48 van die Hoofproklamasie word hierby gewysig—

- (a) deur in paragraaf (a) van subartikel (2) na die woord "enige" die uitdrukking "gemeenskap wat in die betrokke gebied woon," in te voeg;
- (b) deur in genoemde paragraaf (a) die woord "Swart" te skrap;

- (c) by the addition to paragraph (a) of subsection (3) of the following proviso:

“: Provided that the provisions of this paragraph shall not be construed as prohibiting the Land Officer, if so requested by the Administrator, from—

(aa) causing any arable or residential area to be surveyed and causing a diagram and general plan to be prepared; and

(bb) causing such diagram or general plan to be submitted to the Surveyor-General for his approval;”;

- (d) by the substitution in paragraph (c) of the said subsection (3) for the words “in such area of Trust land” of the words “on such State land”; and

- (e) by the deletion in subsection (4) of the words “from Trust funds”.

Amendment of section 49 of Proclamation No. R. 188 of 1969, as amended by Proclamation No. R. 101 of 1979

9. Section 49 of the principal Proclamation is hereby amended—

(a) by the insertion in subsection (1) after the word “with” of the words “the community residing in the area concerned or”;

(b) by the deletion in the said subsection (1) of the words “within the area in such Black area” and the words “of such Black area”;

(c) by the substitution in paragraph (b) of the said subsection (1) for the word “Black”, where it occurs for the first time, of the word “person”;

(d) by the substitution in the said paragraph (b) for the expression “male head of a Black family, or the female head of any such family” of the words “head of a family”;

(e) by the deletion of paragraph (c) of the said subsection (1); and

(f) by the deletion in subsection (3) of the words “or body”.

Repeal of section 51 of Proclamation No. R. 188 of 1969

10. Section 51 of the principal Proclamation is hereby repealed.

Amendment of section 52 of Proclamation No. R. 188 of 1969

11. Section 52 of the principal Proclamation is hereby amended by the substitution in subsection (1) for the expression “in terms of section 51” of the words “by the relevant holder”.

Amendment of section 53 of Proclamation No. R. 188 of 1969

12. Section 53 of the principal Proclamation is hereby amended—

(a) by the deletion in subsection (2) of the word “Black”, where it occurs for the first time;

(b) by the substitution in paragraph (a) of the said subsection (2) for the words “Black law and custom” of the words “indigenous law or customs”;

- (c) deur die volgende voorbehoudsbepaling by paragraaf (a) van subartikel (3) te voeg:

“: Met dien verstande dat die bepalings van hierdie paragraaf nie so uitgelê word nie dat dit die Grondbeampte verbied om, indien aldus deur die Administrateur versoek—

(aa) 'n bewerkbare of woongebied te laat opmeet en 'n kaart en algemene plan te laat opstel; en

(bb) so 'n kaart of algemene plan aan die Landmeter-generaal vir sy goedkeuring te laat voorlê;”;

- (d) deur in paragraaf (c) van genoemde subartikel (3) die woorde “in sodanige Trustgebied” deur die woorde “op sodanige Staatsgrond” te vervang; en

- (e) deur in subartikel (4) die woorde “uit Trustfondse” te skrap.

Wysiging van artikel 49 van Proklamasie No. R. 188 van 1969, soos gewysig deur Proklamasie No. R. 101 van 1979

9. Artikel 49 van die Hoofproklamasie word hierby gewysig—

(a) deur in subartikel (1) na die woord “met”, waar dit die eerste keer voorkom, die woorde “die gemeenskap wat in die betrokke gebied woon of” in te voeg;

(b) deur in genoemde subartikel (1) die woorde “in die grondgebied in sodanige Swart gebied” en die woorde “van sodanige Swart gebied” te skrap;

(c) deur in paragraaf (b) van genoemde subartikel (1) die woord “Swarte”, waar dit die eerste keer voorkom, deur die woord “persoon” te vervang;

(d) deur in genoemde paragraaf (b) die woorde “manlike hoof van 'n Swart familie of die vroulike hoof van enige sodanige familie” deur die woorde “hoof van 'n familie” te vervang;

(e) deur paragraaf (c) van genoemde subartikel (1) te skrap; en

(f) deur in subartikel (3) die woorde “of liggaam” te skrap.

Herroeping van artikel 51 van Proklamasie No. R. 188 van 1969

10. Artikel 51 van die Hoofproklamasie word hierby herroep.

Wysiging van artikel 52 van Proklamasie No. R. 188 van 1969

11. Artikel 52 van die Hoofproklamasie word hierby gewysig deur in subartikel (1) die uitdrukking “ingevolge artikel 51” deur die woorde “deur die betrokke besitter” te vervang.

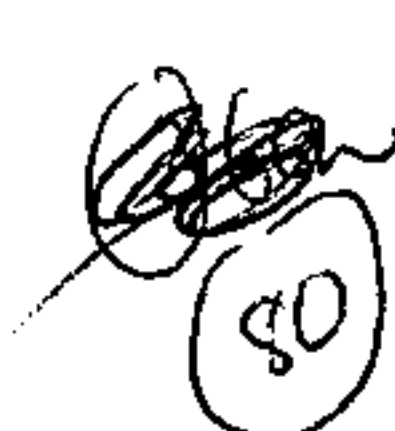
Wysiging van artikel 53 van Proklamasie No. R. 188 van 1969

12. Artikel 53 van die Hoofproklamasie word hierby gewysig—

(a) deur in subartikel (2) die woord “Swart”, waar dit die eerste keer voorkom, te skrap;

(b) deur in paragraaf (a) van genoemde subartikel (2) die woorde “Swart reg en gebruik” deur die woorde “inheemse reg of gebruike” te vervang;

- (c) by the deletion of paragraph (c) of the said subsection (2);
- (d) by the deletion in subsection (3) of the words "eligible or" and the words "who is not disqualified in terms of these regulations from holding such allotment";
- (e) by the substitution in paragraph (a) of the said subsection (3) for the words preceding the proviso of the following words:

 "allot the land in question to heir of the deceased registered holder or, if any such holder is a Black, to the senior heir determined in accordance with the order of precedence indicated in the applicable Table of Succession set out in Annexure 24 or, where the tables in question are not applicable, to the senior heir determined in accordance with indigenous law or customs";

- (f) by the deletion in the said paragraph (a) of the words "disqualified from holding it or";
- (g) by the deletion in paragraph (b) of the said subsection (3) of the word "male";
- (h) by the substitution for subsection (4) of the following subsection:

"(4) When calling for applications under subsection (3) the Land Officer shall give such notice, convene such public meetings or take such other steps as he may in the circumstances of the case consider appropriate.";
- (i) by the substitution in subsection (6) for the words "demarcated and beacons" of the words "surveyed or demarcated" and
- (j) by the insertion in the said subsection (6) after the word "so" of the words "surveyed or".

Amendment of section 54 of Proclamation No. R. 188 of 1969

13. Section 54 of the principal Proclamation is hereby amended by the addition of the following subsection:

- "(3) The provisions of this section shall not be construed as prohibiting the Land Officer, if so requested by the Administrator, from—
- (a) causing the land in question to be surveyed and causing a diagram and general plan to be prepared; and
 - (b) causing such diagram or general plan to be submitted to the Surveyor-General for his approval."

Amendment of section 55 of Proclamation No. R. 188 of 1969—

14. Section 55 of the principal Proclamation is hereby amended—

- (a) by the deletion in subsection (1) of the words "in whose area of jurisdiction any Trust land is situate" and the words "by him";
- (b) by the substitution in the Afrikaans text of subsection (2) for the word "regsgebied" of the word "gebied";

- (c) deur paragraaf (c) van genoemde subartikel (2) te skrap;

- (d) deur in subartikel (3) die woorde "bevoeg en" en die woorde "wat nie ingevolge hierdie regulasies onbevoeg is om in besit van sodanige perseel te wees nie" te skrap;

- (e) deur in paragraaf (a) van genoemde subartikel (3) die woorde wat die voorbehoudsbepaling voorafgaan deur die volgende woorde te vervang:

"wys die Grondbeampte die betrokke grond toe aan die erfgenaam van die oorlede geregistreerde besitter of, indien so 'n besitter 'n Swarte is, aan die senior erfgenaam wat bepaal word ooreenkomstig die voorrangorde aangedui in die toepaslike Erfopvolgingstabel wat in Aanhangel 24 uiteengesit is of, waar die betrokke tabelle nie van toepassing is nie, aan die senior erfgenaam wat ooreenkomstig inheemse reg of gebruike bepaal word";

- (f) deur in genoemde paragraaf (a) die woorde "onbevoeg is om dit te besit of" te skrap;

- (g) deur in paragraaf (b) van genoemde subartikel (3) die woord "manlike" te skrap;

- (h) deur subartikel (4) deur die volgende subartikel te vervang:

"(4) By aanvraging van aansoeke kragtens subartikel (3) moet die Grondbeampte die kennis gee, die openbare vergaderings belê of die ander stappe doen wat hy in die omstandighede van die geval gepas ag.";

- (i) deur in subartikel (6) die woorde "met bakens" deur die woorde "opgemeet of" te vervang; en

- (j) deur in genoemde subartikel (6) na die woord "aldus" die woorde "opgemeet of" in te voeg.

Wysiging van artikel 54 van Proklamasie No. R. 188 van 1969

13. Artikel 54 van die Hoofproklamasie word hierby gewysig deur die volgende subartikel by te voeg:

"(3) Die bepalings van hierdie artikel word nie so uitgelê nie dat dit die Grondbeampte verbied om, indien aldus deur die Administrateur versoek—

- (a) die betrokke grond te laat opmeet en 'n kaart en algemene plan te laat opstel; en

- (b) so 'n kaart of algemene plan aan die Landmeter-generaal vir sy goedkeuring te laat voorlê."

Wysiging van artikel 55 van Proklamasie No. R. 188 van 1969

14. Artikel 55 van die Hoofproklamasie word hierby gewysig—

- (a) deur in subartikel (1) die uitdrukking "wat regsbevoegdheid oor enige Trustgrond het," en die woorde "deur hom" te skrap;

- (b) deur in subartikel (2) die woord "regsgebied" deur die woord "gebied" te vervang;

(c) by the deletion in the said subsection (2) of the expression "and, in addition, in the case of arable or residential allotments, of temporary arrangement for the use or occupation of such allotments"; and

(d) by the deletion in subsection (4) of the words "races or".

Amendment of section 56 of Proclamation No. R. 188 of 1969, as amended by Proclamation No. R. 101 of 1979

15. Section 56 of the principal Proclamation is hereby amended—

(a) by the substitution for subsection (1) of the following subsection:

"(1) Save as it is otherwise provided in these regulations, the rights of a holder in or to—

(a) any arable or residential allotment shall not be transferred, hypothecated, leased, sub-let or otherwise disposed of without the approval of the Land Officer;

(b) any church, school or trading allotment or any other allotment held for any purpose not specified in this subsection shall not be transferred, hypothecated, leased, sub-let or otherwise disposed of without the approval of the Director-General,

and no such allotment shall be subdivided or held by more than one person."

(b) by the deletion in subsection (2) of the words "who is a Black";

(c) by the deletion in subsection (3) of the expression "Minister,";

(d) by the deletion in subparagraph (ii) of paragraph (a) of subsection (5) of the words "or the Trust";

(e) by the deletion of paragraphs (b) and (c) of the said subsection (5); and

(f) by the substitution for subsection (6) of the following subsection:

"(6) The Land Officer with whom any application referred to in subsection (2) is lodged may, before granting his approval or transmitting the application for consideration by the Director-General, call for such evidence as he may deem necessary to satisfy himself that the beacons of the allotment are in existence and correctly placed or that the allotment has been surveyed, and he may, in the event of the allotment not having been surveyed, direct that the allotment, together with such contiguous allotments as may be indicated by him, be demarcated again."

(c) deur in genoemde subartikel (2) die uitdrukking " , en ook in die geval van bewerkbare of woonpersele, van tydelike reëlings vir die gebruik of okkupasie van sodanige persele" te skrap; en

(d) deur in subartikel (4) die woorde "rasse of" te skrap.

Wysiging van artikel 56 van Proklamasie No. R. 188 van 1969, soos gewysig deur Proklamasie No. R. 101 van 1979

15. Artikel 56 van die Hoofproklamasie word hierby gewysig—

(a) deur subartikel (1) deur die volgende subartikel te vervang:

"(1) Behalwe vir sover hierdie regulasies anders bepaal, word die regte van 'n besitter in of op—

(a) enige bewerkbare of woonperseel nie oorgedra, verhipotekeer, verhuur, onderverhuur of andersins oor beskik nie sonder die goedkeuring van die Grondbeampte;

(b) enige kerk-, skool- of handelsperseel of enige ander perseel wat besit word vir 'n doel wat nie in hierdie subartikel vermeld word nie, nie oorgedra, verhipotekeer, verhuur, onderverhuur of andersins oor beskik nie sonder die goedkeuring van die Direkteur-generaal,

en geen sodanige perseel word onderverdeel of deur meer as een persoon besit nie."

(b) deur in subartikel (2) die uitdrukking "wat Swartes is," te skrap;

(c) deur in subartikel (3) die uitdrukking "Minister, die" te skrap;

(d) deur in subparagraaf (ii) van paragraaf (a) van subartikel (5) die woorde "of die Trust" te skrap;

(e) deur paragrawe (b) en (c) van genoemde subartikel (5) te skrap; en

(f) deur subartikel (6) deur die volgende subartikel te vervang:

"(6) Die Grondbeampte by wie 'n aansoek bedoel in subartikel (2) ingedien word, kan, alvorens hy sy toestemming verleen of die aansoek vir oorweging aan die Direkteur-generaal deurstuur, die bewys wat hy nodig ag, aanvra om homself daarvan te vergewis dat die bakens van die perseel staande en reg geplaas is of dat die perseel opgemeet is, en hy kan, in die geval waar die perseel nie opgemeet is nie, gelas dat die perseel, tesame met die aanliggende persele deur hom aangedui, weer afgebaken word."

Amendment of section 57 of Proclamation No. R. 188 of 1969

16. Section 57 of the principal Proclamation is hereby amended by the deletion in paragraph (a) of subsection (1) of the words "the State or".

Amendment of section 58 of Proclamation No. R. 188 of 1969

17. Section 58 of the principal Proclamation is hereby amended—

- (a) by the deletion in subsection (1) of the words "or the Trust"; and
- (b) in subsection (5)—

- (i) by the substitution for the words "in a Black area", wherever they occur, of the words "on State land"; and
- (ii) by the deletion of the words "out of Trust funds", wherever they occur.

