

LAND AUDIT REPORT

NOVEMBER 2017
Version 2

PHASE II: PRIVATE LAND OWNERSHIP BY RACE, GENDER AND NATIONALITY



rural development
& land reform

Department:
Rural Development and Land Reform
REPUBLIC OF SOUTH AFRICA



South Africa belongs to all who live in it, united in our diversity.

Constitution of the Republic of South Africa Act, 1996



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1. EXECUTIVE SUMMARY

The Land Audit reveals the relationship of South Africans to one another through the management of land as a resource for sustainable development and nation-building.

It shows that 114 223 276 ha or 94% of 121 924 881 ha land in the country is registered in the Deeds Office. The outstanding 7 701 605 ha or 6% is unregistered trust state land in the Eastern Cape and Limpopo at 5 545 156 ha.¹ The department has embarked on a process to survey, register and vest that state trust land to individual and community owners via, among others, applicable legislative instruments.

The Land Audit also shows that individuals, companies, and trusts own 89 523 044 ha or 90% of the 114 223 276 ha land. Individuals own 37 800 986 ha or 39% of this total land; followed by trusts at 29 291 857 ha or 31%; companies at 23 199 904 or 25%; CBOs at 3 549 489 ha or 4%; and co-ownership at 883 589 ha or 1%. The same individuals own most of these companies, trusts and CBOs.

Farms² and agricultural holdings - with 469 258 or 6% of total land parcels and 111 025 515 ha or 97% of the total land - are owned by 588 045 or 7% of total landowners.

Erven in urban areas, which number 6 839 985 or 94% of total land parcels, with only have 3 197 760 ha or 3% of the total land – are owned by 8 469 845 or 93% of the total owners of land, with an average of 0.4 ha per owner. With 65% or 56 million of the total population found in these tiny land parcels, they command higher locational rent and prices than any in the R8 trillion national property market³.

The Land Audit reveals that Whites own 26 663 144 ha or 72% of the total 37 031 283 ha farms and agricultural holdings by individual landowners; followed by Coloured at 5 371 383 ha or 15%, Indians at 2 031 790 ha or 5%, Africans at 1 314 873 ha or 4%, other at 1 271 562 ha or 3%, and co-owners at 425 537 ha or 1%.

Individual males own 26 202 689 ha or 72% of the total farms and agricultural holdings owned by individual owners; followed by females at 4 871 013 or 13%. Male-female own 3 970 315 ha or 11%, co-owners 655 242 ha or 2%, and other 1 379 029 ha or 3%.

Finally, South African individuals own 33 996 255 ha or 92% of the total farms and agricultural holdings; followed by foreign individuals at 769 284 ha or 2%; co-ownership at 933 728 ha or 2%; and other at 1 379 023 ha or 4%.

2. INTRODUCTION

The Department of Rural Development and Land Reform published in 2013 the first Land Audit on State-Owned Land. That Land Audit revealed, among its findings, that most of this state land was unsurveyed and unregistered trust land which is occupied by individuals and communities in the former homelands. The department has embarked on a process to survey, register and vest that trust land to individual and community owners through the Communal Land Tenure Bill.

In the meantime, Cabinet instructed the department to conduct a second Land Audit with particular focus on private ownership and use of land by race, nationality and gender. Work commenced to this end in 2014 under the leadership

1. See Maps 1 and 2.

2. See Annexure 1.

3. South African Property Owners Association and South African Institute of Black Property Practitioners, 2017.

of the Offices of the Chief Surveyor-General and the Chief Registrar of Deeds in partnership with other Government departments and State-Owned Entities.

3. PURPOSE OF THE REPORT

The purpose of this Land Audit is to provide information on private land ownership by race, nationality, and gender as of 2015.

4. PROBLEM DESCRIPTION

Since the dawn of democracy in South Africa no official information has been published on land ownership according race, gender and nationality.

There is need to show who owns South African land and to track progress of land reform to fulfil section 25(5) of the Constitution objectives to enable South African citizens access to land on equitable racial and gender basis.

5. DATA

The primary source of information in this report was obtained from the: a) Office of the Chief Registrar of Deeds for land ownership information; b) Office of the Chief Surveyor-General for cadastral information; c) Department of Home Affairs for population register that contains nationality of origin and gender of South African citizens; and d) Statistics South Africa for census data that contain the race of individuals.

Records pertaining to land ownership are available electronically in the Deeds Registration System (DRS). These records contain only the name, surname and South African identity number or date of birth – but not race.

The DHA maintains the electronic population register which contains, amongst others, names, surnames, South African identity numbers, nationality and gender - but not the race of South African citizens.

Stats SA is the only institution that officially collects and keeps a database that has the race of individuals.

6. METHODOLOGY

The process involved data preparation, owner classification, exporting individual’s data, processing by the DHA and Stats SA, importing of results and analysis.

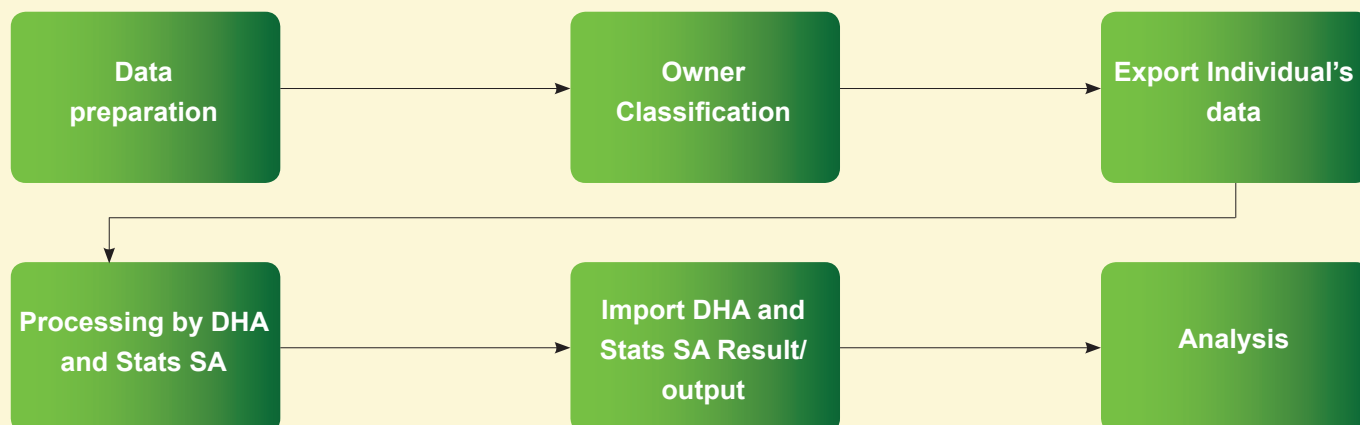


Figure 1 High level process

The data preparation process involved database design, and importing of land ownership data from text files into the database.

Classification of land owners was the first step. Classification of owners was done in two levels. The initial classification distinguished between private and state owners. Three classification categories were used, namely: state, private and other.

Private landowners were classified into five sub-categories of individuals, companies, community-based organisations (CBOs), and trusts. CBOs include Community Property Associations (CPAs), Churches, Home Owners Associations (HOAs) and others. Individuals are natural persons. Companies are Close Corporation and PTY (Ltd), excluding public entities. Five categories were used to classify land ownership according to gender. These classifications are male, female, male-female, co-ownership and other. Male-female was used to classify land owned jointly by male(s) and female(s). Other was used to classify land owned by owners that were not found in the DHA population register. Co-ownership was used to classify land where the land is owned by the combination of the four classifications.

Incomplete owner names that made it impossible to determine if the owner is state or private were classified as other.

Land owned by national government, municipalities, provincial government, public entities, public schools were classified as state, including land in the name of Ingonyama Trust. Ownership of land by companies, trusts, individuals, community-based organisations were all classified as private.

Owner information of Individuals was prepared to meet the DHA and Stats SA requirements for successful processing. Individual owners were then exported for processing by the DHA and Stats SA. The output was then imported back into the database for analysis.

The database extracted from the DRS included owner names, owner surname, ID number or date of birth for individuals. The owner names, owner surname and identity number were used to extract race of individuals from the census data. In cases where the owner information is not identified in the census database, the names and surnames were used to try to determine the race – conscious of the limitations that this carries. A combination of names, surname and ID number or date of birth and in other cases only the ID number was used to extract data from the population register.