Repeal of sections 62, 63 and 64 of Proclamation No. R. 188 of 1969, as amended by Proclamation No. R. 84 of 1971 and Proclamation No. R. 95 of 1974

18. Sections 62, 63 and 64 of the principal Proclamation are hereby repealed.

Amendment of section 65 of Proclamation No. R. 188 of 1969

19. Section 65 of the principal Proclamation is hereby amended—

- (a) by the deletion in subsection (1) of the words "or of land titles"; and
- (b) by the substitution for subsection (4) of the following subsection:

"(4) A notice endorsed in terms of subsection (2) or (3) may, whenever any person is required in terms of these regulations to submit any title deed, quitrent title, permission to occupy, certificate of occupation or other document, be submitted in lieu of such title, permission, certificate or document, and such notice shall be sufficient authority for the Land Officer, subject to the payment of the fees set out in Annexure 25, to issue a copy of such document which is registered in his office, whereupon the permission, certificate or document required to have been produced shall become void and shall on production thereof be endorsed accordingly."

Amendment of section 66 of Proclamation No. R. 188 of 1969

20. Section 66 of the principal Proclamation is hereby amended—

- (a) by the deletion in paragraph (b) of subsection (3) of the words "jurisdiction of"; and
- (b) by the substitution in paragraph (c) of the said subsection (3) for the words "having jurisdiction over" of the words "designated in respect of".

Wysiging van artikel 57 van Proklamasie No. R. 188 van 1969

16. Artikel 57 van die Hoofproklamasie word hierby gewysig deur in paragraaf (a) van subartikel (1) die uitdrukking "die Staat", te skrap.

Wysiging van artikel 58 van Proklamasie No. R. 188 van 1969

17. Artikel 58 van die Hoofproklamasie word hierby gewysig—

- (a) deur in subartikel (1) die woorde "of die Trust" te skrap; en
- (b) in subartikel (5)—

- (i) deur die woorde "in 'n Swart gebied", oral waar dit voorkom, deur die woorde "op Staatsgrond" te vervang; en
- (ii) deur die woorde "uit Trustfondse", oral waar dit voorkom, te skrap.

Herroeping van artikels 62, 63 en 64 van Proklamasie No. R. 188 van 1969, soos gewysig deur Proklamasie No. R. 84 van 1971 en Proklamasie No. R. 95 van 1974

18. Artikels 62, 63 en 64 van die Hoofproklamasie word hierby herroep.

Wysiging van artikel 65 van Proklamasie No. R. 188 van 1969

19. Artikel 65 van die Hoofproklamasie word hierby gewysig—

- (a) deur in subartikel (1) die woorde "of van grondaktes" te skrap; en
- (b) deur subartikel (4) deur die volgende subartikel te vervang:

"(4) 'n Kennisgewing ingevolge subartikel (2) of (3) geëndosseer, kan elke keer wanneer dit van iemand ingevolge hierdie regulasies vereis word om enige titelakte, erfpagtitel, vergunning tot okkupasie, okkupasiesertifikaat of ander dokument oor te lê, in die plek van sodanige titel, vergunning, sertifikaat of dokument oorgelê word, en sodanige kennisgewing is afdoende magtiging aan die Grondbeampte om, behoudens die betaling van die gelde wat in Aanhangsel 25 uiteengesit is, 'n afskrif van sodanige dokument wat in sy kantoor geregistreer is, uit te reik, waarop die vergunning, sertifikaat of dokument wat oorgelê moes word, nietig is en by oorlegging daarvan dienooreenkomstig geëndosseer word."

Wysiging van artikel 66 van Proklamasie No. R. 188 van 1969

20. Artikel 66 van die Hoofproklamasie word hierby gewysig—

- (a) deur in paragraaf (b) van subartikel (3) die woord "regsgebied" deur die woord "gebied" te vervang; en
- (b) deur in paragraaf (c) van genoemde subartikel (3) die woorde "met regsbevoegdheid oor sodanige grond" deur die woorde "wat ten opsigte van sodanige grond aangewys is" te vervang.

Amendment of section 67 of Proclamation No. R. 188 of 1969

21. Section 67 of the principal Proclamation is hereby amended by the deletion of the proviso to subsection (1).

Amendment of section 68 of Proclamation No. R. 188 of 1969

22. Section 68 of the principal Proclamation is hereby amended by the deletion in subsection (2) of the words "or for transmission to the Secretary".

Amendment of section 70 of Proclamation No. R. 188 of 1969

23. Section 70 of the principal Proclamation is hereby amended by the substitution for the words "within any Black area" and the words "in such Black area" of the words "on any State land" and the words "on any such State land", respectively.

Insertion of section 70A in Proclamation No. R. 188 of 1969

24. The following section is hereby inserted after section 70 of the principal Proclamation:

"Delegation of powers

- 70A. (1) The Administrator may delegate to—
- (a) any member of the Executive Committee for the province concerned;
 - (b) the Director-General concerned;
 - (c) any person in the service of the provincial administration concerned; or
 - (d) any such member, Director-General or person jointly,

any power conferred upon him by these regulations on such conditions as he may deem fit.

(2) Any delegation under subsection (1) shall not prevent the exercise of the relevant power by the Administrator himself."

Amendment of section 71 of Proclamation No. R. 188 of 1969

25. Section 71 of the principal Proclamation is hereby amended—

- (a) by the substitution for paragraph (a) of the following paragraph:

"(a) contravenes or fails to comply with the provisions of section 10 (3) (b), 47 (5), 52 (1) or (2) or 70;"
- (b) by the deletion in paragraph (b) of the expression ", 19 (2)"; and
- (c) by the substitution for paragraph (c) of the following paragraph:

"(c) fails to comply with any order to remove from State land issued in terms of section 11 (3) or who, having complied with such order, unlawfully returns to such land;"

Wysiging van artikel 67 van Proklamasie No. R. 188 van 1969

21. Artikel 67 van die Hoofproklamasie word hierby gewysig deur die voorbehoudsbepaling by subartikel (1) te skrap

Wysiging van artikel 68 van Proklamasie No. R. 188 van 1969

22. Artikel 68 van die Hoofproklamasie word hierby gewysig deur in subartikel (2) die woorde "of vir deur-sending aan die Sekretaris" te skrap.

Wysiging van artikel 70 van Proklamasie No. R. 188 van 1969

23. Artikel 70 van die Hoofproklamasie word hierby gewysig deur die woorde "in 'n Swart gebied" en die woorde "in sodanige Swart gebied" deur onderskeidelik die woorde "op Staatsgrond" en die woorde "op sodanige Staatsgrond" te vervang.

Invoeging van artikel 70A in Proklamasie No. R. 188 van 1969

24. Die volgende artikel word hierby na artikel 70 van die Hoofproklamasie ingevoeg:

"Delegering van bevoegdheede

- 70A. (1) Die Administrateur kan aan—
- (a) 'n lid van die Uitvoerende Komitee vir die betrokke provinsie;
 - (b) die betrokke Direkteur-generaal;
 - (c) 'n persoon in diens van die betrokke provinsiale administrasie; of
 - (d) so 'n lid, Direkteur-generaal of persoon gesamentlik,

'n bevoegdheid by hierdie regulasies aan hom verleen, deleger op die voorwaardes wat hy goedvind.

(2) 'n Delegering kragtens subartikel (1) belet nie die uitoefening van die betrokke bevoegdheid deur die Administrateur self nie."

Wysiging van artikel 71 van Proklamasie No. R. 188 van 1969

25. Artikel 71 van die Hoofproklamasie word hierby gewysig—

- (a) deur paragraaf (a) deur die volgende paragraaf te vervang:

"(a) artikel 10 (3) (b), 47 (5), 52 (1) of (2) of 70 oortree of versuim om aan die bepalings daarvan te voldoen;"
- (b) deur in paragraaf (b) die uitdrukking ", 19 (2)" te skrap; en
- (c) deur paragraaf (c) deur die volgende paragraaf te vervang:

"(c) versuim om aan enige bevel om Staatsgrond te verlaat wat kragtens artikel 11 (3) gegee is, te voldoen, of wat nadat hy aan sodanige bevel voldoen het, onwettig na sodanige grond terugkeer;"

Repeal of section 72 of Proclamation No. R. 188 of 1969, as amended by Proclamation No. R. 95 of 1974

26. Section 72 of the principal Proclamation is hereby repealed.

Amendment of section 73 of Proclamation No. R. 188 of 1969

27. Section 73 of the principal Proclamation is hereby amended by the deletion in subparagraph (iii) of paragraph (a) of the words "by warrant of execution issued under the hand of the Commissioner and executed as if it were issued pursuant to a judgment of a magistrate's court".

Repeal of Annexures 2 to 23 to Proclamation No. R. 188 of 1969, as amended by Proclamation No. R. 48 of 1979

28. Annexures 2 to 23 to the principal Proclamation are hereby repealed.

Substitution of Annexure 25 to Proclamation No. R. 188 of 1969, as amended by Proclamation No. R. 95 of 1974

29. The following annexure is hereby substituted for Annexure 25 of the principal Proclamation:

**"ANNEXURE 25
LAND REGULATIONS**

Fees payable to the State in respect of Registrations and Copies

Service	Fee
	R
Transfer of rights in or to land to persons other than the heir.....	1,00
Re-allotment of land.....	1,00
Mortgage bond, substitution under, or release, cancellation or cession of, bond.....	1,00
Lease of land or cancellation of lease.....	50
Change of name—per bond or other document.....	20
Certified copy of—	
permission to occupy.....	1,00
mortgage bond or other document.....	50."

Repeal of Annexure 26 to Proclamation No. R. 188 of 1969

30. Annexure 26 to the principal Proclamation is hereby repealed.

Amendment of Annexure 28 to Proclamation No. R. 188 of 1969

31. Annexure 28 to the principal Proclamation is hereby amended by the deletion in paragraph 5 of the word "other", where it occurs for the second time.

Amendment of Annexure 29 to Proclamation No. R. 188 of 1969, as amended by Proclamation No. R. 101 of 1979

32. Annexure 29 to the principal Proclamation is hereby amended—

- (a) by the substitution in paragraph 9 for the word "Commissioner" of the word "Administrator";

Herroeping van artikel 72 van Proklamasie No. R. 188 van 1969, soos gewysig deur Proklamasie No. R. 95 van 1974

26. Artikel 72 van die Hoofproklamasie word hierby herroep.

Wysiging van artikel 73 van Proklamasie No. R. 188 van 1969

27. Artikel 73 van die Hoofproklamasie word hierby gewysig deur in subparagraaf (iii) van paragraaf (a) die woorde "by uitwinningslasbrief wat deur die Kommissaris onder sy handtekening uitgereik word en ten uitvoer gelê word as sou dit ingevolge 'n uitspraak van 'n landdroshof uitgereik gewees het" te skrap.

Herroeping van Aanhangsels 2 tot 23 by Proklamasie No. R. 188 van 1969, soos gewysig deur Proklamasie No. R. 48 van 1979

28. Aanhangsels 2 tot 23 by die Hoofproklamasie word hierby herroep.

Vervanging van Aanhangsel 25 by Proklamasie No. R. 188 van 1969, soos gewysig deur Proklamasie No. R. 95 van 1974

29. Aanhangsel 25 by die Hoofproklamasie word hierby deur die volgende aanhangsel vervang:

**"AANHANGSEL 25
GRONDREGULASIES**

Gelde aan die Staat betaalbaar ten opsigte van Registrasies en Afskrifte

Diens	Gelde
	R
Oordrag van regte in of op grond aan ander persone as die erfgenaam.....	1,00
Hertoewysing van grond.....	1,00
Verband, vervanging of bevryding, kansellasië van verbandsessie van verbandsessie.....	1,00
Grondhuur of kansellasië van huurooreenkoms.....	50
Naamsverandering—per verband of ander dokument.....	20
Gewaarmerkte afskrif van—	
vergunning tot okkupasië.....	1,00
verband of ander dokument.....	50."

Herroeping van Aanhangsel 26 by Proklamasie No. R. 188 van 1969

30. Aanhangsel 26 by die Hoofproklamasie word hierby herroep.

Wysiging van Aanhangsel 28 by Proklamasie No. R. 188 van 1969

31. Aanhangsel 28 by die Hoofproklamasie word hierby gewysig deur in paragraaf 5 die woord "ander", waar dit die tweede keer voorkom, te skrap.

Wysiging van Aanhangsel 29 by Proklamasie No. R. 188 van 1969, soos gewysig deur Proklamasie No. R. 101 van 1979

32. Aanhangsel 29 by die Hoofproklamasie word hierby gewysig—

- (a) deur in paragraaf 9 die woord "Kommissaris" deur die woord "Administrateur" te vervang;

- (b) by the deletion in subparagraph (d) of the said paragraph 9 of the expression "the State,"; and
- (c) by the deletion of subparagraphs (d) and (g) of paragraph 10.

Amendment of Annexure 30 to Proclamation No. R. 188 of 1969

33. Annexure 30 to the principal Proclamation is hereby amended by the deletion in subparagraph (b) of paragraph 9 of the expression "the State,".

Amendment of Annexure 31 to Proclamation No. R. 188 of 1969, as amended by Proclamation No. R. 101 of 1979

34. Annexure 31 to the principal Proclamation is hereby amended—

- (a) by the deletion in subparagraph (b) 9 of paragraph of the expression "the State,";
- (b) by the deletion in subparagraph (b) of paragraph 10 of the expression " , or of any offence for which a sentence of imprisonment without the option of a fine is imposed";
- (c) by the substitution for subparagraph (c) of the said paragraph 10 of the following paragraph:
 "(c) upon proof to the satisfaction of the Administrator that the allotment is no longer being used for *bona fide* trade purposes, or that it is being used for any unauthorized purpose."; and

(d) by the deletion of paragraphs 12 and 13.

Amendment of Annexure 32 to Proclamation No. R. 188 of 1969

35. Annexure 32 to the principal Proclamation is hereby amended—

- (a) by the deletion in subparagraph (b) of paragraph 9 of the expression "the State,"; and
- (b) by the substitution in subparagraph (c) of paragraph 12 for the words "the Department of Black Education" of the words "a department of State responsible for education".

Repeal of Annexures 33 and 34 to Proclamation No. R. 188 of 1969

36. Annexures 33 and 34 to the principal Proclamation are hereby repealed.

Amendment of enacting clause of Proclamation No. R. 188 of 1969

37. The enacting clause of the principal Proclamation is hereby amended by the substitution for the words "in all Black areas" of the words "on all State land as defined in the said Schedule".

Construction of certain references

38. A reference in the principal Proclamation—

- (a) to a Black or Blacks, except a reference used in section 49 (1) (b) or 53 (3) (a) or (5), shall be construed as a reference to a person or persons, as the case may be;
- (b) to a Black area shall be construed as a reference to an area;

- (b) deur in subparagraaf (d) van genoemde paragraaf 9 die uitdrukking "die Staat," te skrap; en
- (c) deur subparagraawe (d) en (g) van paragraaf 10 te skrap.