Parallel to the process of extracting race information from Stats SA, a rigorous process of aligning deeds data to current provincial boundaries, updating missing extents using the cadastral database, capturing of extents from original documents and converting extents to hectares.

7. SCOPE AND LIMITATIONS

The land audit only provides information on the private individual ownership of farms, agricultural holdings, erven and sectional title units by race, gender and nationality.

The land audit provides such private landownership only on the basis of land parcels registered at the Deeds Office as of 2015.

The private landownership classification according to race, gender and nationality was not done on companies, trusts and CBOs because these entities cannot be racially classified.

The indirect extraction of race data through a combination of names, surname and ID number or date of birth exposed the land audit to the risk of under- or over-reporting.

8. DETAILED FINDINGS

SECTION A: LAND OWNERSHIP IN SOUTH AFRICA

8.1 Land ownership

Table 1: Number of landowners by land type, parcels, extent in hectares and landowner type.

Land Parcel Type	Parcels		Extent		Owners ⁴	
	No.	%	Ha	%	No.	%
Erven	6 839 985	94	3 197 760	3	8 469 845	93
Agricultural Holdings	50 253	1	340 272	1	60 623	1
Farms	419 005	5	110 685 243	96	527 422	6
Total	7 309 243	100	114 223 276	100	9 057 890	100

Table 1 shows that a total of 7 309 243 land parcels and a total of 114 223 276 ha (or 94% of SA land) in the Deeds Office has a total of 9 057 890 owners in the country. A total of 6 839 985 ervens or 94% of total land parcels has a total of 8 469 845 or 93% owners at an average of 0.4 ha per owner.

Table 1 also shows that there are 50 253 agricultural holdings, a relic of subdivisions of large estates in the Union of South Africa, which constitute 340 272 ha or 1% of total land and parcels. They are owned by 527 422 or 6% of the total owners at 6 ha per owner. They are now being converted to non-agricultural commercial, residential and industrial land uses.

Table 1 further shows that there are 527 422 or 6% of the total who own 419 005 farms with 110 685 243 ha or 96% of farm land, at an average of 210 ha farmland per owner.

4. Deeds' Unique Owner Number reveals the number of properties owned by an individual or corporate entity.

8.2 Private land ownership

Table 2: Private landownership by category in hectares

Province	Individuals		Companies		CBOs		Trusts		Co-ownership		Total Ha
	Ha	%	Ha	%	Ha	%	Ha	%	Ha	%	
EC	4 692 320	43	1 982 479	18	190 249	2	3 964 671	36	69 870	1	10 899 589
FS	5 005 878	42	1 978 952	16	126 044	1	4 894 214	41	31 470	0	12 036 559
GP	546 612	40	618 342	45	60 650	4	133 797	10	11 556	1	1 370 957
KZN	1 579 543	30	1 627 042	31	300 556	6	1 562 455	30	161 950	3	5 231 547
LP	1 718 861	22	3 918 210	50	705 466	9	1 355 839	17	60 564	1	7 758 940
MP	1 432 232	28	2 219 322	43	240 947	5	1 219 721	24	36 185	1	5 148 407
NW	3 215 926	42	2 025 825	26	341 807	4	1 953 015	26	117 724	2	7 654 297
NC	15 083 393	47	5 641 747	18	1 247 673	4	10 057 482	31	126 464	0	32 156 759
WC	3 756 518	32	3 187 986	27	336 097	3	4 150 662	35	26 7807	2	11 699 071
Total	37 031 283	39	23 199 904	25	3 549 489	4	29 291 857	31	883 589	1	93 956 125

Table 2 shows that 93 956 125 ha or 82% of the total 114 223 273 ha land is owned by private landowners. It also shows that 89 523 044 ha or 95% of that total is owned by individuals (41%), companies (26%) and trusts (33%) – followed by CBOs at 3 549 489 ha or 4%, and co-landowners at 883 589 ha or 1%.

Table 2 further shows that individuals own 37 031 283 ha or 39% of 93 956 125 ha; followed by trusts at 29 291 857ha or 31%; companies at 23 199 904 ha or 25%; CBOs at 3 549 489 ha or 4%; and co-ownership at 883 589 ha or 1%.

Table 2, furthermore, shows that individuals are largest landowners at 15 083 393 ha or 47% in the NC; whereas companies own 3 918 210 ha or 50% of land in LP; and trusts are the largest owners at 4 894 214 ha or 41% in the FS.

Table 3: Number of private landowners

Province	Individuals		Companies		Trusts		CBOs		Total
	No.	%	No.	%	No.	%	No.	%	
EC	659 469	96	10 554	2	11 628	2	2 785	0	684 436
FS	484 942	96	8 527	2	11 061	2	1 520	0	506 050
GP	2 031 370	96	61 350	3	23 643	1	7 761	0	2 124 124
KZN	812 027	95	22 079	3	16 361	2	3 065	0	853 532
LP	196 256	96	11 521	5	5 372	3	1 153	1	214 302
MP	336 211	95	11 569	3	6 067	1	1 645	1	355 492
NW	300 486	84	10 873	3	6 839	2	1 586	1	319 784
NC	195 052	95	4308	2	4 247	2	1 224	1	204 831
WC	1 134 283	94	35 281	3	32 996	3	5 188	0	1 207 748
Total	6 150 096	95	176 062	3	118 214	2	25 927	1	6 470 299

Table 3 shows that there is a total of 6 470 299 landowners in the country: 6 150 096 or 95% of which are individuals; 176 062 or 3% are companies; 118 214 or 2% are trusts; and 25 927 or 1% are CBOs.

GP has 2 124 124 or 33% of all these private landowners, followed by WC at 1 207 748 or 19%, and KZN at 853 532 or 13% of the total.

Analysis of Table 3 and 4 reveals that the average land by an owner nationally is 94 ha per landowner. But the analysis shows that trusts have the highest national average at 248 ha, followed by CBOs at 137 ha, companies at 132 ha, and individuals at 6 ha. NC has the highest average land at 157 ha, with its trusts average land at 2 368 ha, companies at 1 309 ha; and CBOs at 1 019 ha per CBO.

SECTION B: FARMS⁵ AND AGRICULTURAL HOLDINGS

8.3 Farms and agricultural holdings ownership by race

Table 4 shows that a total of 37 078 289 ha farms and agricultural holdings are owned by individuals: 26 663 144 ha or 72% of which are Whites; followed by Coloured at 5 371 383 ha or 15%; Indians at 2 031 790 ha or 5%; Africans at 1 314 873 ha or 4%. Co-owners own 425 537 ha or 1% and other own 1 271 562 ha or 3%.

Table 4 also shows that the largest size of farms and agricultural holdings is owned by white individuals at 11 498 449 ha or 77% in the NC and that nowhere in the country is the share of whites less than 53%; whereas the largest size owned by Africans is 270 423 ha or 17% in KZN; with the largest size for Indians being 746 820 ha or 5% in NC; and Coloureds with the largest size at 2 222 206 ha or 15% in NC.

5. A separate comprehensive agricultural land audit is being prepared for publication.

Table 4: Individual land ownership by race in hectares

Province	White		African		Coloured		Indian		Other		Co-own		Total
	Ha	%	Ha	%	Ha	%	Ha	%	Ha	%	Ha	%	
EC	3 007 709	65	250 536	5	773 026	17	385 685	8	151 849	3	42 723	1	4 611 528
FS	3 748 192	75	153 080	3	646 872	13	246 453	5	193 548	4	21 119	0	5 009 264
GP	275 021	59	30 266	7	81 597	18	51 332	11	15 925	3	8 528	2	462 669
KZN	853 152	53	270 423	17	248 286	15	107 723	7	72 033	4	65 875	4	1 617 493
LP	1 139 454	65	180 858	10	220 738	13	115 588	7	73 174	4	20 165	1	1 749 977
MP	967 634	67	108 792	8	219 792	15	83 580	6	41 702	3	19 652	1	1 441 152
NW	2 408 880	73	198 279	6	397 552	12	119 744	4	114 219	3	72 536	2	3 311 210
NC	11 498 449	77	69 350	1	2 222 206	15	746 820	5	414 065	3	60 112	0	15 011 002
WC	2 764 652	72	53 287	1	561 315	15	174 865	4	195 047	5	114 827	3	3 863 994
Total	26 663 144	72	1 314 873	4	5 371 383	15	2 031 790	5	1 271 562	3	425 537	1	37 078 289

Table 5 shows that a total 181 532 individuals own all farms and holdings in the country: that 95 673 or 53% of these are white; 40 494 or 22% are Africans; 22 127 or 12% are Coloureds 15 601; 9% are Indians; and other is 7 637 ha or 4%.

Table 5 also reveals that an average of 204 ha is owned by these individuals nationally; 229 ha in WC; 2 089 ha in NC; 137 ha in the NW; 111 ha in MP; 110 ha in LP; 54 ha in KZN; 10 ha in GP; 330 ha in FS; and 395 ha in the EC.

KZN has the highest number of total African landowners at 11 215 and Indian landowners at 5 960; whilst GP has the highest number of total White landowners at 26 622 and Coloured landowners at 6 220.

Table 5: Number of Individual landowners per race

Province	White		African		Coloured		Indian		Other		Total
	No.	%	No.	%	No.	%	No.	%	No.	%	
EC	6 047	52	2 747	23	1 492	13	895	8	499	4	11 680
FS	10 034	66	1 684	11	1 977	13	833	5	649	4	15 177
GP	26 622	56	8 887	19	6 220	13	3 640	8	2222	5	47 591
KZN	8 748	29	11 215	37	2 711	9	5 960	20	1 358	4	29 992
LP	8 225	52	4 690	29	1 679	10	777	5	542	3	15 913
MP	7 375	57	2 891	22	1 575	12	722	5	457	3	13 020
NW	12 265	51	7 652	32	2 400	10	1 040	4	764	3	24 121
NC	5 247	73	170	2	1 175	16	404	6	191	3	7 187
WC	11 110	66	558	3	2 898	17	1 330	8	955	6	16 851
Total	95 673	53	40 494	22	22 127	12	15 601	9	7 637	4	181 532

Table 4 and 5 further reveal that White landowners own far above the national average ha except in GP, where their lowest score is the provincial average of 10 ha. Their highest average size at 2 191 ha is in NC, followed by MP at 968 ha, EC at 487 ha, FS at 374 ha, WC at 249 ha, NW at 196 ha, LP at 139 ha, and KZN their lowest at 98 ha.

In contrast, African landowners highest average holding is 409 ha in NC, followed by WC at 96 ha, 91 ha in EC, 90 ha in FS, 38 ha in LP, 37 ha in MP, 26 ha in NW, 24 ha in KZN, and their lowest at 3 ha in GP.

Coloured and Indian landowners are in-between the two extreme points above. They are above national and provincial averages. Coloured landowners own higher land extents than their Indian counterparts.

8.4 Farms and Agricultural holdings ownership by gender

Table 6 shows that males and females own a total of 37 078 289 ha farms and agricultural holdings land in the country: with 26 202 689 ha or 71 owned by males; followed by females at 4 871 013 ha or 13%; male-female at 3 970 315 ha or 11%; co-owners at 655 242 ha or 2%; and other at 1 379 029 ha or 3%.

Table 6 also show that NC has the largest farmland of 15 011 002 ha or 40% owned by males; followed by FS at 5 009 264 ha or 13%; EC at 4 611 528 ha or 12%; WC at 3 863 994 ha or 10%; NW at 3 311 210 ha or 9%; LP at 1 749 977 ha or 5%; KZN at 1 617 493 ha or 4%; MP at 1 441 152 ha or 4%; GP at 442 669 ha or 1%.

Table 6 further shows that males own the largest size of farms and agricultural holdings at 11 000 772 ha of 73% is in NC; followed by 3 704 812 ha or 80% in EC; FS at 3 518 907 ha or 70%; WC at 2 782 161 ha or 72%; NW at 2 047 590 ha or 62%; LP 1 022 724 ha or 58%; MP at 955 454 ha or 66%; KZN at 934 891 ha or 58%; and GP at 235 362 ha or 51%. Females own the largest farmland also in NC at 1 882 645 ha or 12%; followed by FS at 854 107 ha or 17%; NW at 487 229 ha or 15% and EC at 439 032 ha or 9%. The rest of the provinces are below 9%.

Table 6: Individual land owners by gender in hectares

Province	Male		Female		Male-Female		Co-owners		Other		Total
	Ha	%	Ha	%	Ha	%	Ha	%	Ha	%	
EC	3 704 812	80	439 032	9	229 159	5	60 218	1	178 308	4	4 611 528
FS	3 518 907	70	854 107	17	414 059	8	44 566	1	177 626	3	5 009 264
GP	235 362	51	112 110	24	98 483	21	6 060	1	10 654	2	462 669
KZN	934 891	58	134 896	8	130 532	8	86 998	5	330 76	20	1 617 493
LP	1 022 742	58	275 057	16	315 703	18	46 164	3	90 310	5	1 749 977
MP	955 454	66	218 791	15	190 483	13	27 293	2	49 131	3	1 441 152
NW	2 047 590	62	487 229	15	523 392	16	120 084	4	132 914	4	3 311 210
NC	11 000 772	73	1882 645	12	1 693 539	11	166 088	1	267 958	2	15 011 002
WC	2 782 161	72	467 145	12	374 965	10	97 772	2	141 951	4	3 863 994
Total	26 202 689	71	4 871 013	13	3 970 315	11	655 242	2	1 379 029	3	37 078 289

Table 7 shows that a total of 181 532 male and females own farms and agricultural holdings: with the number of males being 95 050 or 52%; and other numbering 25 833 or 14%. Table 7 also shows that GP has the highest number of male and female farms and agricultural holdings at 47 591 or 26%; followed by KZN at 29 992 or 16% and NW at 24 121 or 13%. The rest of provinces have 10% or less male and female farmland and agricultural holdings.

Table 7: Number of individual land owners by gender

Province	Male		Female		Other		Total
	No.	%	No.	%	No.	%	
EC	6 145	53	3 016	26	2 519	22	11 680
FS	9 182	60	5 119	34	876	6	15 177
GP	26 690	56	19 139	40	1 762	4	47 591
KZN	12 674	42	8 780	29	8 538	28	29 992
LP	8 135	51	5 283	33	2 495	16	15 913
MP	7 139	55	4 480	34	1 401	11	13 020
NW	11 154	46	6 739	28	6 228	26	24 121
NC	4 536	63	2 318	32	333	5	7 187
WC	9 395	56	5 775	34	1 681	10	16 851
Total	95 050	52	60 649	34	25 833	14	181 532

Table 6 and 7 reveal that male individuals own above the national average farmland and agricultural holding except in GP, where they own lower than the 10 ha provincial average. Their highest average size is 2 425 ha in NC, followed by EC at 603 ha, FS at 382 ha, WC at 296 per, NW at 184 ha, MP at 134 ha, LP at 126 ha, and KZN their lowest at 74 ha.

In contrast, female individual landowners' highest average holding is 818 ha in NC, followed by FS at 167 ha, 146 ha in EC, 81 ha in WC, 72 ha in NW, 52 ha in LP, 49 ha in MP, 15 ha in KZN, and their lowest at 6 ha in GP.

The male average farm and agricultural holding is 276 ha in contrast to the female of 80 ha. The provincial averages for both males and females are 395 ha in EC, 330 ha in FS, 10 ha in GP, 54 ha in KZN, 110 ha in LP, 111 ha in LP, 137 ha in MP, 137 ha in NW, 2 087 ha in NC, and 229 ha in WC.

8.5 Farms and Agricultural holdings ownership by nationality

Table 8 shows that South Africans own 33 996 255 ha or 92% of total farm and agricultural holdings while foreign nationals own 769 284 ha or 2%. Foreign nationals own more farmland in NC at 294 779 ha, followed by WC at 112 238 ha, FS at 72 538 ha, LP at 70 157 ha, NW at 56 055 ha, GP at 45 117 ha, KZN at 43 666 ha, and the least in MP at 27 291 ha.

Table 8: Individual landowners by nationality in hectares

Province	South African		Foreign		Co-ownership		Other		Total
	Ha	%	Ha	%	Ha	%	Ha	%	
EC	4 308 421	93	47 444	1	77 355	2	178 308	4	4 611 528
FS	4 700 599	94	72 538	1	58 502	1	177 626	4	5 009 264
GP	392 636	85	45 117	10	14 268	3	10 648	2	462 669
KZN	1 140 986	70	43 666	3	102 666	6	330 176	20	1 617 493
LP	1 521 969	87	70 157	4	67 541	4	90 310	5	1 749 977
MP	1 328 961	92	27 291	2	35 769	3	49 131	3	1 441 152
NW	2 978 894	90	56 055	2	143 346	4	132 914	4	3 311 210
NC	14 126 948	94	294 779	2	321 317	2	267 958	2	15 011 002
WC	3 496 840	90	112 238	2	112 964	3	141 951	4	3 863 994
Total	33 996 255	92	769 284	2	933 728	2	1 379 023	4	37 078 289

Table 9 shows that there is a total of 181 532 South African and foreign owners of farm and agricultural holding: 143 493 or 79% of whom are South African nationals, followed by foreign nationals at 12 213 or 7%. The highest farm and agricultural holding average size owned by South Africans is 2 140 ha per person in NC, followed by 500 ha in EC, 342 ha in FS, 255 ha in WC, 175 ha in NW, 123 ha in LP and MP, 58 ha in KZN, and the least at 10 ha in GP.