Wysiging van Aanhangsel 30 by Proklamasie No. R. 188 van 1969

33. Aanhangsel 30 by die Hoofproklamasie word hierby gewysig deur in subparagraaf (b) van paragraaf 9 die uitdrukking "die Staat," te skrap.

Wysiging van Aanhangsel 31 by Proklamasie No. R. 188 van 1969, soos gewysig deur Proklamasie No. R. 101 van 1979

34. Aanhangsel 31 by die Hoofproklamasie word hierby gewysig—

- (a) deur in subparagraaf (b) van paragraaf 9 die uitdrukking "die Staat," te skrap;
- (b) deur in subparagraaf (b) van paragraaf 10 die woorde "of aan 'n misdryf ten opsigte waarvan gevangenisstraf sonder die keuse van 'n boete opgelê is" te skrap;
- (c) deur subparagraaf (c) van genoemde paragraaf 10 deur die volgende subparagraaf te vervang:
 "(c) wanneer bewys tot tevredenheid van die Administrateur gelewer word dat die perseel nie meer vir *bona fide*-handelsdoeleindes gebruik word nie, of dat dit vir 'n ongemagtigde doel gebruik word."; en

(d) deur paragraawe 12 en 13 te skrap.

Wysiging van Aanhangsel 32 by Proklamasie No. R. 188 van 1969

35. Aanhangsel 32 by die Hoofproklamasie word hierby gewysig—

- (a) deur in subparagraaf (b) van paragraaf 9 die uitdrukking "die Staat," te skrap; en
- (b) deur in subparagraaf (c) van paragraaf 12 die woorde "die Departement van Swart Onderwys" deur die woorde " 'n Staatsdepartement verantwoordelik vir onderwys" te vervang.

Herroeping van Aanhangsels 33 en 34 by Proklamasie No. R. 188 van 1969

36. Aanhangsels 33 en 34 by die Hoofproklamasie word hierby herroep.

Wysiging van verordenende paragraaf van Proklamasie No. R. 188 van 1969

37. Die verordenende paragraaf van die Hoofproklamasie word hierby gewysig deur die woorde "in alle Swart gebiede" deur die woorde "op alle Staatsgrond soos in genoemde Bylae omskryf" te vervang.

Uitleg van sekere verwysings

38. 'n Verwysing in die Hoofproklamasie—

- (a) na 'n Swarte of Swartes, uitgesonderd 'n verwysing in artikel 49 (1) (b) of 53 (3) (a) of (5) gebruik, word uitgelê as 'n verwysing na 'n persoon of persone, na gelang van die geval;
- (b) na 'n Swart gebied word uitgelê as 'n verwysing na 'n gebied;

- (c) to the Minister of Education and Development Aid shall be construed as a reference to the Administrator;
- (d) to the Director-General: Development Aid or to the Chief Commissioner shall be construed as a reference to the Director-General;
- (e) to the Commissioner shall be construed as a reference to the Land Officer;
- (f) to the Trust or to the South African Development Trust shall be construed as a reference to the State;
- (g) to Trust land shall be construed as a reference to State land;
- (h) to the Black Areas Land Regulations shall be construed as a reference to the Land Regulations.

Exclusion of self-governing territories

39. The provisions of this Proclamation shall not apply in respect of any area declared under the Self-governing Territories Constitution Act, 1971 (Act No. 21 of 1971), to be a self-governing territory within the Republic.

Short title

40. This Proclamation shall be called the Land Regulations Amendment Proclamation, 1992.

GOVERNMENT NOTICES

ADMINISTRATION: HOUSE OF ASSEMBLY

DEPARTMENT OF AGRICULTURAL DEVELOPMENT

No. R. 536

2 April 1993

REVISION OF TARIFFS APPLICABLE TO DRILLING DONE BY MEANS OF A GOVERNMENT DRILL OR BY A PRIVATE DRILLING CONTRACTOR

It is hereby made known for general information that the Minister of Agricultural Development, by virtue of the powers granted to him, has approved that the tariffs for drilling by means of a Government drill or by a private drilling contractor be amended as follows with effect from 1 April 1993.

1. (1) Government drill:

- (a) In respect of drilling for persons to whom financial assistance can be rendered in terms of regulations 18 and 19 of the regulations promulgated under Government Notice No. R. 3039, dated 30 October 1992, including persons to whom the maximum allowable rebate has already been granted:

	Present tariff	Revised tariff
(i) Drilling costs	R35,00/m	R35,00/m
(ii) Special drilling work (e.g. Odex type)	—	R90,00/m

- (c) na die Minister van Onderwys en Ontwikkelingshulp word uitgelê as 'n verwysing na die Administrateur;
- (d) na die Direkteur-generaal: Ontwikkelingshulp of na die Hoofkommissaris word uitgelê as 'n verwysing na die Direkteur-generaal;
- (e) na die Kommissaris word uitgelê as 'n verwysing na die Grondbeampte;
- (f) na die Trust of na die Suid-Afrikaanse Ontwikkelingstrust word uitgelê as 'n verwysing na die Staat;
- (g) na Trustgrondgebied of na Trustgrond word uitgelê as 'n verwysing na Staatsgrond;
- (h) na die Regulasies betreffende Grond in Swart Gebiede word uitgelê as 'n verwysing na die Grondregulasies.

Uitsluiting van selfregerende gebiede

39. Die bepalings van hierdie Proklamasie is nie van toepassing nie ten opsigte van 'n gebied wat kragtens die Grondwet van die Selfregerende Gebiede, 1971 (Wet No. 21 van 1971), tot 'n selfregerende gebied binne die Republiek verklaar is.

Kort titel

40. Hierdie Proklamasie heet die Wysigingsproklamasie op die Grondregulasies, 1992.

GOEWERMENSKENNISGEWINGS

ADMINISTRASIE: VOLKSRAAD

DEPARTEMENT VAN LANDBOU- ONTWIKKELING

No. R. 536

2 April 1993

HERSIENING VAN TARIWE VAN TOEPASSING OP BOORWERK WAT VERRIG WORD DEUR MIDDEL VAN 'N STAATSBOOR OF DEUR 'N PRIVATE BOORKONTRAKTEUR

Hierby word vir algemene inligting bekendgemaak dat die Minister van Landbou-ontwikkeling, kragtens die bevoegdheid hom verleen, goedgekeur het dat die tariewe vir boorwerk wat deur middel van 'n Staatsboor of 'n private boorkontrakteur verrig word, met ingang van 1 April 1993 soos volg gewysig word:

1. (1) Staatsboor:

- (a) Ten opsigte van boorwerk wat vir persone onderneem word aan wie finansiële bystand verleen kan word ingevolge regulasies 18 en 19 van die regulasies afgekondig by Goewermentskennisgewing, No. R. 3029, van 30 Oktober 1992, met inbegrip van persone aan wie die maksimum toelaatbare korting reeds toegestaan is:

	Huidige tarief	Hersiene tarief
(i) Boorkoste	R35,00/m	R35,00/m
(ii) Spesiale boorwerk (bv. Odextipe)	—	R90,00/m

SITIMBS 41493

Sixty communities want land returned

MEMBERS of 60 dispossessed communities are planning a national campaign — including protest marches — to press their claims to land expropriated under the Group Areas Act.

At a meeting in Bethlehem last weekend, the National Land Committee agreed to broaden land claims to include communities with an "historical connection" to land.

Strategies approved by representatives of the communities include marches, pickets and demonstrations, sit-ins at government buildings and offices, a signature campaign and lobbying of international observers, peace monitors, political organisations, unions, civics, foreign embassies, the Organisation for African Unity and the United Nations.

By CATHY STAGG

The campaign will also seek to popularise the ANC's proposed Land Claims Court as a more effective alternative to the Advisory Commission on Land Allocation.

The NLC is an umbrella body which co-ordinates the activities of nine regional organisations dealing with land and development issues.

Among the claims under consideration by Acla is that of the Amahlubi people, who occupied 90 000ha of land in Natal — now divided into 20 farms — from 1949.

Another Natal claim is that of the Adcockspruit community, forcibly removed in 1968 and 1969 from land bought by a syndicate in 1894.

Transvaal claims in-

clude those of the Mam-puru community for land given to them by Paul Kruger's government after the war of 1880-81, from which they were forcibly removed in the early 70s.

In the Free State, the Herschel district — ceded to Transkei in 1975 — is the subject of a claim still to be submitted to Acla.

In the Eastern Cape, the Zwelidinga community is preparing a claim for land from which they were moved after incorporation of the Glen Grey district into Transkei, and the Hankey community is claiming a number of farms owned by their ancestors.

In the southern Cape, the Badplaas community is planning to submit a claim asking for their title to the land to be restored.

Nine northern Cape communities also intend submitting claims to Acla.

New teeth for land claims commission

BIDA) 8/4/93

~~80~~ ~~70~~
MARIANNE MERTEN

AMENDMENTS to the Advisory Commission on Land Allocation to be tabled in parliament will give the commission powers to decide on land claims for redistribution, independent of government departments and Cabinet.

Our political staff reports that a moratorium has been placed on the sale of state-owned land being investigated by the commission, according to Deputy Land Affairs Minister Johan Scheepers, who announced the proposed changes yesterday.

The amendments will also speed up the land claim procedures and enable the commission to deal more efficiently with urban property claims falling under the 1966 Community Development Act.

Although the commission representations will still be restricted to government-owned land, any land belonging to a Minister, administrator or government institution can be considered without recommendations from the President.

The commission was appointed in terms of the 1991 Abolition of Racially Based Land Act to investigate the land claims of the approximately 3-million resettled people of SA.

At present the commission can inquire into claims, make a finding and then forward the recommendations to different government departments for comment.

The President has the final say on whether an application is approved.

In terms of the proposed amendments there will be no need for the commission to submit its findings to the government. The commission will gain the power to redistribute state-owned land.

Cases which fall under the Group Areas Act are excluded from the present commission but the amendment will allow property claims under the act, provided the land is state-owned.

Claimants from Sophiatown, now Triomf, and Cape Town's District Six would still be excluded after the amendments were passed because these areas were now privately owned.

Other changes to the law will:

- Allow decisions of the commission which did not follow the laws of natural justice to be challenged in court;
- Allow investigations into land no longer owned by the state, but in which previous owners had been prejudiced by the application of racially based laws; and
- Advise the State President on giving vacant land to people who had been prejudiced by racial laws.

ANC land and agriculture policy coordinator Derek Hanekom cautiously welcomed the move as "some progress".

Relief for victims of land laws

By Peter Fabricius
Political Correspondent

CAPE TOWN — All victims dispossessed of their land under apartheid laws are to qualify for compensation under far-reaching legislation to be tabled in Parliament this session.

At present, they may be compensated only if the land is still in the State's possession.

Under the new legislation, victims of apartheid land laws may be allocated other State land if their original land is now privately owned.

The new legislation will also prevent authorities selling State land which could be awarded to the dispossessed.

Several such sales are alleged

to have occurred recently since the Advisory Commission on Land Allocation began hearing cases for land compensation.

Deputy Land Affairs Minister Johan Scheepers announced the new legislation in a statement yesterday.

The aim was to overcome deficiencies in the Abolition of Racially Based Land Matters Act of 1991.

The other effects of the legislation would be:

- To give the Advisory Commission on Land Allocation powers to compensate victims with land which belongs to the State, a Minister, an Administrator or any State institution.

This measure seems to have been aimed at increasing the

amount of land available for compensation. This is restricted to land held by the former SA Development Trust.

- To enable persons who believe the commission has not ruled correctly to take its decisions on review.

- To allow land obtained under the Community Development Act to be given as compensation.

The legislation will also stipulate that the chairman of the commission should be a judge.

Scheepers stressed that the Government's policy was still that security of title must be protected, and that private land would not be taken to compensate the dispossessed.



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Reoccupations to increase following land legislation

BIDAM 13/4/93

MARIANNE MERTEN

THE ANC expects land reoccupations to increase following the tabling this month of new land redistribution legislation.

ANC co-ordinator of land and agricultural policy Derek Hanekom said forcibly removed communities intended returning to their original land in anticipation of new land rights. However, documentation on the issue was still lacking.

Government last week announced that the Advisory Commission on Land Allocation was to get an expanded mandate although at this stage the move would affect only government-owned land.

Last week about 15 of 35 families who were removed from the Nazareth mission in Natal's Dundee district in 1968 attempted to reoccupy their land, the Association for Rural Advancement said.

Police halted the process, but a date for negotiations with the three current landowners had been set for next week.

Two other land claim disputes, in Khosis in the northern Cape and Welverdiend in the western Transvaal, have also raised questions about land claims of established communities

under a transitional government.

In Welverdiend, the community had lived in the area since 1926 and most members were employed as diamond diggers. Their claim is based on long-term occupation, but the TPA has disputed this and accused them of trespassing. The case is to go to court on April 26.

Observers have said the court ruling would set a precedent for other claims by communities with a long-standing link to the land on which they had settled.

The ANC said it was finalising proposals for a land claims court which would deal with land redistribution claims and have the ability to make restitutive awards for losses incurred because of apartheid.

ANC national co-ordinator of regional land affairs Leslie Dikeni said the ANC in February began a seven-month programme of action to raise awareness of land policy issues among rural communities.

The court would follow specific rules of evidence and have a historic cut-off date — most probably 1913 when the Black Land Act was introduced — for any claims.

The ANC has proposed that the court be headed by a Supreme Court judge to hear claims from forcibly removed people, labour tenants, communities with a historical land claim and those who occupy land without a legal title.

In assessing land claims and restitution, the court would consider factors such as duration of occupation, birthright and investment in the land. It would act to level the playing field "between present possessors who often hold title and claimants who were either deprived of their title or were prevented by apartheid legislation from obtaining title", ANC guidelines said.

Any restitution would have to be made in the context of constitutional property rights, making the transfer of disputed land unlikely especially if there had been a substantial investment in the form of either capital or labour by the current owner.

The land claims court was also endorsed by a World Bank report last year which said "judicial approaches should be used to settle the claims to specific plots of land of groups evicted from their land during the apartheid regime".

Star 14/4/93

80 103 15

Affluent blacks start shift to white suburbs

Own Correspondents

Black businessmen, executives and politicians are buying homes in white areas at an increasing rate.

This shopping spree for houses is taking place while home-buying among whites is slackening, say experts in the property market.

This is a fair reflection of what is happening politically and economically in South Africa, say the experts, because the average white consumer is being hard hit by inflation, high taxation and poor job prospects.

Many whites vacating their properties out of desperation have settled in smaller dwellings and townhouses, while others have built bigger homes.

Jobless and poorer whites, hard-hit by recession and inflation, often end up homeless, and trudge the city streets in search of food and money.

Some of the previously white Conservative Party-controlled suburbs like Dawn Park and Freeway Park in Boksburg, Leondale and Rondebult in Germiston and Bedworth Park at Vereeniging, have virtually been taken over by blacks.