Tables 8 and 9 reveal that the highest farm and agricultural holding average size owned by foreign nationals is 1 165 ha in NC, followed by 135 ha in FS, 87 ha in EC, 77 ha in WC, 68 ha in NW, 32 ha in MP, 27 ha in KZN, and 9 ha in GP.

The average farm and agricultural holding size for South African citizens is 237 ha, in contrast to that of foreign nationals at 63 ha. The provincial average sizes for South African and foreign nationals is 395 ha for EC, 330 ha for FS, 10 ha for GP, 54 ha for KZN, 110 for LP, 111 ha for MP, 137 ha for NW, 2 089 ha for NC, and 229 ha for WC.

GP has the highest number of foreign nationals owning farms and agricultural holdings at 5 099 or 11%; followed by WC at 1 465 or 9%; and LP and MP at 6% each. NC and NW both have the least number of foreign nationals owning farms and agricultural holdings at 253 and 828 or 3% each of total farms and agricultural holdings owned by foreign nationals respectively.

Table 9: Number of individual land owners by nationality

Province	South African		Foreign		Other		Total
	No.	%	No.	%	No.	%	
EC	8 616	74	545	5	2 519	22	11 680
FS	13 765	91	536	3	876	6	15 177
GP	40 734	86	5 099	11	1 758	4	47 591
KZN	19 807	66	1 647	5	8 538	29	29 992
LP	12 424	78	995	6	2 494	16	15 913
MP	10 774	83	845	6	1 401	11	13 020
NW	17 067	71	828	3	6 226	26	24 121
NC	6 601	92	253	3	333	5	7 187
WC	13 705	81	1 465	9	1 681	9	16 851
Total	143 493	79	12 213	7	25 826	14	181 532

SECTION C: ERVEN OWNERSHIP

8.6 Erven ownership by race

Table 10 shows that a total of 722 667 ha erven land is owned by all races in the country: 357 507 ha or 49% of which is owned by Whites; followed by Africans at 219 033 ha or 30%; Coloured and Indian at 54 522 and 55 909 ha or 8% respectively; co-ownership and other at 5%.

Table 10: Individuals' erven land ownership by race in hectares

Province	White		African		Coloured		Indian		Co-ownership		Other		Total
	Ha	%	Ha	%	Ha	%	Ha	%	Ha	%	Ha	%	
EC	26 379	19	93 868	67	6 764	5	5 427	4	4 233	3	3 169	2	139 839
FS	7 543	28	15 388	58	1 760	7	892	3	366	1	586	2	26 535
GP	32 056	34	40 849	43	8 325	9	7 009	7	2 557	3	3 461	4	94 257
KZN	19 749	25	30 675	39	6 043	8	15 232	20	3 205	4	2 832	4	77 735
LP	5 680	28	11 688	58	1 378	7	981	5	207	1	319	2	20 253
MP	6 511	31	11 281	54	1 335	6	854	4	275	1	460	2	20 715
NW	7 140	40	7 922	45	1 238	7	720	4	239	1	429	2	17 688
NC	152 624	83	2 356	1	12 560	7	13 515	7	347	0	3 002	2	184 403
WC	99 825	71	5 008	4	15 119	11	11 280	8	2903	2	7 107	5	141 242
Total	357 507	49	219 033	30	54 522	8	55 909	8	14 332	2	21 365	3	722 667

Table 10 also show that NC has the largest erven land at 184 403 ha or 25% in the country; followed by WC at 141 242 ha or 19%; EC at 139 839 ha or 19%; GP at 94 257 ha or 13%; KZN at 77 735 ha or 11%; FS at 26 535 ha or 4%; MP at 20 715 ha or 3%; and the rest of provinces at 3% and less.

Whites own the largest extent of erven land among racial groups at 152 624 ha or 83% in NC; Africans own the largest erven land among racial groups in EC at 93 868 ha or 67%; Coloureds in the WC own the largest size of erven land at 15 119 ha or 11%, but less extent than Whites; similarly, Indians own their highest racial group erven land in KZN at 15 232 ha or 20%, but less than Africans at 39% and Whites at 25% respectively.

Table 11 shows that a total of 5 969 445 individuals own all erven in the country: that 3 321 476 or 56% of these individuals are Africans; 1 552 653 or 26% are Whites; 507 829 or 9% are Coloureds; and 414 069 or 7% are Indians.

Table 11: Number of Individual landowners per race

Province	White		African		Coloured		Indian		Other		Total
	No	%	No	%	No	%	No	%	No	%	
EC	169 622	26	361 469	56	62 054	10	35 939	6	18 705	3	647 789
FS	74 287	16	354 461	75	22 608	5	11 030	2	7 379	2	469 765
GP	414 120	21	1 296 797	65	118 635	6	105 010	5	49 217	2	1 983 779
KZN	139 287	18	438 085	56	44 207	6	136 451	17	24 005	3	782 035
LP	21 788	12	145 655	82	5 604	3	3 834	2	1 804	1	178 685
MP	54 466	17	242 427	75	12 443	4	8 555	3	4 575	1	322 466
NW	52 034	19	198 429	71	14 613	5	8 568	3	4 957	2	278 601
NC	84 041	44	56 926	30	29 962	16	12 049	6	5 915	3	188 893
WC	543 008	49	227 227	20	197 703	18	92 633	8	56 861	5	1 117 432
Total	1 552 653	26	3 321 476	56	507 829	9	414 069	7	173 418	3	5 969 445

Table 11 reveals a rare case where the racial composition of South Africa is reflected by the numerical dominance of African people who are about 80% of the total population, and in human settlements. This confirms the fact that the majority of erven land is primarily used for residential purposes.

Table 11 does not say anything about the location, settlement quality and value of erven land. Suffice to say that urban land issues are essentially about human settlement and housing.

8.7 Erven ownership by gender

Table 12: Individuals' erven land owners by gender in hectares

Province	Male		Female		Male-Female		Co-ownership		Other		Total
	Ha	%	Ha	%	Ha	%	Ha	%	Ha	%	
EC	29 713	21	15 553	11	11 711	8	1 324	1	81 538	58	139 839
FS	7 672	5	8 452	32	7 400	28	401	2	2 610	10	26 535
GP	26 699	19	23 801	25	36 992	39	2 144	2	4 621	5	94 257
KZN	28 306	20	16 166	21	19 937	26	2 133	3	11 193	14	77 735
LP	7 446	5	6 090	30	4 474	22	185	1	2 058	10	20 253
MP	7 422	5	5 565	27	6 524	31	291	1	914	4	20 715
NW	5 004	4	6 111	35	5 370	30	214	1	989	6	17 688
NC	137 660	98	17 474	9	20 062	11	150	0	9 057	5	184 403
WC	86 527	62	26 115	18	28 026	20	210	0	364	0	141 242
Total	336 448	46	125 327	17	140 497	19	7 052	1	113 344	16	722 667

Tables 12 shows that individuals own a total of 722 667 ha erven land in the country: the total of which at 336 448 ha or 46% is owned by men; followed by 125 327 ha or 17% by females; and 140 497 ha or 19% by male-female joint owners; and 7 052 ha or 1% co-owned.

Males own the highest extent of erven land in NC at 137 660 ha or 98%; while women own the highest erven land in WC at 26 115 ha or 18%; the highest erven land by men and women 36 992 ha or 39% or erven land in GP.

Table 13 shows that at total of 5 969 445 individuals own erven land in the country: 2 961 794 or 50% of whom are females; 2 655 724 or 44% are males; and 351 947 or 6% are other.

Table 13: Number of individuals' erven land owners by gender

Province	Male		Female		Other		Total
	No	%	No	%	No	%	
EC	270 152	42	322 019	50	55 635	9	647 806
FS	205 216	44	237 052	50	27 497	6	469 765
GP	870 928	44	988 938	50	123 914	6	1 983 780
KZN	338 674	43	376 103	48	67 258	9	782 035
LP	73 423	41	81 518	46	23 744	13	178 685
MP	147 428	46	156 603	49	18 435	6	322 466
NW	124 246	45	134 455	48	19 900	7	278 601
NC	84 995	45	96 757	51	7 143	4	188 895
WC	540 662	48	568 349	51	8 421	1	1 117 432
Total	2 655 724	44	2 961 794	50	351 947	6	5 969 465

Table 13 also shows that females own 50% or more erven land in five provinces; that females own higher erven land percentages than males in all province; that females are the highest erven landowners at 988 938 or 50% in GP; and that the highest proportion of female erven owners is 568 349 or 51% in WC.

8.8 Erven ownership by nationality

Table 14 shows that a total of 722 667 ha of erven land is owned by South African and foreign nationals: 570 009 ha or 79% of which is owned by South African nationals; 20 649 ha or 3% by foreign nationals; 18 667 ha or 3% is owned by South African and foreign nationals jointly; and 113 342 ha or 16% of erven land is other.

Table 14: Individual erven land owners by nationality in hectares

Province	South African		Foreign		Co-ownership		Other		Total
	Ha	%	Ha	%	Ha	%	Ha	%	
EC	54 932	39	1 416	1	1 952	1	81 538	58	139 839
FS	22 571	85	630	2	724	3	2 610	10	26 535
GP	78 463	83	5 860	6	5 313	6	4 621	5	94 257
KZN	59 749	77	2 992	4	3 802	5	11 192	14	77 735
LP	17 361	86	361	2	472	2	2 058	10	20 253
MP	18 401	89	673	3	727	4	913	4	20 715
NW	15 709	89	443	3	547	3	989	6	17 688
NC	169 595	92	3 447	2	2 304	1	9 057	5	184 403
WC	133 227	94	4 825	3	2 826	2	364	0	141 242
Total	570 009	79	20 649	3	18 667	3	113 342	16	722 667

Table 14 also shows that more than 25% or 184 403 ha of all erven land owned by South African and foreign nationals is in NC; followed by WC at 141 242 ha or 19%; EC at 139 839 ha or 10%; GP at 94 257 ha or 13%; KZN at 77 735 ha or 11%; FS at 26 535 ha or 4%; and other provinces at less the 3%.

Table 15 shows that a total of 5 969 465 South African and foreign nationals are owners of erven land in the country: 5 416 890 or 91% of which are South African nationals; 200 629 or 3% are foreign nationals; and 351 946 or 6% are other.

Table 15: Number of individual erven land owners by nationality

Province	South African		Foreign		Other		Total
	No	%	No	%	No	%	
EC	580 567	90	11 604	2	55 635	8	647 806
FS	435 000	93	7 268	1	27 497	6	469 765
GP	1 771 387	89	88 479	5	123 914	6	1 983 780
KZN	693 422	89	21 355	3	67 258	8	782 035
LP	151 478	85	3 463	2	23 744	13	178 685
MP	296 358	92	7 673	2	18 435	6	322 466
NW	253 024	91	5 677	2	19 900	7	278 601
NC	177 128	94	4 624	2	7 143	4	188 895
WC	1 058 526	95	50 486	4	8 420	1	1 117 432
Total	5 416 890	91	200 629	3	351 946	6	5 969 465

Table 15 also shows that the highest number of erven land owners are found in GP at 1 983 780 or 33% of total erven land owners; followed by WC at 1 117 432 or 19%; KZN at 782 035 or 13%; EC at 647 806 or 11%; FS at 469 765 or 8%; and the rest of provinces at less than 6%.

Table 15 further shows that the highest concentration of foreign erf land owners is in GP at 88 479, followed by WC at 50 486, KZN at 21 355, and EC at 11 604. The rest of the provinces have less than 8 000 000 of foreign erf land owners each.

SECTION D: SECTIONAL TITLE OWNERSHIP

8.9 Sectional title ownership

Table 16 shows that individuals, companies, CBOs, and Trusts own a total of 50 038 ha sectional title units in the country: 37 523 ha or 75% of which is owned by companies; followed by individuals at 10 980 ha or 22%; trusts at 1 059 ha or 2%; and CBOs at 24 ha or 0%.

Table 16 also shows that 83% of sectional title units land is found in GP at 41 689 ha or 83%; LP at 1 615 ha or 1%; and the rest of the provinces following at less than 1%. The highest extent of sectional title units owned by companies is at 36 187 ha or 87% in GP. Similarly, the highest extent of sectional title units by individuals is 4 770 ha or 11% in GP; followed by Trusts at 570 ha or 1% also in GP.

Table 16: Private Sectional title ownership

Province	Individuals		Companies		CBOs		Trusts		Co-ownership		Total
	Ha	%	Ha	%	Ha	%	Ha	%	Ha	%	
EC	680	86	54	7	2	0	33	4	21	3	790
FS	1 232	92	48	4	6	0	38	3	22	2	1 346
GP	4 770	11	36 187	87	8	0	570	1	16	0	41 698
KZN	979	65	320	21	2	0	116	8	99	7	1 517
LP	1 541	95	53	3	0	0	14	1	7	0	1 615
MP	104	58	45	25	0	0	12	7	18	10	180
NW	1 134	71	429	27	0	0	16	1	13	1	1 592
NC	6	49	4	34	0	0	2	13	0	4	12
WC	533	41	382	30	6	0	258	20	109	8	1 288
Total	10 980	22	37 523	75	24	0	1 059	2	453	1	50 038

Table 17 shows that there is a total of 817 999 sectional title landowners in the country: 726 966 or 89% of whom are individuals; followed by companies at 46 927 or 6%; trusts at 42 878 ha or 5%; and CBOs at 1 228 or 0%.

Table 17: Number of private Sectional title ownership

Province	Individuals		Companies		Trusts		CBOs		Total
	No	%	No	%	No	%	No	%	
EC	30 162	90	1 153	3	2 146	6	80	0	33 541
FS	25 844	88	1 004	3	2 504	8	51	0	29 403
GP	360 802	91	19 022	5	15 254	4	442	0	395 520
KZN	154 106	89	10 274	6	7 999	5	243	0	172 622
LP	8 607	81	1 085	10	900	8	10	0	10 602
MP	11 718	86	1 084	8	939	6	10	0	13 751
NW	18 394	87	1 308	6	1 410	7	13	0	21 125
NC	817	85	66	7	81	8	2	0	966
WC	116 516	83	11 931	9	11 645	8	377	0	140 469
Total	726 966	89	46 927	6	42 878	5	1 228	0	817 999

Table 17 also shows that about 48% or 395 520 of these individual sectional title owners are in GP; followed by KZN at 172 622 or 21%; and WC at 140 469 or 17%. The highest number of individual sectional title unit owners is 360 802 or 91% in GP; followed by 154 106 or 89% in KZN; and 116 516 or 83% in WC. The highest number of companies is 19 022 in GP; followed by 11 931 in WC; and 10 274 in KZN. The highest number of trusts is also in GP at 15 254 or 4%.

8.10 Sectional title ownership by race

Table 18 shows that a total of 11 395 ha of sectional title units in the country is owned by individuals: 5 118 ha or 45% of which are Whites; 2 375 ha or 21% Coloureds; 1 989 ha or 17% Africans; 556 ha or 6% Indians; and co-owners at 703 ha or 6%.

Table 18: Individual Sectional title owners by race in hectares

Province	White		African		Coloured		Indian		Other		Co-ownership		Total
	Ha	%	Ha	%	Ha	%	Ha	%	Ha	%	Ha	%	
EC	388	55	128	18	22	3	123	18	8	1	32	5	701
FS	631	50	14	1	230	18	10	1	341	27	27	2	1 253
GP	1 964	40	1 523	31	734	15	227	5	173	4	304	6	4 924
KZN	578	54	86	8	84	8	136	13	41	4	149	14	1 073
LP	1 069	69	176	11	188	12	4	0	103	7	6	0	1 547
MP	70	58	15	12	7	6	5	4	3	2	22	18	121
NW	59	5	16	1	1 046	91	6	1	4	0	15	1	1 146
NC	4	65	1	8	1	11	0	5	0	2	1	8	6
WC	354	57	30	5	63	10	45	7	31	5	101	16	624
Total	5 118	45	1 989	17	2 375	21	556	5	703	6	655	6	11 395

Table 18 also shows that 4 924 ha or 43% of all sectional title units in the country is in GP; followed by LP at 1547 ha; FS at 1 253 ha; NW at 1 146 ha; KZN at 1 073 ha; EC at 701 ha; WC at 624 ha; and NC at 6 ha.