It is almost a way of life for affluent blacks to settle in the posh suburbs and towns such as Sandton, Bryanston, Randburg, Houghton, Mountainview, Hyde Park and Kelvin.

Top brass

Among top brass known to be living in the suburbs are National Sorghum Breweries chief executive Mohale Mahanye, Anglo American's Don Ncube, businessman Richard Maponya, soccer impresario Kaiser Motaung, businessman Gaby Magomola and SA Black Taxis Association executive and Futurebank chairman Jabu Mabuza.



Leader . . . businessman Richard Maponya.



Ensconced in better suburb . . . Joe Modise.

Politicians living in top suburbs include the ANC's Nelson Mandela, Thabo Mbeki, Toyko Sexwale, Pallo Jordan, Penwell Maduna, Joe Modise, Oliver Tambo and the PAC's Willie Seriti.

There are numerous reasons for settling in these areas but the bottom line is that "if you can afford to stay there, why not do so".

Chairman of Johannesburg's Black Management Forum branch Zamani Jali says many members of his organisation live in the suburbs.

"We do not have a policy regarding where people should live", he said. "It is their democratic right to live where they want."

A black executive and politician argues: "South Africa belongs to all who live in it. We are at liberty even to take our children to schools of our choice."

Many are trying to beat the rush before the possible advent of a new black-dominated government by buying homes in PWV suburbs.

Camdon managing di-



Moving up . . . ANC president Nelson Mandela.



Living in "white" suburb . . . Oliver Tambo

rector Scott McRae says the new market was created by middle-class blacks wanting better housing.

Their security requirements and desire for a pleasant environment were similar to those of their white counterparts.

"I believe that when the country settles down politically and unrest abates, the black market is going to boom to an unprecedented degree," McRae says.

Pitso Mabena of Afri Home says scores of black executives have made inquiries about the prospects of buying property in previously all-white areas.

"With our links to property brokers, we believe we are able to provide vital advice and service to executives investing in these areas," he says.

His firm has cooperated with Comprehensive Property Services, which serves the entire property industry, and he had placed many black executives in previously white suburbs. He did not know the exact numbers.

"But our services are not only directed to executives," he added.

The spectrum of the South African property market changed drastically after President de Klerk scrapped racial restrictions in the title deeds of immovable property.

According to the Deeds Office in Pretoria, there has been an increase of 4,3 percent during 1992 over the previous year of blacks moving into white suburbs.

Chairman of the Estate Agents' Board Eskel Jawitz says it is no longer an exception for blacks to settle in so-called white areas, but it a norm, although no statistics are available.

He says whites previously living in these suburbs are known to be moving into townhouses, smaller houses or much bigger dwellings elsewhere.

The board was prepared to train black estate agents to "educate their own people" as well as to create jobs for them during the transitional period.

51 Times CC (1970)

Land claims plan 'inadequate'

18/4/93

By EVE VOSLOO

THE mechanisms presently used to try to settle claims for the redistribution of land dispossessed by apartheid legislation are inadequate.

This was said this week by the Surplus People Project, commenting on two decisions on claims to land by the Advisory Commission on Land Allocation (ACLA).

In one of these claims the P... family reached a compromise with the Housing and Development Board of the House of Representatives to buy back their former land in Grassy Park "at an agreeable price".

"In the Hendricks' case the Housing and Development Board in the House of Assembly, which presently owns the land in question (in Rondevlei) have argued that the land does not fall within ACLA's terms of reference and therefore it cannot be discussed — and a legal technical argument is being used to obstruct the possibility of addressing the injustice of apartheid," the statement said.

"The different positions put for-

ward by various institutions of the state reflect the reality that contradictory approaches exist within the government on how to resolve community land claims.

"This is particularly disturbing because different state departments hold a substantial amount of land, a large proportion of which they obtained through dispossession."

The SPP said that until the government changed ACLA's terms of reference to enable it to assess the diversity of land claims in South Africa, state institutions could continue to use technical arguments to avoid redressing legitimate community land claims.

"We ask the government to instruct its institutions to the allocation and development of land claimed through ACLA to those who have suffered loss in terms of racial legislation and that ACLA recommend such to the State President."

THE development board of the House of Assembly is sticking to a tough line on its rights to hold on to land taken from owners under the Group Areas Act.

At a hearing of the Advisory Commission on Land Allocation in Cape Town this month, board representatives said they did not acknowledge the jurisdiction of the commission. They said they intended going ahead with the sale of the disputed land despite the objections of the family involved.

The Hendricks' bought the 4 000 square metre plot at Rondevlei, Retreat, for £110 in 1949 after being evicted from land in Simonstown to make way for soldiers. They grew flowers and vegetables on the land until they became too old.

So whose land is it anyway?

Reviews Law Supp) to W/Week

In 1982 Kasie Hendricks (81) and her sick and elderly husband were told to sell to the Community Development Board because the property was in a white group area. 23/4-24/4/93

Some months ago members of the family still living on the premises because they could find no where else to go, were warned to get off the land immediately by attorneys acting for a certain Mr Basson. However, after investigation the Hendricks family discovered he was not the registered owner and asked the Cape Town Legal Resources Centre for help.

Staff at the LRC took the Hendricks' plight to the supreme court in a

is the Advisory Commission on Land Allocation a paper tiger? A case involving an elderly couple whose land was only allocated, not transferred, suggests it is.

By HENK SMITH

dramatic Sunday night application, just hours before the land was due to be formally transferred to Basson. The family won an order that the land could not be alienated to Basson or anyone else until the family had

approached the government's land allocation advisory commission and the Administrator of the Cape about what should happen.

When the advisory commission heard the family's objections on April 18, the development board maintained it had a right to the land despite any past wrongs which may have been done to the family.

It insisted the sale of the land to Basson must stand since it claimed the land had been "allocated" as defined in the terms of reference of the commission. The commission could only consider "unallocated" land and it was therefore precluded from jurisdiction

over the matter.

One of the LRC arguments was that the board should develop the land for the family who would then buy it back on a subsidised scheme. However, the board representatives said they had obligations to the tax payer and were not prepared to agree to the LRC scheme.

The family stated that Basson was already benefiting from the state in that he had bought two other properties from the board. "The only reason he wants our family land is because he has already sold our land to the Apostolic Church for R180 000 after 'buying' it from the board for R23 000," they claimed.

The commission's recommendations to the state president are expected next month.

Star 15193

4,1-m displaced persons (80)

South Africa has the second highest number of internally displaced persons in the world. According to Hussein Solomon, of the Centre for Southern African Studies at the University of the Western Cape. Sudan has the highest — 4,5 million — followed by SA with 4,1 million. The reason for the high figure was drought, forced removals by the Government, political violence and the migrant worker system. — Sapa (80)

Right-wing demands 'can be accommodated'

BIDM 11/5/95 *3077A* *80*

TOP negotiators said yesterday right-wing demands for self-determination could be resolved at multiparty talks.

"We can (resolve the issue). The willingness is there. The sincerity is there," Bophuthatswana negotiator Rowan Cronje said before the 10-man planning committee met at the World Trade Centre.

ANC secretary-general Cyril Ramaphosa said: "The best workable options for the country will be put forward by the technical subcommittees . . . and questions like self-determination will in my view be addressed in the correct way (but) not necessarily in the way the right-wing parties are putting it. Self-determination, for instance, has to be seen in its holistic context, not in a very narrow (way) that the right-wing parties are putting across."

He was confident self-determination could be accommodated within a single SA state. "It should be self-determination for the people of SA, not self-determination for a certain ethnic group."

Constitutional Development Minister Roelf Meyer said the question of SA and a separate state was something different to the accommodation of self-determination in one state. "This means basically a difference in approach as far as the CP and the Afrikaner Volksunie are concerned. The CP is proposing secession . . . while the AVU is talking about accommodating Afrikaner self-determination within the framework of a federal state."

He said perhaps the CP was in the same position as Bophuthatswana. "Bophuthatswana is an independent state . . . but they are participating here also to find out how exactly regionalism is going to be structured. That means . . . they are thinking of the possibility of reincorporation — giving up their independence with a view to form

part of a broader federal structure in SA. Maybe the CP can be convinced of the same thing in the negotiating process."

PAC secretary-general Benny Alexander said the solution could possibly be found by looking at what people wanted to protect. For instance, instead of talking about federalism and unitarism, negotiators should rather look at the powers and functions of regions or provinces to protect people's interests. "The unitarists don't want a dictatorship and the federalists don't want a dictatorship. They are both united on what they don't want, therefore they should be able to find a solution."

BILLY PADDOCK reports that the seven multiparty technical committees were landed yesterday with an avalanche of work and tight deadlines to produce draft legislation to form the basis of negotiations. The committees were briefed by the planning committee on their tasks, mandates, time scales and operating methods.

They were instructed to prepare their first report by Friday. It will be evaluated by the planning committee before it is forwarded to the negotiating council on Tuesday next week.

"The technical committees' task is to find the common ground as much as possible and draft proposals that will take into account the varying positions of parties with the view to facilitating agreement," a senior negotiator said.

The ground to be covered by the committees includes constitutional issues such as the form of state; human rights during the transition; violence; an independent election commission; an independent media commission; legislation impeding free political activity; and a transitional executive council. — Sapa.

White fears on mixing 'unfounded'

MAGGIE ROWLE (80)
Property Editor

WHITE fears that the demise of the Group Areas Act and desegregation would lead to a decline in standards and property values had proved unfounded, the 21st World Housing Congress, held in the city, heard yesterday.

Mr Brij Maharaj, of the geography department at the University of Durban Westville,

CT 12/5/93
said although the Group Areas Act had been abolished in 1991, the scars would be strongly evident on the South African urban landscape for a long time. A crucial issue facing any post-apartheid government would be total desegregation.

Mr Maharaj said the repeal of the act had led to the development of more covert forms of discrimination. This was evident in some of the practices of

estate agents as well as policies of financial institutions.

Middle-class blacks who moved into white suburbs in an attempt to escape the politics and violence of township life had to face racial prejudices and bigotry "of the most revolting kind", he said. This had included insults, threats of violence and vandalism and was more prevalent in low income white areas, which as a group

had "benefitted most from apartheid and hence were most vulnerable as a result of its demise".

Mr Maharaj said most of this had occurred between 1989 and 1991, declining significantly last year. "This suggests that the initial resentment towards blacks changed as whites experienced a process of transition and adjustment and discovered their new neighbours shared similar views."

HOUSE OF DELEGATES

INTERPELLATION

The sign * indicates a translation. The sign †, used subsequently in the same interpellation, indicates the original language.

General Affairs:

1. Mr A RAJBANSI—Regional and Land Affairs. [Withdrawn.]

QUESTIONS

†Indicates translated version.

For oral reply:

General Affairs:

Question standing over from Wednesday, 5 May 1993:

Loan to banking group

*3. Mr M F CASSIM asked the Minister of Finance:

- (1) Whether ~~a loan~~ of approximately R1 billion was made available through (a) any State structures or (b) the Reserve Bank to a certain banking group, the name of which has been furnished to the Minister's Department for the purpose of his reply; if so, (i) when, (ii) why, (iii) for what purpose was the loan required and (iv) what is the name of the banking group concerned;

- (2) whether he will make a statement on the matter? D207E

The DEPUTY MINISTER OF FINANCE:

- (1) (a) No.

(b) In terms of section 33 of the South African Reserve Bank Act 1989, (Act No 90 of 1989), details of business conducted between the Reserve Bank and banks is confidential and cannot be disclosed to third parties. As lender of last resort the Reserve Bank provides assistance to banks on a regular basis. The normal banking business code, how-

HOUSE OF DELEGATES

Land Affairs in consultation with all relevant departments.

ever, also applies to such transactions, namely that no details may be disclosed.

- (2) No.

New questions:

Resettling of persons on State-financed land

*1. Mr A RAJBANSI asked the Minister of Regional and Land Affairs:

- (1) Whether he or his Department has taken steps, or is contemplating taking steps, with a view to enabling State Departments to make use of State-financed land owned by municipalities for the purpose of resettling persons who were displaced or dispossessed in terms of the Group Areas Act; if not, why not; if so, (a) what steps and (b) which Departments are involved; (80)

- (2) whether he will make a statement on the matter? D212E

The MINISTER OF REGIONAL AND LAND AFFAIRS:

- (1) The question is not clear.

(a) I would nevertheless like to inform you that it is intended to amend the Abolition of Racially Based Land Measures Act, 1991, to enable the Advisory Commission on Land Allocation also to identify certain land owned by certain local authorities and which land has, for example, been acquired in terms of the Group Areas Act, 1966 by the application of the provisions thereof or in terms of the Communities Development Act, 1966 (Act 3/1966), and which at the date of the commencement of the proposed amendment bill had not yet been disposed of or alienated in terms of a law or in any other manner for a specific purpose. After the identification of the land it will be dealt with in terms of the procedures and directions of the Act. If circumstances permit, the proposed amendment should still be tabled during the current session of Parliament.

- (b) The Department of Regional and

Land Affairs in consultation with all relevant departments.

- (2) The Deputy Minister of Land Affairs has already issued a statement on 7 April 1993 in this regard and also discussed the issue during his budget vote held on 30 April 1993. (80)

Mr A RAJBANSI: Mr Chairman, arising out of the hon the Minister's reply, is he aware of the fact that the statement of the hon the Deputy Minister does not satisfy the cries of the people? Secondly, he mentioned the Group Areas Act and the Community Development Act. Is he aware that many of the resettlement schemes were established in terms of the Housing Act?

The MINISTER: Mr Chairman, I am not aware that the public is not satisfied with the statement made by the hon the Deputy Minister. The people in the communities the hon member represents should draw that to our attention and raise the issue with my colleague, the hon the Deputy Minister. With regard to the second question, obviously I am aware that that is the case. This is a very sensitive situation. I should like to invite the hon member, if he has any particular problem, to discuss it with the hon the Deputy Minister to whom this responsibility has been delegated.

Mr A RAJBANSI: We have done that.

The MINISTER: If the hon member is not satisfied, he can come to me. I shall listen to his problems in that regard.

Purchase of textbooks

*2. Mr A RAJBANSI asked the Minister of State Expenditure:

- (1) Whether, with reference to the reply to Question No 2 on 21 April 1993, he will furnish reasons as to why schools under the control of the Administration: House of Assembly, including those administered by the provincial administrations, are not obliged to purchase textbooks on the same basis, i.e. in accordance with the provisions of the State Tender Board Act, 1968 (Act No 86 of 1968), as applies to schools under the control of the Administrations of the House of Delegates and the House of Representatives and the Department of Education and

Training; if not, why not; if so, what are the reasons;

- (2) whether he intends investigating the matter; if not, why not; if so, when;

(3) whether any instances of publishing firms being allowed to compete with retailers in supplying textbooks to Indian schools have been brought to his or his Department's notice; if so, what are the relevant details;

(4) whether schools under the control of the Administration: House of Assembly are required to also consider Indian bookshops when allocating orders for the purchase of textbooks; if not, why not; if so, what are the relevant details? D213E

The MINISTER OF STATE EXPENDITURE:

- (1) As already mentioned on 21 April 1993, at least 94% of all the schools under control of the Administration: House of Assembly are State-sponsored schools (Model C schools) including those administered by the provincial administrations. These schools received a subsidy only from the State for the salaries of the personnel on their approved fixed establishment. The purchasing of school textbooks by the schools is financed from school funds paid by the parents directly. Therefore the State Tender Board Act, 1968 (Act No 86 of 1968) does not apply to the purchases of these schoolbooks.