Table 18 further shows that Whites own 50% and above of sectional title units land in EC, FS, KZN, LP, MP, NC, and WC. Africans own the highest at 31% or 1 523 ha in GP; Coloureds own 91% or 1 046 ha in NW; and Indians' highest is 13% or 103 ha in KZN.

Table 19 shows that the total number of sectional title unit owners is 726 966 in the country: 347 440 or 48% of whom are Whites; 145 595 or 20% Africans; 100 053 or 14% Indians; and 91 425 or 12% Coloureds.

Table 19: Number of Individual Sectional Title owners by race

Province	White		African		Coloured		Indian		Other		Total
	No	%	No	%	No	%	No	%	No	%	
EC	16 894	56	3 884	13	4 662	15	3 083	10	1 639	5	30 162
FS	16 276	63	3 514	14	3 314	13	1 628	6	1 112	40	25 844
GP	161 915	45	93 897	26	41 833	11	42 907	12	20 250	6	360 802
KZN	64 257	42	25 579	17	18 525	12	36 349	23	9 396	6	154 106
LP	4 058	47	2 855	33	858	10	545	6	291	3	8 607
MP	5 910	53	3 135	24	1 266	11	917	8	490	47	11 718
NW	10 857	59	3 239	18	2 348	13	1 209	6	741	4	18 394
NC	526	64	104	13	111	13	46	6	30	4	817
WC	66 747	57	9 388	8	18 508	16	13 369	11	8 504	7	116 516
Total	347 440	48	145 595	20	91 425	12	100 053	14	42 453	6	726 966

Table 19 also shows that about 50% or 360 802 of these sectional title unit owners are in GP; followed by KZN with 154 106 or 21%; WC with 116 516 or 16%; EC with 30 162 or 4%; and the rest of the provinces at less than 3% each.

Table 19 further shows that the highest number of White sectional title unit owners is 161 915 or 45% in GP. Similarly, the highest number of African sectional title owners is at 93 897 or 26% in GP. Again the highest number of sectional title owners for Indians and Coloureds is in GP at 42 907 and 41 833 or 12% and 11% respectively.

8.11 Sectional title ownership by nationality

Table 20 shows that South African and foreign nationals own a total of 11 395 ha sectional title units in the country: 9 305 ha or 82% of which are owned by South Africa nationals; 1 138 ha or 10% by foreign nationals; co-ownership at 724 ha or 6%; and other at 229 ha or 2%.

Table 20 also shows that more than 43% of all South African and foreign sectional title unit is in GP at 4 924 ha; followed by LP at 1 547 ha or 13% %; FS at 1 253 ha or 11%; and NW at 1 146 ha or 10%.

Table 20: Individual Sectional title owners by nationality in hectares

Province	South African		Foreign		Other		Co-ownership		Total
	Ha	%	Ha	%	Ha	%	Ha	%	
EC	534	76	135	19	3	0	29	4	701
FS	1 216	97	17	1	1	0	18	1	1 253
GP	3 878	79	498	10	175	4	372	8	4 924
KZN	513	48	386	36	15	1	160	15	1 073
LP	1 538	99	4	0	1	0	4	0	1 547
MP	85	70	6	5	1	1	28	23	121
NW	1 132	99	4	0	2	0	8	1	1 146
NC	5	80	1	11	0	0	1	8	6
WC	403	65	87	14	31	5	104	17	624
Total	9 305	82	1 138	10	229	2	724	6	11 395

Table 20 further shows that the highest extent of sectional title units owned by South Africans at 3 878 ha or 79% is in GP; followed by 1 538 ha or 99% in LP; 1 216 ha or 97% in FS; and NW at 1 132 ha or 99%. About 90% or 1 019 ha of sectional title units are foreign owned in GP, KZN and EC.

Table 21: Number of Individual Sectional title owners by nationality

Province	South African		Foreign		Other		Total
	No	%	No	%	No	%	
EC	24 096	80	5 352	18	714	2	30 162
FS	23 009	89	2 524	10	311	1	25 844
GP	299 462	83	47 401	13	13 939	4	360 802
KZN	100 693	65	49 624	32	3 789	2	154 106
LP	7 800	91	571	7	236	3	8 607
MP	9 368	82	2 058	15	292	2	11 718
NW	16 951	92	1 031	6	412	2	18 394
NC	700	86	111	14	6	1	817
WC	85 069	73	24 000	21	7 447	6	116 516
Total	567 148	78	132 672	18	27 146	4	726 966

Table 21 shows that the total number of South African and foreign sectional title unit owners is 726 966 in the country: 567 148 or 78% of whom are South African nationals; 132 672 or 18% Foreign nationals; and 27 146 or 4% are other.

Table 21 also shows that about 50% or 360 802 of South African and Foreign sectional title unit owners are in GP; followed by KZN with 154 106 or 21%; WC with 116 516 or 16%; EC with 30 162 or 4%; and the rest of the provinces at less than 3% each.

Table 21 further shows that the highest number of South African sectional title unit owners of 299 462 or 83% are in GP. In contrast, the highest number of Foreign sectional title owners at 49 624 or 32% is in KZN.

8.12 Sectional title ownership by gender

Table 22 shows that a total of 11 395 ha sectional title units in the country is owned by individuals: 4 585 ha or 40% of which is owned by joint males and females; 3 668 ha or 32% by females; 2 636 ha or 23% by males; and 277 ha or 2% is co-owned.

Table 22: Individual Sectional title owners by gender in hectares

Province	Male		Female		Male-Female		Other		Co-ownership		Total
	Ha	%	Ha	%	Ha	%	Ha	%	Ha	%	
EC	323	46	57	8	313	45	3	0	5	1	701
FS	170	14	550	44	529	42	1	0	3	0	1 253
GP	1 254	25	1 466	30	1 832	37	175	4	197	4	4 924
KZN	475	44	219	20	340	32	15	1	25	2	1 073
LP	203	13	1 057	68	284	18	1	0	1	0	1 547
MP	26	21	39	32	43	35	1	1	12	10	121
NW	33	3	28	2	1 081	94	2	0	2	0	1146
NC	2	34	3	42	1	23	0	0	0	0	6
WC	151	24	249	40	162	26	31	5	31	5	624
Total	2 636	23	3 668	32	4 585	40	229	2	277	3	11 395

Table 22 also shows that more than 43% or 4 924 ha of male and female sectional title unit land is in GP; followed by LP at 1 547 ha or 13%; FS at 1 253 ha or 11%; and NW at 1 146 ha or 10%.

Table 22 further shows that the highest extent of male-female sectional title land at 1 832 ha or 37% is in GP. The highest owned extent female sectional title units is 1 466 ha or 30% also in GP. Similarly, the extent of male sectional title units at 1 254 ha or 25% is in GP.

Table 23 shows that the total number of individuals sectional title unit owners is 726 966 in the country: 371 525 or 51% of whom are females; 328 295 or 45% males; and 27 146 or 4% are other.

Table 23 also shows that about 50% or 360 802 of individuals sectional title unit owners are found in GP; followed by KZN with 154 106 or 21%; WC with 116 516 or 16%; EC with 30 162 or 4%; and the rest of the provinces at less than 3% each.

Table 23: Number of Individual Sectional title owners by gender

Province	Male		Female		Other		Total
	No	%	No	%	No	%	
EC	13 389	44	16 059	53	714	2	30 162
FS	11 535	45	13 998	54	311	1	25 844
GP	162 642	45	184 221	51	13 939	4	360 802
KZN	69 834	45	80 483	52	3 789	2	154 106
LP	4 008	47	4 363	51	236	3	8 607
MP	5 823	50	5 603	48	292	2	11 718
NW	9 037	49	8 945	49	412	2	18 394
NC	346	42	465	57	6	1	817
WC	51 681	44	57 388	49	7 447	6	116 516
Total	328 295	45	371 525	51	27 146	4	726 966

Table 23 further shows that the highest number of female sectional title unit owners of 184 221 or 51% are found in GP. Similarly, the highest number of male sectional title owners at 162 642 or 45% is found in GP.

9. CONCLUSION

This Land Audit set out to provide information on private land ownership by race, nationality, and gender.

The task was complex and time consuming as data had to be sought from many different sources for processing and different techniques and analysis applied to produce credible information.