The remaining approximately 6%, known as public schools, purchase their books individually on a tender basis by virtue of the State Tender Board Act, 1968 and standing powers delegated to state departments by the State Tender Board. These schools invite tenders individually for the purchasing of textbooks. In so far as the tender procedure and administrative actions are concerned these schools are bound to comply with the directives as contained in the State Tender Board's General Conditions and Procedures (ST 36) as well as the User Manual: Directives to Departments in Respect of Procurement (ST 37) which rules that tender invitations are to be mailed to all potential tenderers.

HOUSE OF DELEGATES

Negotiators set against an Afrikaner homeland

B10M713/593 BILLY PADDOCK

NEGOTIATORS and diplomats yesterday warned it would be impossible for the Afrikaner Volksunie or the new Afrikaner Volksfront to establish an Afrikaner homeland without apartheid-style forced removals.

They were responding to Volksunie leader Andries Beyers' optimism following discussions with Constitutional Development Minister Roelf Meyer on Tuesday.

Beyers hailed the meeting as a breakthrough because Meyer said government and the NP supported "in principle" Afrikaner self-determination in a federal system.

An ANC source reiterated secretary-general Cyril Ramaphosa's weekend statement that it supported self-determination for all South Africans, but he questioned the viability of an Afrikaner-dominated homeland. Government supported the principle as long as there was no racial discrimination, but "how can one avoid discrimination when talking of an Afrikaner", he said.

A senior foreign diplomat said there was no easily definable region in SA at present — or in any proposed regional dispensation — where whites were in the majority. "How then can Beyers proclaim that there would be no forced removals in establishing his homeland?"

On Tuesday, Meyer also questioned the viability of establishing an Afrikaner homeland but encouraged the Afrikaner Volksunie to fight for it in negotiations.

Government's position on self-determination had not shifted at all, sources said. At least a year ago President F W de Klerk made the same pronouncements.

Race to table legislation on return of land

Star 13/5/93

By Chris Whitfield
Political Correspondent

CAPE TOWN — The Department of Land Affairs is facing a race against time to get through Parliament critical legislation on the replacement or return of land lost under apartheid's resettlement policies.

The legislation is designed to remove deficiencies in the Abolition of Racially Based Land Measures Act — passed in 1991 — by extensively widening the powers of the Advisory Commission on Land Allocation.

Deputy Land Affairs Minister Johan Scheepers revealed in an interview this week that the legislation was at present with the State's legal advisers.

It is understood that the legislation will have to be tabled by the end of this month to allow it to go through the parliamentary process. Scheepers said he

was hopeful the legislation could be tabled this month.

The new law includes provision to:

- Prevent the sale of State land that could be investigated by the commission.
- Give the commission the power to make awards on any Government-owned land without referring the decision to the State President.
- Enable people to take the commission to court if it did not "follow rules of natural justice".
- Investigate cases of people whose land is no longer owned by the State but who had been prejudiced by the application of racially based laws.
- Recommend the allocation of other State land in consultation with the Minister controlling the land.
- Advise the State President about the identification and allocation of land to people who had been prejudiced by racial laws where the land was still vacant.

Star 13/5/93

Community vows to go back

By Jo-Anne Collinge

Former neighbours, cast as far apart as Namibia and Ciskei by the policy of forced removals, have regrouped to fight for the return of their land at Riemvasmaak in the northern Cape.

About 40 representatives of the old community of Riemvasmaak met last weekend at Upington for the first time since their "black spot" settlement of about 1 000 people was destroyed in 1973/4.

At the time, residents were dispatched to different destinations according to their apartheid ethnic classification.

Freddie Bosman, elected chairman of the Riemvasmaak committee during the weekend consultation, said the people of Riemvasmaak were determined to return to their land before the year was out.

They intended to enlist the support of ANC president Nelson Mandela.

Bosman said community representatives had resolved to request an urgent meeting with the State President to discuss the return of Riemvasmaak.

If such efforts failed, they would reoccupy the land without consent.

Afrikaner homeland still a hurdle

Star 15/5/93

80

CHRIS WHITFIELD
Political Correspondent

CAPE TOWN — A negotiations crunch over self-determination for Afrikaners in their own territory is still looming in spite of support by the Government for the principle.

The two major players in the process — the Government and the ANC — have their own ideas about self-determination, and both will provide cold comfort for volkstaters.

Constitutional Development Minister Roelf Meyer said this week that the Government was "convinced that a feasible form of self-determination for all, including Afrikaners, could very well be accommodated within its own constitutional plans".

This was a reference to the "checks and balances" to protect minorities that the NP wants built in to a new constitution, and by no means stretches to a volkstaat.

He went on to announce that the Government and National Party "have no objection in principle against the Afrikaner Volksonie's (AVU) ideal of Afri-

ANC to hold talks with Right

Star 15/5/93

The ANC has decided on immediate steps to enter into talks with the Committee of Generals and the right-wing Afrikaner Volksfront (AVF) to seek a peaceful solution to the country's problems.

This emerged yesterday when the ANC issued a statement after holding three days of talks at an undisclosed venue on the current state of play in South Africa.

The decision of the Afrikaner Weerstandsbeweging

and the Mine Workers Union to join the AVF was indicative of the growing momentum of the white ultra Right, the ANC said, adding that "bellicose racism" offered no real solutions to the problems of such people. "The ANC remains convinced that a peaceful solution, in the interests of all South Africans, can be found through negotiations," it said in announcing the move to engage the new front in talks.

— Sapa.

kaner self-determination as part of a federal dispensation in which no form of race discrimination is allowed and citizen rights are extended to all inhabitants".

In effect, Meyer — speaking after heading a Government delegation's meeting with the AVU on Tuesday — was agreeing that the issue should be aired at negotiations and that the Government would support such discussion.

The ANC's Carl Niehaus also agreed that self-determination should be on the agenda at talks, but the AVU and others in favour of self-determination would have to accept the "rules of democracy" in negotiations.

Conservative Party negotiator Dr Pieter Mulder contended that Meyer's "in principle" agreement was anything but an "historic breakthrough", as AVU leader Dr Andries Beyers had felt moved to comment.

He pointed out that the Government had already placed self-determination on the talks agenda before Codesa broke down in May last year and it was now being addressed by a negotiations technical committee.

However, Beyers did point to a positive spin-off when he said the Government's stance "makes it worthwhile to proceed with our participation in negotiations".

Some observers believe the lifting of hopes in right-wing circles by Meyer's statement may also have been a shrewd move to boost the moderate AVU over the increasingly militant CP.

They point out that the AVU's profile has been sharply raised in recent weeks by its role in the Afrikaner Volksfront and, in particular, its association with former SADF chief General Constand Viljoen.

They also say the AVU's softer approach towards attaining an Afrikaner homeland may find a more sympathetic hearing from the ANC in a meeting being arranged at present.

We should take the Right's ideas more seriously, argues Chris Whitfield

Is the Volksstaat idea SO crazy?

Star 21/5/93

THE mood of Cape Town, like other centres, has been changed by politically related developments since the April 10 killing of Chris Hani.

Soldiers now stand guard on bridges straddling the N2 highway just beyond the airport, where the squatter shacks press up against the roadside. Army Buffels patrolling that highway bear testimony to the township anger that was unleashed after the assassination and, in this case, vented on passing motorists.

And, in the Afrikaner-dominated suburb of Parow, burly right-wingers gather in long coats with bulges on their hips as the ANC holds its first meeting in the area. "Viva Constand Viljoen", they shout in reply to the ANC's chants.

The lesson of the townships was apparently learnt by many of the country's politicians, who turned to the negotiations process to provide the answer to violence from

that quarter. The spoilers may still delay the process, but there are signs that even they are beginning to take the greater good into account.

But the other lesson from developments in the wake of Hani's death — and with implications that are nearly as serious — has merely been noted. It seems astonishing that the damage-causing potential of the right wing, as comic as some of its manifestations may be, is not being addressed urgently in spite of the obvious evidence offered by the Hani murder. The Government clearly retains direct responsibility for maintaining law and order, and whether it is taking sufficient action against the motormouths from both sides of the political spectrum is already the subject of heated debate.

Observers have pointed out that the recently founded Afrikaner Volkfront — and in particular the

disciplined, pragmatic control that the likes of General Constand Viljoen bring to it — will probably reduce the threat of violence from the right wing in the short term.

That may take us through the critical next few weeks, but the right wing will not disappear. The search must surely be for a medium-to-long-term solution, and one that lies beyond police action.

Conservative Party politicians will tell you that the greatest concern of Afrikaners right now is they face a loss of their identity. "We don't have an England to run to", is how they put it. The CP MPs say that concern is fuelling emotions and giving rise to the increasing war talk from the Right.

Constitutional Development Minister Roelf Meyer effectively acknowledged the problem last week when he emerged from a meeting with the Afrikaner Volkfront to tell the world that the Government had no objection "in

principle" to the creation of an Afrikaner state within a federal South Africa. The obvious question that arises is what to do about the problem? Is the answer to accede to some form of an Afrikaner state? Support for such a Volksstaat is coming from unusual quarters.

Democratic Party Green Point MP Hennie Bester, an Afrikaner, points to the symbol of identity that Israel has become for Jewish people around the world. Although many of those Jews living in Johannesburg, New York and London would not contemplate the almost frontier lifestyle of Israel, they are among its most determined and generous backers.

Bester's proposal is for what he calls a "challenge" to Afrikaners right-wingers. Give them a territory — he suggests part of the north-western Cape and, perhaps, bits of the OFS and Transvaal — where Afrikaners are a majority

or close to it. The state should be part of a federation but with certain unique characteristics: some controls over immigration and limited access to the fiscal base of the rest of the country.

"The challenge is that if enough Afrikaners feel strongly about it, they must vote with their feet (by moving there)," says Bester. The state should have the option of becoming a normal partner in the federation — a full fiscal partner bound by normal laws — if it so wishes.

Bester is convinced that the majority of Afrikaners will commit themselves to a new, non-racial South Africa but feels the Volksstaat should be offered to "defuse a situation that could potentially destabilise the entire process to democratisation. I don't think we should allow pure enthusiasm for a neat and ideologically

consistent solution to cloud our minds to the fact that there might be other people hell-bent on opposing that idea," he says.

A problem is to divorce the whole concept from what many — probably correctly — see as its racist origins. The AVU has attempted to do so by its vision of an Afrikaner state where people of all races would have full rights and there would be no such activity as forced removals. The CP, biggest and best organised of the right-wing parties, might find the movement towards acceptance of the Volksstaat ideal is best pursued by a similar approach.

Its belligerent and conditional approach to negotiations (which it says it will abandon if it does not get its way) is too reminiscent of the old National Party from which it sprung to be palatable to important players in the constitutional process. □

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for which information is available and (d) for what purposes are these lounges used by Ministers? D245E

The MINISTER OF TRANSPORT:

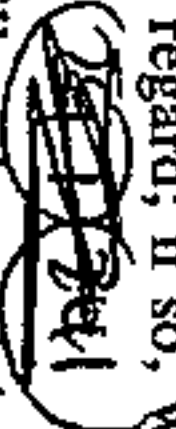
No, the relevant VIP lounges are made available free of charge to dignitaries.

(a), (b), (c) and (d) Fall away.

Child welfare agencies: food aid

*2. Mr M F CASSIM asked the Minister for National Health and Welfare:


(1) Whether it has been brought to her or her Department's notice that child welfare agencies and other recognized bodies involved in dispensing food aid to the indigent were called upon to expend unusually large amounts of money shortly before the end of their financial year, if so, why were these agencies and bodies called upon to expend such amounts;

(2) whether any problems have been experienced by the said agencies and bodies in respect of planning and performing their activities properly; if not, what is the position in this regard; if so, what problems; 

(3) whether she will make a statement on the matter? D271E

The DEPUTY MINISTER FOR NATIONAL HEALTH AND WELFARE:


(1) No;

(2) yes, firstly some of the organisations thought that it would take less time to get programmes established. This did not evolve and therefore they over-estimated and could not utilise all the funds before the end of the financial year on 31 March 1993. These funds had to be paid back to the State coffers. Savings realized in this manner will be included as a supplementary annexure to the first report on the State of the Expenditure Budget of the Department for the 1993/94 financial year and made available to the National Nutrition and Social Development Programme, and secondly smaller organisations are not yet properly geared to expend funds according to Treasury Instructions; 

(3) no.

Air hostesses/flight attendants: hours worked

*3. Mr N SINGH asked the Minister for Public Enterprises:

(1) Whether any (a) air hostesses and/or (b) flight attendants on flights of the South African Airways were recently required to work longer hours than is normally the case; if so, why; 

(2) whether reports have been received that, as a result of these longer hours, some of these persons were too tired to perform their duties efficiently; if not, what is the position in this regard; if so,

(3) whether any steps have been taken or are being contemplated in this regard; if not, why not; if so, what steps? D272E

The MINISTER OF TRANSPORT AND OF POSTS AND TELECOMMUNICATIONS (for the Minister for Public Enterprises):

The Managing Director of TRANSNET LIMITED has furnished the following reply to the hon member's question:

(1) (a) and (b) Yes. To obtain greater productivity and improved passenger satisfaction on the Johannesburg—Taipei flights.


(2) Yes.

(3) Yes. The extended hours were originally agreed to by the trade union after a ballot was conducted amongst their members. However, after a further ballot it has been decided to implement a new cabin crew schedule for the Taipei flights with effect from 31 May 1993. This will entail that the cabin crew to and from Taipei will be rotated in Singapore.

HOUSE OF DELEGATES

Expropriated land: price/return 

*4. Mr M NARANJEE asked the Minister of Regional and Land Affairs:

(1) Whether it has been decided that land acquired or expropriated in terms of racially based legislation was to be returned to the former owners of such land at the price paid at the time of the acquisition or expropriation thereof in terms of the said legislation; if not, why not; if so, what are the relevant details; 

(2) whether any such land (a) has been and/or (b) is to be so returned; if not, what is the position in this regard; if so, to whom? D274E

The DEPUTY MINISTER OF REGIONAL AND LAND AFFAIRS:

(1) No. The Advisory Commission on Land Allocation investigates all claims regarding the restoration of ownership rights in terms of the provisions of the Abolition of Racially Based Land Measures Act, 1991 (Act 108/1991), on the merits of each case and submits thereafter its recommendations to the State President for consideration. The final decision regarding the conditions and the prices at which the identified properties could be alienated, rests with the State President-in-Cabinet after considering the recommendations of the Advisory Commission on Land Allocation. The ultimate decision of the State President-in-Cabinet is binding.