The Deeds Office – the official repository of land rights in the country – currently does not register land rights by race. It also does not compel landowners to register at Deeds subdivision and land use changes permits from the Surveyor and Municipal Councils respectively. The result is that there are surveyed land parcels that have changed land uses but are still registered at Deeds in their old land use classification; thereby losing local government potential revenue.

On the whole, the land audit exercise revealed, firstly, the need to improve within the department on the data management, human capacity, organisational and technology resources.

Secondly, the land audit exercise revealed the need between the department and other national departments and state-owned entities to ensure comprehensive, up-to-date, credible and accessible national land information.

Thirdly, this exercise revealed areas of land tenure legislation that need urgent attention.

Fourthly, the land audit exercise revealed the capture for private gain socially created land value that is lost as revenue to society and economy for especially land reform and post-settlement development.

Finally, this exercise has revealed that we have just taken the first steps upon a long journey towards the goal of the sustainable relationship of South African citizens to one another through the effective management of land as a resource and nation-building.

10. RECOMMENDATIONS

RECOMMENDATION 1:

The Department of Rural Development and Land Reform should establish a Land Administration Commission (LAC).

A document entitled *Land Administration Guidelines* was published by the United Nations in 1996 to advise Central European Countries that were involved in establishing land administration systems after the break-up of the former Soviet bloc. It defined land administration as including:

The functions involved in regulating the development and use of the land, gathering revenue from the land (through sale, lease, or taxation, etc.), and resolving conflicts concerning the ownership and use of the land. It is concerned both with private lands and public lands and involves: land settlement; land survey; land registration; land valuation and assessment; land-use control and management; infrastructure and utilities management. Land administration is the process of recording and distributing information about the ownership, value and the use of land and its associated resources. Such processes include the determination or adjudication of rights and other attributes of the land, the survey and description of these, their detailed documentation and the provision of relevant information in support of land markets.

In its Medium-Term Strategic Framework, the department identified the establishment of an effective and efficient land administration system for the period 2015-2019. To this end, in its re-engineering process to improve its organisational structure, the department is planning to create the Land Administration Commission from its existing specialist functional areas of land survey, land registration, land valuation, and land-use control and management.

The functions and mandate of this Land Administration Commission, which would address the myriad of the challenges experienced in compiling this Land Audit, to cite the United National, will be to:

- Meet the needs of all users in both the public and private sectors without bias or favour;
- Develop land information management policies in line with those of the national Government;
- Set and monitor technical standards, especially for data capture, including field survey, data processing and data exchange;
- Provide “methodological guidance” to ensure that all procedures are well understood and new opportunities for improvement are identified;
- Make recommendations for improving the efficiency of all land administration processes in the light of changing circumstances;
- Recommend changes to the law where these will improve the service to be provided;
- Archive data that are needed in the long-term national interest;
- Undertake production work where it is in the national interest for that work to be undertaken by Government, for example where military matters are involved;
- Address matters of personal privacy and the confidentiality of data in order to protect the interest of private citizens; and
- Define the legal liability of public sector and private sector data providers and ensure that title to land is guaranteed. (UN, 1996: pp 61-62).

Finally, with particular focus on the data and methodological challenges that have confronted the preparation of this Land Audit, the United Nations offered the following advice on land information:

Land management must be based on knowledge, knowledge depends on information, and information depends on the methods of data collection and the manner in which their results are communicated. Land-related information is an important and expensive resource that must be managed efficiently in order to maximize its potential benefits.

Land information management entails:

- Determining the requirements of the State and of the general public for land-related information;
- Examining how the information is actually used in the decision-making process, how information flows from one producer or user to another, and what constraints there are upon that flow;
- Developing policies for determining priorities, allocating the necessary re-sources, assigning responsibilities for action, and setting standards of performance and methods for monitoring them;
- Improving existing land information systems or introducing new ones;
- Assessing and designing new tools and techniques; and
- Ensuring that matters of privacy and data security are respected. (ibid: p 61).

The following are the most immediate measures that are proposed towards the establishment of Land Administration Commission:

- a) The re-engineering process to improve the organisational structure of the department should proceed to establish the Land Administration Commission;
- b) The specialist functions within the department that are responsible for land survey, land registration, land valuation, and land-use control and management must be assembled within the department in order to perform the following:
 - i) Develop land information management policies in line with those of the national Government;
 - ii) Set and monitor technical standards, especially for data capture, including field survey, data processing and data exchange;
 - iii) Provide “methodological guidance” to ensure that all procedures are well understood and new opportunities for improvement are identified;
 - iv) Make recommendations for improving the efficiency of all land administration processes in the light of changing circumstances;
 - v) Recommend changes to the law where these will improve the service to be provided;
 - vi) Archive data that are needed in the long-term national interest;
 - vii) Update and verify extents using original cadastral documents and Deeds data, especially in townships;
 - viii) Reflect the extents as they appear in cadastral record and title deeds;
 - ix) Identify and remove the duplication of records within the Deeds System;
 - x) Survey, register, and vest trust state land in the former homeland areas;
 - xi) Ensure that private and public sector entities get their land parcels surveyed are compelled to register changed land use at Deeds; and
 - xii). Invoke the Spatial Data Infrastructure Act to foster a national coordination locus and better data management environment among state entities.
- c) Support the Department of Human Settlement to transfer title of RDP Housing as well as the old housing Stock in the urban black townships to its millions of rightful black owners, including the update and verification of extents using original cadastral documents and Deeds data, especially in townships; and
- d) The Department of Rural Development and Land Reform should hold a Mini-Operation Phakisa on the Land Administration Commission so that national, provincial and local governments and state-owned entities should not only understand it, but enter into specific arrangement to be served by it.

RECOMMENDATION 2:

The Department of Rural Development and Land Reform should introduce an overarching Legislation on National Land Rights.

The injunction of the Constitution that South Africa belongs to all must be translated into a lived experience for the majority of South African citizens that is founded on an overarching National Land Rights Legislation whose primary function is to:

- i) Define the rights, restriction and responsibilities of South African citizens to land;
- ii) Vest land as the common property to the people of South Africa as a whole;
- iii) Collect land values created by the state and society into a Public Fund - for Land Reform, Inclusive and Sustainable Development - rather than to continue collecting them as unearned income for private gain by a few;
- iv) Outline the land governance framework for the state, public, private, and communal land tenure systems; and
- v) Determine transitional mechanisms, where need be, of moving from the current land tenure systems to the new land tenure system set on the basis of this overarching National Land Rights Legislation.

In section 25(6 and 9), the Constitution instructs the state to pass such a land tenure legislation. To that end, the 1997 the White Paper on Land Policy, acknowledging that instruction, promised to produce a Green Paper on Land Tenure to address a myriad of complex land rights that were inherited from apartheid and former Homeland Administrations. The promised Green Paper was produced in 2011 with four land tenure systems state, communal, private and public land tenure. What is left now is to pass an overarching National Land Rights Legislation to operationalise the Constitutional injunction.

In the meantime, amendments of the Extension of Security of Tenure Act, Community Property Associations Act, coupled with the annual renewal of the Interim Protection of Informal Rights Act, and the Communal Land Tenure Rights Bill – were set in motion to address pertinent areas of insecure land tenure that are of extreme pressure and urgency to obtain relief.

The Constitutional Court declared as unconstitutional the Communal Land Rights Act in 2010. Most recently, another land tenure act of the apartheid era has been declared unconstitutional and void by our courts of law.

RECOMMENDATION 3:

The Department of Rural Development and Land Reform should establish a Land Reform Fund (LRF).

In November 2011 the National Development Plan on the Integrated and Inclusive Rural Economy recommended an innovative model in Chapter 6 that would leverage more funds to support the financing of land reform in addition to the existing fiscal resources.

In November 2016 Operation Phakisa for Agriculture, Land Reform and Rural Development proposed the establishment of the Land Reform and Development Fund to finance the land reform programmes of redistribution, restitution, tenure reform and land settlement through public-private-community participation.

The first proposed funding source to finance the Land Reform Fund are already operational through the participation of private sector funding and farmers in the land reform programmes of restitution, redistribution and tenure reform.

These include Partners in Agri-Land Solution (or PALS), Vumelana Advisory Fund in Restitution cases, the Sugar Industry Partnership with the Restitution Commission, and Strengthening Relative Rights for People Working the Land (SRR or 50/50). Additional discussions have also started in bringing State-owned entities to finance and manage this Fund.