(2) (a) and (b)

On the recommendation of the Advisory Commission on Land Allocation, the State President-in-Cabinet has decided that the following identified state owned properties may be alienated to the former owners, namely:

Roosboom	(Ladysmith)
Charlestown	(Newcastle)
Groote Springfontyn	(Melkbosstrand)
Asiatic Bazaar	(Pretoria)

The Advisory Commission on Land Allocation is at present investigating a number of claims regarding the restoration of ownership over identified land, the details of which are not yet available.

The CHAIRMAN OF THE HOUSE: Order! I wish to inform hon members that the time allotted for questions on general affairs has expired. However, I am going to proceed with the rest of the questions, so that we can get the replies while the hon Ministers are here.

Housing subsidy scheme: capital subsidy coupon

*5. Mr M F CASSIM asked the Minister of National Housing:

(1) Whether, with reference to information furnished to the Minister's Department for the purpose of his reply, he or his Department intends introducing a housing subsidy scheme in terms of which a capital subsidy coupon is provided to an eligible first-time home buyer; if not, why not; if so, when is it anticipated that such a scheme or a similar one will be introduced in the Republic;

(2) whether he will make a statement on the matter? D262E

The MINISTER OF CORRECTIONAL SERVICES (for the Minister of National Housing):

(1) The hon member will be aware of the fact that the Task Group which investigated a new housing policy and strategy has recommended that a capital subsidy should form part of the solution to South Africa's housing problem. The possible utilisation of a capital subsidy coupon along the lines of the Chilean model is addressed in the report.

As the recommendations by the Task Group are at present serving as an important input in the negotiation process between the Department of Local Government and National Housing and the National Housing Forum, it would be premature to commit oneself at this stage to the feasibility of detailed issues

HOUSE OF DELEGATES 

By Justin Pearce

ONCE UPON a time there was a nasty piece of legislation called the Group Areas Act. It forced many people out of their homes into mass-produced ethnic ghettos and barred them from living within reasonable distance of their places of work.

Then the act was abolished. But two years later most people are still living in ethnic ghettos.

This situation is likely to prevail for years to come, says University of Cape Town sociologist associate Professor Wilmot James, who is researching the history of "spatial segregation" in South Africa.

James predicts that as the civil service and other job opportunities are deracialised, a growing black "labour aristocracy" will trickle into white urban areas.

"The black middle class will not radically transform the basic configuration of the apartheid city".

This will only change if central government puts pressure on local authorities to provide them housing in inner cities, James says. The new government will be expected to put that homes built with treasury funds be located near the centre.

But so far political parties to the left of the National Party have been almost silent on the issue of encouraging racial integration since the Group Areas Act was abolished.

Inner-city areas, like Hillbrow in Johannesburg, that have acquired a substantial black population are on the way to becoming slums, thanks to the system of "redlining", where banks refuse to grant loans to people buying property in a certain area.

Banks fear "greying" will decrease property values. But redlining makes property devalue dramatically, as it becomes very difficult to find buyers.

Consequently there is little incentive for landlords to spend money on maintenance, and the area

Group Areas Act won't go away

South 516-916193



SO, WHAT'S NEW? Racial ghettos will survive long after the scrapping of Group Areas

becomes a ghetto.

James's research also reveals that the scrapping of the act was not a particular incentive to the "greying" of South African cities — the process had begun 20 years earlier.

Some areas, like Woodstock, were never racially exclusive despite the efforts of government officials. But in the early seventies blacks began renting properties white areas, and landlords did nothing to stop them.

This move had to do with the end of the economic boom enjoyed by white South Africans in the sixties, coupled to the shortage of housing available for blacks.

White tenants and buyers were simply not to be found. In this situation blacks were able to rent

homes in white group areas, or buy them if a white person was prepared to be the nominal owner.

It was areas like Hillbrow that held the greatest appeal for the "in-migrants", a name given to people who moved across racial divides.

Later, middle-class coloureds and Indians began moving to those white areas next to coloured areas.

In some cases these were areas from which coloured residents had been evicted. But then, as now, people were reluctant to move to a completely new part of town.

In 1982 illegal in-migrants became more confident when the Appeal Court upheld a ruling that the state could not evict Group Areas transgressors unless alterna-

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tive accommodation was available. The abolition of influx control in 1987 led to more and more Africans seeking accommodation in white areas. Between 1983 and 1991, the number of blacks living in white group areas nationally rose from 250 000 to one million. Yet overall segregation levels did not change significantly. New group areas boundaries were still being declared right up until the day the act was repealed. Suburbs like Johannesburg's Joburg Park did not become integrated, but changed very quickly from white areas into black areas. Last year, the number of interracial property was still a minuscule 0.02 percent of all sales.

Growing discord over land issues

Buss. Day 8/6/93

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BILLY PADDOCK
and TIM COHEN

SIMMERING disputes on land issues boiled over in public yesterday, with a government-appointed forum calling for a hold on homeland land transfers and land interest groups calling for the scrapping of the Land Affairs Department.

The discord is a sequel to the resignation of Deputy Land Affairs Minister Johan Scheepers, whose intention to leave his post reportedly stems from frustration with the bureaucracy.

Department officials said legislation proposed by Scheepers almost a year ago to rectify forced removals was likely to be published this week, although sources said it differed significantly from what was originally proposed.

Land Rights Advisory Forum chairman Prof Louise Tager yesterday called on government immediately to freeze all land transactions involving former SA Development Trust and other state land to avoid potential conflict.

Scheepers, in response to Tager's comments, said the call had merit and would be given "the necessary attention", SABC-TV news reports.

The forum, appointed by Regional and Land Affairs Minister Andre Fourie, is responsible for implementing land transfers and placing trust land under the joint administration of homeland and state

authorities.

In a statement Tager said transferring state land to homeland governments at this stage would be a serious mistake, removing a critical land resource which would be needed to address the "serious problem of landlessness" in SA.

She said she had called this issue to the urgent attention of the multiparty negotiating council, the SA business community and the national peace accord structures — in particular the peace committee responsible for implementing a programme of socioeconomic reconstruction and development.

"The transfer of land is a serious and sensitive matter with many potential implications, in particular for future equitable land distribution," she said.

"Whatever form the proposed transfer might take — whether it be alienation or administration — we call for an immediate moratorium, until the future of this land can be resolved by a properly constituted democratic authority or a representative negotiating body."

Tager said it had come to the forum's attention that government intended plac-

□ To Page 2

Land disputes

Buss. Day 8/6/93

□ From Page 1

ing 1-million hectares of trust land under the joint administrations and also possibly under various homeland development corporations.

The transfer would be implemented through proposed legislation and various agreements.

The National Land Committee, which advises the ANC, repeated its call for a moratorium on the sale of state land, saying it was familiar with the "intransigence and incompetence of bureaucrats" in the department.

Committee head Joanne Yawitch said most of the officials in the department had been taken over from the Development Aid Department, which was responsible for forced removals. "They have caused so

much pain to so many people. The whole department should be scrapped," she said.

Scheepers said he still hoped that legislation restructuring the Advisory Committee on Land Allocation, which he initiated, would be passed during the current session. The legislation was intended to allow the Minister to refer disputed land to the commission so that all past forced removals could be considered.

The legislation would also allow the commission to provide alternative land to forcibly removed communities whose land had since been developed.

The aim was to meet parties that called for a land claims court halfway, correcting past wrongs without disturbing the right to private property, he said.

Bid to halt State land transfer

The Land Rights Advisory Forum has called on the Government to place a moratorium on all transactions involving land owned by the State and the former SA Development Trust.

Chairman Professor Louise Tager said the forum had learnt that the Government intended placing trust land under joint State-homeland administration or under the control of homeland development corporations.

The transfer of the land, about one million hectares, was to be implemented through legislation and agreements.

"The proposed move would have the effect of removing a critically important land resource from the available land needed to address the serious problem of landlessness in

South Africa," said Tager.

She said the forum would call the issue to the attention of the Negotiating Council, the business community and National Peace Accord structures.

Regional and Land Affairs Deputy Minister Johan Scheepers, who leaves his post at the end of the month, is reported to have said her call had merit and would be given "the necessary attention".

● The National Land Committee (NLC), a co-ordinating body for nine regional service organisations, has questioned Scheepers's "verligte" image.

The NLC said it had long favoured Scheepers's departure "because of his determination to go ahead with the transfer of State land and with unilateral

restructuring of land policy".

Nevertheless, the NLC agreed with Scheepers's allegations that officials in his department were obstructing reform.

"The NLC is convinced that Land Affairs will remain a frustrating and difficult portfolio until it is headed by a person who recognises the need to deal with South Africa's land crisis in a transparent, open and honest way."

Aninka Claassens, senior researcher at the Wits Centre for Applied Legal Studies, commented that Scheepers's major "achievement" had been to dispose of uncontested State-owned land that could have been used to begin redressing imbalances wrought by apartheid. — Staff Reporter, Sapa.

The land issue is back in the news with the decision of Deputy Land Affairs Minister Johan Scheepers to quit politics. JO-ANNE COLLINGE reports on the need for land reform and what has been happening.

THE World Bank has been called many things, but seldom alarmist. So when it warns that South Africa had better implement massive land redistribution or face decades of peasant insurrection — or even civil war — there is reason to sit up and take action.

The National Party Government, in its dying days, has shown no inclination to do so. Although Deputy Minister of Land Affairs Johan Scheepers might have the public believe that recalcitrant officials are the problem, the evidence points to opposition to land reform at a much higher level.

The Government's sins have not just been of omission, they have been sins of commission, its opponents charge. They point to actions such as the rapid disposal of State-owned land, the unilateral framing of contentious legislation and a refusal to negotiate with relevant stakeholders.

The scenario sketched by World Bank experts Hans Binswanger and Klaus Deininger is based on international experience and it spells out the likely consequences of a failure to substantially redress the huge imbalance in land ownership.

They note that at present rural resistance is still unorganised and confined to interracial conflict and sporadic land invasions. But, they warn: "If the hope raised by repeal of most of the racially motivated land laws and restrictions on mobility are not confirmed by rapid restitution of land in the former black spots, land invasions are likely to increase.

"Over time, some political group will organise a well-disciplined peasant movement capable of co-ordinated insurrection and terrorism."

When the apartheid land laws were repealed two years ago, the Government's only concession to interests lobbying for land redistribution was the Advisory Commission on Land Allocation (Acla), which was empowered to advise on the use

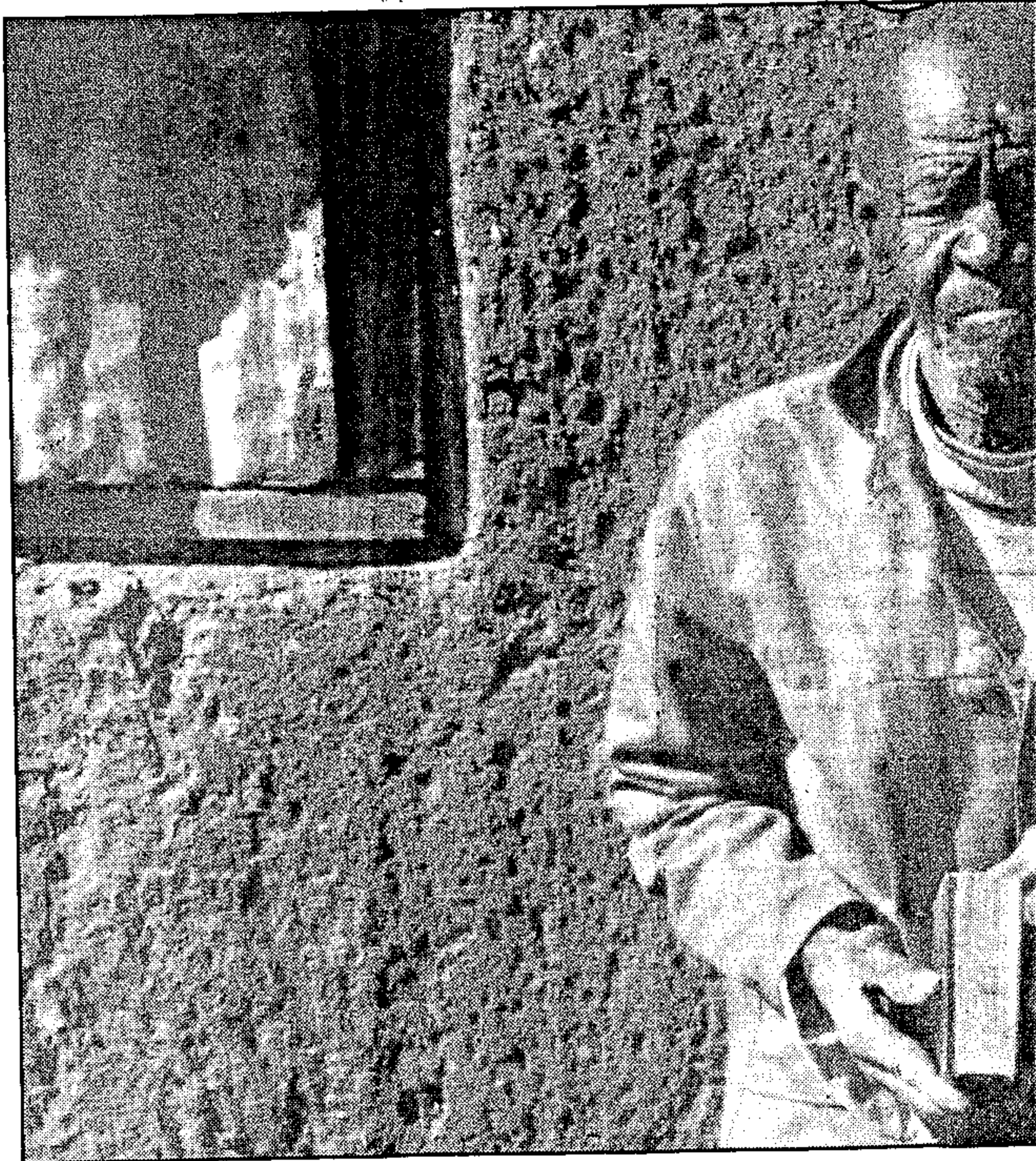
Waiting in for land jus

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The power of prayer... Looseboy Mokgoero is determined to stay in Welverdiend. (See 'High noon in the west' report on this page.) Mokgoero, the community's oldest resident, came to Welverdiend during the diamond rush of 1926. "The only one who will move us is the one who will move us to heaven," he warns.

of State-owned land for development and to address the position of those prejudiced under the old laws.

Since April 1992, Acla has considered 58 claims for particular pieces of land, lodged in many cases by victims of forced removal. But in only four of these cases has land been restored to the communities concerned. Final decisions

have been taken by the State President in a further eight cases — and this land has not been returned.

Uprooted communities and leading land rights group, the National Land Committee (NLC), regarded Acla with suspicion, especially after the State President rejected their suggestions on membership of the commission. But they decid-

ed to give Acla a chance and brought claims before it.

It is a measure of the NLC's disillusionment that, when it was approached to take part in the Government's Land Rights Advisory Forum earlier this year, the NLC would have nothing to do with it.

NLC director Joanne Yawitch points out that, in contrast with institutions such as

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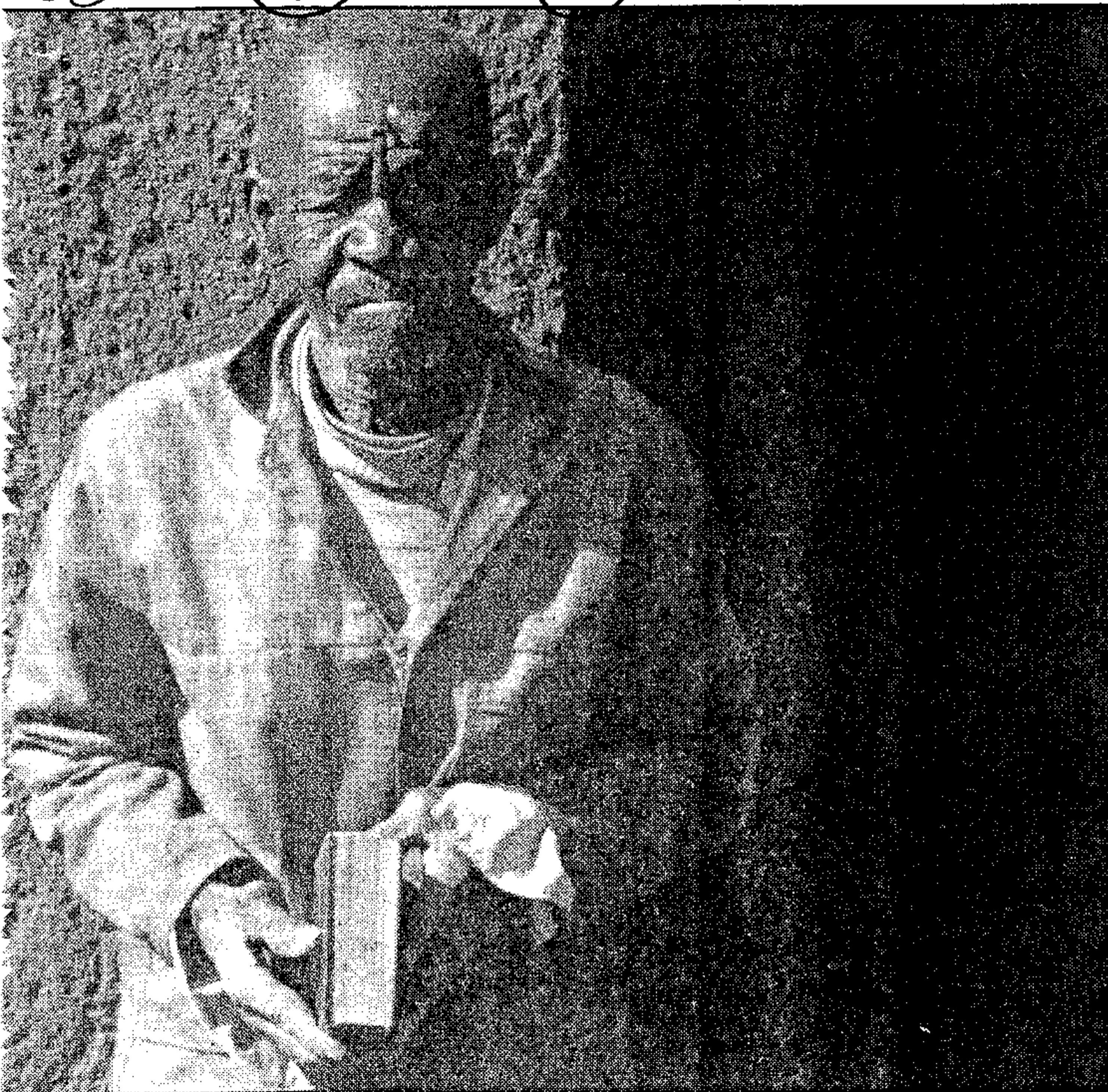
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NLC director Joanne Yawitch points out that, in contrast with institutions such as

the Local Government Negotiating Forum and the National Economic Forum, which were created by negotiation, the Land Forum was Scheepers's "hand-picked" creation.

"It is merely a body set up to advise the Deputy Minister and not intended to set in motion a broad consultation on land policy. So we refused to sit on it," says Yawitch.

"It is our view that there needs to be a consensus position on land before any programme is implemented, and the history of the Department of Regional and Land Affairs is not one which attempts to develop such consensus. They still want to do it all their own way — they are, after all, the people who manned the Department of Development Aid and carried out

the forced removals."

There is little doubt that agricultural interests would argue for negotiated rather than imposed solutions.

Aninka Claassens of the Centre for Applied Legal Studies at Wits said experience had led the land-redistribution lobby to believe that it was futile to join Scheepers's forum as "major unilateral restructuring would go on under our feet".

It is no secret that such groups felt betrayed when the Government decided to transfer some 430 000 ha of State-owned land to the tribes and parastatal organisations in Lebowa and QwaQwa last year. They believed that they had successfully argued against any such move — until Scheepers announced his agreements with the homelands in question.

"All the Department of Land Affairs has achieved is a terribly accelerated process in getting rid of land which would otherwise have been available for redistribution," argues Claassens.

"This disposal of uncontested State-owned land is going to have a major long-term impact, because it focuses attention back on land presently owned by whites. Scheepers pre-empted an option clearly put by people across the spectrum as a starting point — albeit an insufficient one — for land reform."

Only recently the Government and the ANC held initial talks on the question of land. And once more, Scheepers's subsequent action of drafting legislation which would facilitate the homelands land-gift caused ANC participants to question the spirit of the talks.

Scheepers's public relations machinery, however, focused on that part of his legislative programme which lent him a reformist image. It stressed the Bill intended to extend the powers of Acla to compensate victims of forced removal.

It is this disparity between image and reality which has seen Scheepers unfavourably compared to Dr Piet "Promises" Koornhof, who headed the Department of Co-operation and Development in its days of deepest infamy and whose deed was seldom as good as his word. Said one source: "Scheepers makes Koornhof look like Miss Muffet."

The remark reflects a deep sense that, in this protracted political transition, there has been no progress toward justice on the land. □

Bill on return of apartheid land tabled

By Chris Whitfield
Political Correspondent

CAPE TOWN — A Bill on land matters, thought to have been a source of frustration which contributed to Deputy Land Affairs Minister Johan Scheepers's decision to quit, was tabled in Parliament yesterday.

The Abolition of Racially Based Land Measures Amendment Bill broadens the mandate of the Advisory Commission on Land Affairs, which makes rec-

ommendations to the State President on the return of land taken under apartheid laws.

Delays in getting the Bill through the bureaucratic process are known to have frustrated Scheepers, who hoped the legislation would be tabled before the end of last month to ensure it could be passed during this session of Parliament.

However, the tabling of the Bill yesterday does mean it should be able to go through the

legislative process before Parliament rises in two weeks.

The Bill broadens the definition of land on which the committee can make recommendations to include "land of local authorities and development bodies". In the past it has been restricted to State-owned land.

In terms of the Bill, the committee would also be able to investigate cases of people whose land was no longer owned by the State but who had been prejudiced by apartheid laws.

Law to bolster property claims

Biday 11/6/93

TIM COHEN

CAPE TOWN — Far-reaching legislation was introduced yesterday to provide almost all victims of forced removals with the right to apply for restitution, providing hope for former Page View and District Six residents.

The long-awaited Abolition of Racially Based Land Measures Amendment Bill substantially broadens the scope of existing legislation, which deals only with undeveloped, rural land. (24) (80)

Victims of forced removals who held land in urban areas will now also be permitted to apply to the Advisory Commission on Land Allocation for restitution. (2) (12)

However, restitution will take place only with the concurrence of the local authority. (12)

The commission, formerly an advisory body, will be empowered to issue orders regarding certain land.

This will significantly speed up the process of restitution, a Regional and Land Affairs official says.

The legislation also allows the commission to make recommendations about alternative land in cases where the original land of a prejudiced party has been developed.

DP land affairs spokesman Peter Soal said the fact that the commission would no longer be merely an advisory body was a "great extension

to the powers and functions".

Its authority to determine whether anyone was prejudiced was also to be welcomed.

Granting the commission control over its staff was also significant.

However, the requirement that local authorities would have to approve applications for restitution would cause unnecessary delays. The DP would seek to have this clause removed, Soal said.

The Bill also provides for the occupier of a property to apply to a court for transfer of ownership from a nominee owner within 30 months after the commencement of the Abolition of Racially Based Land Measures Act of 1991, reports Sapa.

The Bill extends the application period from the six months stipulated in the 1991 Act.

That Act had amended the Group Areas Act which had made such transfer of ownership from the nominee owner to the occupier illegal.

The new 30-month period is to apply with retrospective effect and is reckoned from the implementation date of the 1991 section.

Provision is also made for the period to commence after the finalisation of an estate if the nominee owner had died since the closing of the transaction.

this investigation will be submitted; if not, why not; *(8854)*

(3) whether he intends instructing the SADF to institute such an investigation; if not, why not; if so, when? B846E

The MINISTER OF DEFENCE:

(1) (a) No, Defence Force members are tested according to the K53 system. In terms of the Defence Act 1957 (Act No 44 of 1957 as amended) and the Road Traffic Act (Act No 29 of 1989) the SA Defence Force is entitled to issue its own licences.

(b) Yes. The regulations are contained in the SADF Logistics Policy and Procedures 14, Pamphlet 1, Part 3, Chapter 5, "Road Transport in the SA Defence Force" and in the Army Training Instruction 2/91, Appendix A-14, paragraphs 26 to 29.

(2) Yes. The enquiry can, however, only be completed when the required judicial proceedings have been concluded and the evidence which is heard or presented during these proceedings, has been taken into account.

(3) Until such time as the findings and recommendations of the SA Police Enquiry are known, this decision is being kept in abeyance.

SADF: regulations applicable to military vehicles

371. Mr E K MOORCROFT asked the Minister of Defence:

(1) Whether military vehicles used for the transportation of passengers are subject to the same regulations applicable to civilian vehicles used for that purpose; if not,

(2) whether any internal regulations and/or rules of the South African Defence Force make provision for military vehicles used for that purpose; if not, why not; if so, (a) who is responsible for ensuring that such regulations and/or rules are complied with and (b) what is the maximum speed at which Samil vehicles are allowed to travel on (i) freeways and

(ii) (aa) tarred country and (bb) dirt roads when transporting school cadets? B850E

The MINISTER OF DEFENCE:

(1) Yes. *(8854)*

(2) (a) The driver and/or the non-commissioned officer or a member of a higher rank who is appointed in each specific instance to accept the responsibility. Defence Force Road Traffic Inspectors are also employed and work on a sample method.

(b) (i) and (ii) 80 km per hour.

Death sentences commuted

373. Mr P G SOAL asked the Minister of Justice:

(1) How many death sentences were commuted in 1992; *(8854)*

(2) whether he will furnish the names of the persons whose sentences were so commuted; if not, why not; if so, what are their names? B826E

The MINISTER OF JUSTICE: *(8854)*

(1) 59

(2) The names of the persons and their substitutive sentences are as follows:

VMM Doncabe	30 years' Imprisonment
SM Blose	30 years' Imprisonment
MM Mathabela	25 years' Imprisonment
IM Nkwenyana	15 years' Imprisonment
ST Ntshabathi	15 years' Imprisonment
MZ Mncube	Imprisonment for life
ME Nondula	Imprisonment for life
A Generals	30 years' Imprisonment
MS Mavela	25 years' Imprisonment
EHanana	30 years' Imprisonment
JT Ledula	20 years' Imprisonment
ITsolesi	15 years' Imprisonment
SD Mabine	Imprisonment for life
JN Masango	30 years' Imprisonment
B Maseko	Imprisonment for life
MZ Mnuane	Imprisonment for life
JN Mosuwe	25 years' Imprisonment
S Phungula	25 years' Imprisonment
NL Zibonda	25 years' Imprisonment
P Dlemnyango	30 years' Imprisonment
ANgidi	Imprisonment for life
DS Mlumbi	Imprisonment for life
MG Khuzwayo	Imprisonment for life
GJ Harper	20 years' Imprisonment
MZ Mole	30 years' Imprisonment

SE Nyide	25 years' Imprisonment
LD Luthuli	25 years' Imprisonment
JB Bhengu	25 years' Imprisonment
MG Sate	Imprisonment for life
J Groothoorn	Imprisonment for life
D van Wyk	Imprisonment for life
T Khumalo	25 years' Imprisonment
J Letshebu	Imprisonment for life
D Moresetsi	Imprisonment for life
J Melato	Imprisonment for life
S W Malongisa	30 years' Imprisonment
B Sigeza	30 years' Imprisonment
IMakhaza	40 years' Imprisonment
J Morten	Imprisonment for life
E Tabethe	25 years' Imprisonment
Z Mkhungo	Imprisonment for life
B Dladla	25 years' Imprisonment
MLushaba	25 years' Imprisonment
V Mbatha	30 years' Imprisonment
SM Hlongwane	30 years' Imprisonment
M Chonco	Imprisonment for life
SKhanyile	Imprisonment for life
AL Mahara	20 years' Imprisonment
GR Eybers	Imprisonment for life
JZ M Magubane	Imprisonment for life
ZN C Mbatha	30 years' Imprisonment
HM Ngcobo	Imprisonment for life
M Ntaka	Imprisonment for life
J Mathabela	25 years' Imprisonment
W Dlamini	25 years' Imprisonment

Local authorities: persons living outside designated areas

396. Mr M J ELLIS asked the Minister of Home Affairs:

How many persons were living outside areas designated as local authority areas in each province in the Republic as at the latest specified date for which statistics are available? B920E *(8854)*

The MINISTER OF HOME AFFAIRS:

According to the 1991 Population Census (7 March 1991) the following number of persons per province were enumerated outside local authority areas (i.e. outside urban areas with some or other form of local authority):

Province	Number
Cape	1 228 196
Natal	696 235
Transvaal	1 992 495
Orange Free State	817 670

Move on land question

Source: 18/6/93.
■ Finance Minister says restitution will cost billions of rands:

RESTITUTION, which could cost billions of rands, would have to be made as part of the process of reconciliation, Finance Minister Derek Keys said yesterday.

The move was immediately welcomed by the African National Congress, but the organisation felt Keys had not gone far enough.

It called for a "land claims court" to probe the issue dating back to the adoption of the 1913 Land Act, resulting in many blacks being dispossessed of their land.

At a Press conference yesterday, Keys was also upbeat about meeting the Budget target of a deficit of around 6,8 percent of gross domestic product — in

spite of predictions by market analysts that it would be closer to nine percent.

Responding to a question on the land issue, he said: "Restitution is part of reconciliation."

High expectation could not be successfully managed without more being done for the underprivileged, he said.

However, the country would probably have to borrow for this purpose. "This Government is already spending more than our tax revenue ... I imagine it would have to make use of national debt to an extent," said Keys.

"One doesn't like to build up the national debt if one can avoid it, but certain needs are so pressing and so justified that you have to take the painful

medicine."

ANC information director Dr Pallo Jordan said last night that it would go further and call for the issue to be "addressed through a mechanism that is seen to be fair".

He said the ANC had proposed a land claims court "through which these various claims can be processed".

This should "try to accommodate both the aggrieved and those who presently hold that land".

Jordan also said the probe should go back long before the National Party's reign — to 1913 when the Land Act was passed and "when the greatest damage was inflicted through dispossession of African people".

Matter

NEWS IN BRIEF

Flying school order

A PROVISIONAL liquidation order was granted in the Pretoria Supreme Court against the Wonderboom Flying School yesterday, one of the few in the country to train commercial pilots.

In his application for liquidation, school head Johannes Olivier said his company had been rendered hopelessly insolvent.

AWB general in court

AWB general Johann "Hagar" Thompson was among five AWB members who appeared in the Johannesburg Magistrate's Court yesterday on charges of public violence related to the right-wing occupation of the World Trade Centre on June 25.

Thompson, 41, Chris Welgemoed, 50, Abraham Fourie, 42, Christiaan Potgieter, 33, and Frans Gericke, 38, were not asked to plead and the case was postponed until August 18.

Thompson, Welgemoed, Fourie and Potgieter were released on bail and Gericke on warning.

Reporter faces charges

BEELD reporter Andries Cornelissen appeared in the Johannesburg Magistrate's Court yesterday in connection with his refusal to give the police a statement concerning ANC Youth League president Peter Mokaba's slogan, "kill the boer, kill the farmer".

Cornelissen, who could face up to five years in jail, told the court he wanted to protect Beeld, his career as political reporter and journalists generally.

REPORTS: Business Day Reporters, Sapa.

Call to ANC to take firmer stand on land

SIMON BARBER

WASHINGTON — The ANC appeared too ready to compromise with government over the question of entrenching property rights in a new constitution, Legal Resources Centre director-designate Geoff Budlender said in Washington yesterday.

Speaking at the Carnegie Endowment for International Peace, he suggested the movement take a firmer stand on the need for a reparations "levy" to help resettle black South Africans driven from their land under apartheid.

Such a levy would be an "equitable" quid pro quo for constitutional guarantees against expropriation without fair compensation, he said.

Without it, he suggested that property either not be mentioned in the constitution at all or that provision be made for the courts to determine compensation taking factors beyond market value into account.

Government's draft Bill of Rights, which would bar a future government from taking private land without paying market value for it and block expropriation through tax-

ation, was a recipe for undermining the constitution and could end up threatening all property rights.

Budlender, who has been involved closely in the Ivory Park squatter case and restoring the Bathleong tribe to its ancestral land, worried that the ANC was not pressing the land reform issue hard enough.

He attributed this to the movement's urban bias and to the deals it has felt obliged to cut with certain homeland leaders.

Citing a recent World Bank report, he said a massive land reform programme would have to be completed within two years if there were not to be violent seizures of land and civil unrest.

Although much land could be made available quickly if government refused to extend further credit to heavily indebted white farmers, government had already begun to thwart that option by forgiving Land Bank debts "under the guise of drought relief", Budlender said.

Talks on Soweto tariffs deadlocked

GAVIN DU VENAGE

THE Soweto crisis committee deadlocked yesterday over tariffs and the replacement of local authorities by appointed interim structures.

Metropolitan Chamber CEO Vic Milne said the committee would meet again early next month.

Soweto has been subject to a large-scale rent and services boycott for the past decade.

To break the deadlock, a basic ser-

vice tariff of between R55 and R23 per household is being proposed.

Chamber chairman Van Zyl Slabbert said yesterday that R55 was the minimum tariff level needed if Soweto was to receive an 82% subsidy, as included in the latest proposals.

The committee also failed to agree on appointed interim structures.

Negotiations 'must involve' the community

GAVIN DU VENAGE

LOCAL government negotiations will be left to national politicians "at our peril", Central Witwatersrand Metropolitan Chamber chairman Frederiek van Zyl Slabbert said in Randburg yesterday.

Slabbert said that local negotiations had to be conducted by community organisations. The pace would be set by the multi-party talks, but could not be an exclusively national process.

It was not possible to arrive at a national political settlement without reaching accord in local politics.

Slabbert said that without local solutions, "all national plans will come to nought".

The metropolitan chamber served as a forum for diverse interests and allowed problems to be thrashed out so that a common solution could be found.

The chamber faced "enormous problems", particularly over the question of rent boycotts, but was still far ahead of any other such bodies elsewhere in the country.

However, it was also necessary for local government leaders to communicate with their constituents. People had to be kept informed about changes taking place if their co-operation was to be guaranteed, he said.

Without community acceptance, the proposed interim appointed structures could face a legitimacy crisis.

At the same time, it was important that people recognised the inevitability of change. He said questions about a mandate for change should not dissuade politicians from moving forward.

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Seeking a balance

Whatever political bargains may be struck at the negotiating table, SA's prospects depend on a single economic issue: how to redress the inequities of the past without damaging our growth potential.

This debate has moved from angry exchanges over nationalisation to arguments about the merits of other mechanisms for redistribution. The controversy relates not to sins of commission — as when traders and householders were removed from their properties under the Group Areas Act and transferred to less profitable and salubrious areas. It relates to sins of omission, when people were denied the opportunity to live and work where they chose and were disadvantaged by a panoply of race laws.

ANC economist Tito Mboweni has proposed a reconstruction levy to make good the property losses inflicted on most South Africans by apartheid. "Unless all South Africans face up to this challenge, this country will remain polarised . . . and dreams of economic growth . . . may never be realised."

The SA Chamber of Business (Sacob) acknowledges "that discriminatory measures of the past have undermined overall respect for that principle (property rights). Corrective measures will be required which will not only redress such injustices but will allow the market to operate in a way that will secure an equitable and efficient outcome.

"Failure to pursue such a course will result in continued opposition both to the principle of property rights and to the market-driven economic system."

These comments come in a submission to the National Negotiating Forum's technical committee on fundamental rights, expressing concern at the lack of urgency in dealing with fundamental economic issues. It points out that, of 24 rights and freedoms considered by the committee, 18 have been decided on. Among the six referred back to the technical committee for debate are property rights and economic activity.

Essentially, the question is at what point a reconstruction levy — or any similar mechanism — threatens property rights.

Mboweni says the idea "is drawn from the experience of Germany after World War 2

ECONOMY & FINANCE

... The basic principle was that those who were able to keep their properties in part or in whole during the war would contribute money into a fund." All individuals and corporates had to pay a levy amounting to half their 1948-1949 assets, either as a lump sum or in quarterly payments over 30 years. Mboweni suggests that, in SA, the levy could be based on both property and income.

He argues that a reconstruction levy is not

a wealth tax. The latter is "introduced by fiscal authorities at a certain percentage for a specific group of wealthy individuals. Normally this could be a tax for the top 5% of income and asset owners (which) is built into fiscal policy and is continuous.

"This makes it fundamentally different to a reconstruction levy. Another difference is that the levy is not directed at the wealthy top 5% but at all income earners and asset

owners. It is a one-off contribution."

The principle of reparation is sound.

But, if it is to be implemented it will have to be carefully thought out. A tax, for instance, could only succeed if the people obliged to pay:

- Can afford to, given the already high rates of taxation; and
- See it as worth their while. They could prefer emigration — especially if they don't

believe their payments will stabilise the economy.

If the German example were to be followed, it would either erode assets (possibly accumulated over a lifetime) or effectively be a continuous tax.

And the implications are broader. Says Sacob's Raymond Parsons: "Business and investor confidence — needed to secure high levels of growth — will require reassurance on property rights."

If, as Sacob points out, future property rights can only be meaningfully debated once the property violations of the past have been addressed, a solution must be found that does not violate property rights of the future. Sacob argues: "Property relates not merely to a physical object but to a social order sanctioned by the State . . . The creation and execution of plans to produce depend upon a firm expectation about property rights. Trade in its essence is concerned with the exchange of those property rights."

Merton Dagut, who heads the Wits University economics department, suggests a constructive way of transferring resources from the beneficiaries of apartheid to the non-beneficiaries would be a direct tax based on expenditure. This, he says, is a better measure of what people are taking out of the economy. It would favour saving, encouraging risk-bearing and wealth generation, which would provide the resources required

for uprooting poverty.

He proposes a high threshold and progressive taxation thereafter. This would gradually draw more taxpayers into the net as low income earners become economically empowered. Moreover it is a gradual but continual process which will not send shockwaves through an already shocked economy.

Parsons argues that the best way to deal with socio-economic upliftment (another way of describing reparations or reconstruction) is sound economic and development policies. This, he argues, requires a guarantee of property rights.

"If the political negotiators allow this issue to go by default then business confidence in a new constitution and future economic policy will be correspondingly reduced." ■

FM 23/7/93

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Decrease in move to white suburbs

CT 8/4/74

173

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THE number of black people buying property in formerly white areas since the repeal of the Group Areas Act had been negligible compared to the number who moved in while the act was in force, reported the latest Race Relations survey.

Professor Louise Tager of the Law Review Project said in the report that it would be years before significant desegregation of residential areas took place as few blacks could afford to move into formerly white areas.

The survey cited Johannesburg estate agents who said sales to black people had been "very low" recently, while agents in Cape Town and Bloemfontein said sales to blacks in formerly white areas had declined since the act was repealed. One company said that 70% of accommodation on its books was on instruction from property owners "strictly for whites only", as white tenants had put pressure on landlords to stop blacks moving into their blocks.

Moved back

In addition, blacks were unable to sell township houses. They were also reluctant to sever existing social and family networks by moving to white areas, and a number of disillusioned black people had sold their properties and moved back to the townships. African buyers had settled in areas close to existing townships.

In the Cape Peninsula coloured people had moved into Kenwyn, Lansdowne, Ottery, Plumstead, Rondebosch East, Southfield and Wetton.

The survey cited evidence to suggest that the influx of black people into Hillbrow had contributed to the breaking down of racism.

US firm invests R130m in Atlantis

180

CT 16/9/94

By MAGGIE ROWLEY
Deputy Business Editor

A US-based company Diamond Electronics is investing R130m in Atlantis where it is opening a factory to manufacture charges for cellular phones for the export market.

This was announced yesterday at the opening of the Atlantis Business Information Centre, an initiative by the Atlantis Industrialists' Group (AIG) and the Atlantis Forum, a community organisation representing church, residents and political bodies to draw investment to the area and boost economic and social upliftment.

MP Danny Oliphant, a former shop steward at Atlantis Diesel Engine, and an executive member of the Forum, said in an interview that Diamond Electronics, a black-owned business based in Minnesota, was already operating out of one of the factories that had been vacated by business in recent years and was employing 50 people.

"They have done their test runs and met the required standards and lead times for their export contracts," said Oliphant.

He said employment at the factory should be boosted to around 500 people by the end of this year, to 1 500 by the end of 1995 and ultimately 2 500.

This, he said, would go a long way to alleviating the chronic unemployment levels in the town, currently running at 46%

'To boost jobs, barriers must go'

BARRIERS to entry had to be removed to encourage potential entrepreneurs if the country's unemployment problem was to be addressed, Minister of Trade and Industry Trevor Manuel said at the opening of the Atlantis Business Information Centre yesterday.

Manuel said government was grappling with how to stimulate new business venture.

"One thing we don't have is money. We could print it but we won't, or we could borrow it and face the consequences down the line. So we are faced with the challenge of doing so within our current means, and reshaping the way we approach this."

He said they had called together private sector shareholders of the Small Business Development Corporation who had agreed that the SBDC should not be competing with financial institutions by assisting only those bankable entrepreneurs who had the ability to devise good business plans and charts. Small and medium enterprises which included concerns had been shown to be the greatest job creators.

"We are in the process of drafting a White Paper looking at ways of addressing business opportunities."

"However, we are choosing a different route to law making and it will form rather a draft or policy document which, with the involvement of provincial parliaments, will be tested by the people directly affected. We will then go back and take accounts of their views and feed it into the process," he said.

"Atlantis with its unemployment and social problems is a microcosm of South Africa and the success of this venture will mean a lot not only to the community but the rest of the country."

of the 25 000 economically active sector of the 65 000 population.

Besides creating employment, Diamond Electronics was planning a housing programme for as many of its employees as possible, he said.

Oliphant said they were presently assessing about 50 other applications for business to locate in Atlantis, which he said had become a white elephant of apartheid ideology.

"We are going to turn this around but will be very selective about which businesses we al-

low in. In the past, the previous government dumped business here. We do not want any fly-by-nights coming in and further destabilising the community as has happened in the past. Between 1989 and 1991, 21 factories were closed in Atlantis and 2 000 industrial jobs lost."

Oliphant said Atlantis had originally been conceived in 1979 as a town for 170 000 coloured people in an attempt to curtail coloured people in Cape Town.

"But this is gradually changing and 2.5% of the

population is now African and a number of white families are moving in. We aim to attract all groups and make this a model town for South Africa," he said.

The Atlantis Business Information Centre is designed to showcase the products of Atlantis to the country and provide a permanent exhibition of all that Atlantis' 100 businesses can offer.

Fritz Korte, MD of Atlantis Diesel Engines which has been involved in setting up the centre said the Industrial Development Corporation had committed a substantial amount, believed to be in excess of R5m, to develop entrepreneurial skills in Atlantis.

He said the IDC and the industrialists of Atlantis believed the region could become a mini-powerhouse and the money earmarked by the IDC will be used to set up a programme of mentoring, whereby potential local businessmen will be provided with the training and skills to set up a small business that could service the area and possibly also the national market.

Steps were already in place to compile a broad financial study to determine the profitability, funding requirements and possible structure of this new venture.

"We will identify suitable investors and mentors, draw up business plans, determine training needs and present proposals to financial institutions," he said.

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