The second proposed funding source to finance the Land Reform Fund is through the collection of land values through a land value tax⁴ using the Municipal Property Rates Act. The essence of Land Reform Fund is that it will ensure that all landowners contribute to the national and constitutional imperative of land reform and post-settlement inclusive and sustainable development according to the Law of Rent⁶.

The Ready-to-Govern and RDP policy documents and public-private-community meetings have passed resolutions for the introduction of a land value tax. Land values are presently privately collected by banks, insurance companies, institutional investors, and big landowners. The collection of the land value tax will now be made more possible by the existence of the Office of the Valuer-General as has been shown in all land reform programmes.

The third proposed funding source to finance the Land Reform Fund is for the department to corporatize its property management portfolio and agricultural land holding account (ALHA) – both of which are currently dormant but can be easily and successfully set in motion as trading accounts. There is long experience in this regard which began in 1936 through the Land Development and Trust Fund Act and ceased to operate at the end of the apartheid.

6. Joe Sarling, 2014. Exploring land value tax.

11. GLOSSARY

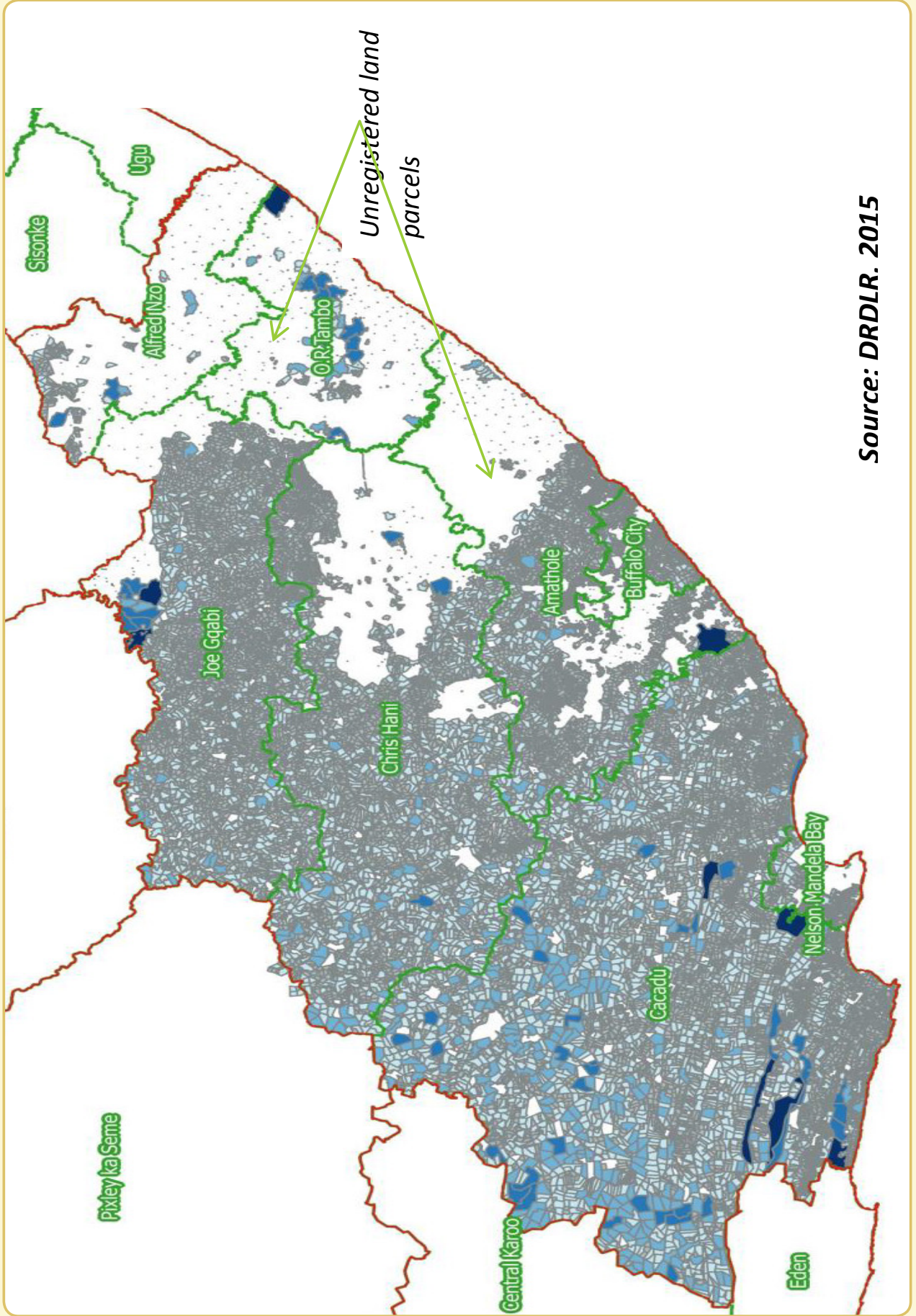
Cadastre	A register of land information. According to the International Federation of Surveyors (FIG) definition, a cadastre is normally a parcel based and up-to-date land information system containing a record of interests in land (i.e., rights, restrictions, and responsibilities). It usually includes a geometric description of land parcels linked to other records describing the nature of the interests, the ownership or control of those interests, and often the value of the parcel and its improvements. It may be established for fiscal purposes (e.g., valuation and equitable taxation), legal purposes (e.g., conveyancing), to assist in the management of land and land use (e.g., for planning and other administrative purposes), and to facilitate sustainable development and environmental protection.
Community-based Organisations	This includes non-governmental organizations, churches,
Co-ownership	Land owned by owners who are classified in different categories e.g. land parcel co-owned by Individual(s) and a Trust, male and female, etc
Department	The Department of Rural Development and Land Reform
Foreign	Individuals whose country of birth is not South Africa
Individuals	Natural persons owning land
Land	That volume of space that encompasses the surface of the Earth, all things that are attached to it, the rocks and minerals that are just below it, areas covered by water such as seas and lakes, all building and construction, and all natural vegetation. Legally, land extends from the centre of the Earth to the infinite in the sky” (UN, 1996)
Land Administration	A process of determining, recording and disseminating information about land tenure, value, use and its associated resources when implementing land management policies about relationship between land and people [UNEC]; it is “the processes of regulating land and property development, the use, conservation of land, the gathering of revenues from the land sales, leasing, and taxation, and the resolving of conflicts concerning the ownership and use of land”; (Dale and McLaughlin); it is ... concerned with the social, legal, economic and technical framework within which land managers and administrators must operate (UN-ECE, 1996).
Land Development	The processes of implementing land-use planning or development proposals for building new urban neighbourhoods and new physical infrastructure and managing the change of existing urban or rural land use through granting of planning permissions and land-use permits.
Land management	The process by which the resources of land are put to good effect. It covers all activities concerned with the management of land as a resource both from an environmental and from an economic perspective. It can include farming, mineral extraction, property and estate management, and the physical planning of towns and the countryside.

Land Reform	The various processes involved in altering the pattern of land tenure and land use of a specified area. Some of the processes involve land administration, but most of the processes are intensely political.
Land Tenure	Defines and regulates how people, communities and others gain access to natural resources, whether through formal law or informal arrangements. The rules of tenure determine who can use which resources, for how long, and under what conditions. They may be based on written policies and laws, as well as on unwritten customs and practices
Land-Use	The control of land-use through planning policies, regulations and enforcement; the implementation of construction planning through granting of permits; and the adjudication of land use conflicts. The design of adequate systems in the area of Land Tenure and Land Value should lead to the establishment of an efficient land market; and the design of adequate systems in the areas of Land-Use Control and Development should lead to an effective land-use administration.
Land Value	The assessment of the value of land and properties; the gathering of revenues through taxation; and the adjudication of land valuation and taxation disputes.
Nationality	Country of birth of a person as captured in the population register.
Other	Individual that opted not to disclose their Race on the census questioner Record of individuals owner not found in the DHA database. This could be as a result of incomplete information in the Deeds database Extent calculated by subtracting the total extent of registered land parcels from the known extent of provinces Used to classify land owned by land owners that were not found in the DHA population register Owner that could not be classified due to incomplete information in the deeds database Land that is surveyed but not registered at the deeds office
Private	First level classification of non-state owners i.e. Individuals, Companies, churches, etc.
State	Department of state or administration in the national, provincial or local sphere of government and public entities.
Trust	Trusts in terms of Trust Property Control Act, No 57 of 1988 (“the Trust Act”).
Unique land owner name	Land title name that are used for each land parcel in the Deeds Office Database.

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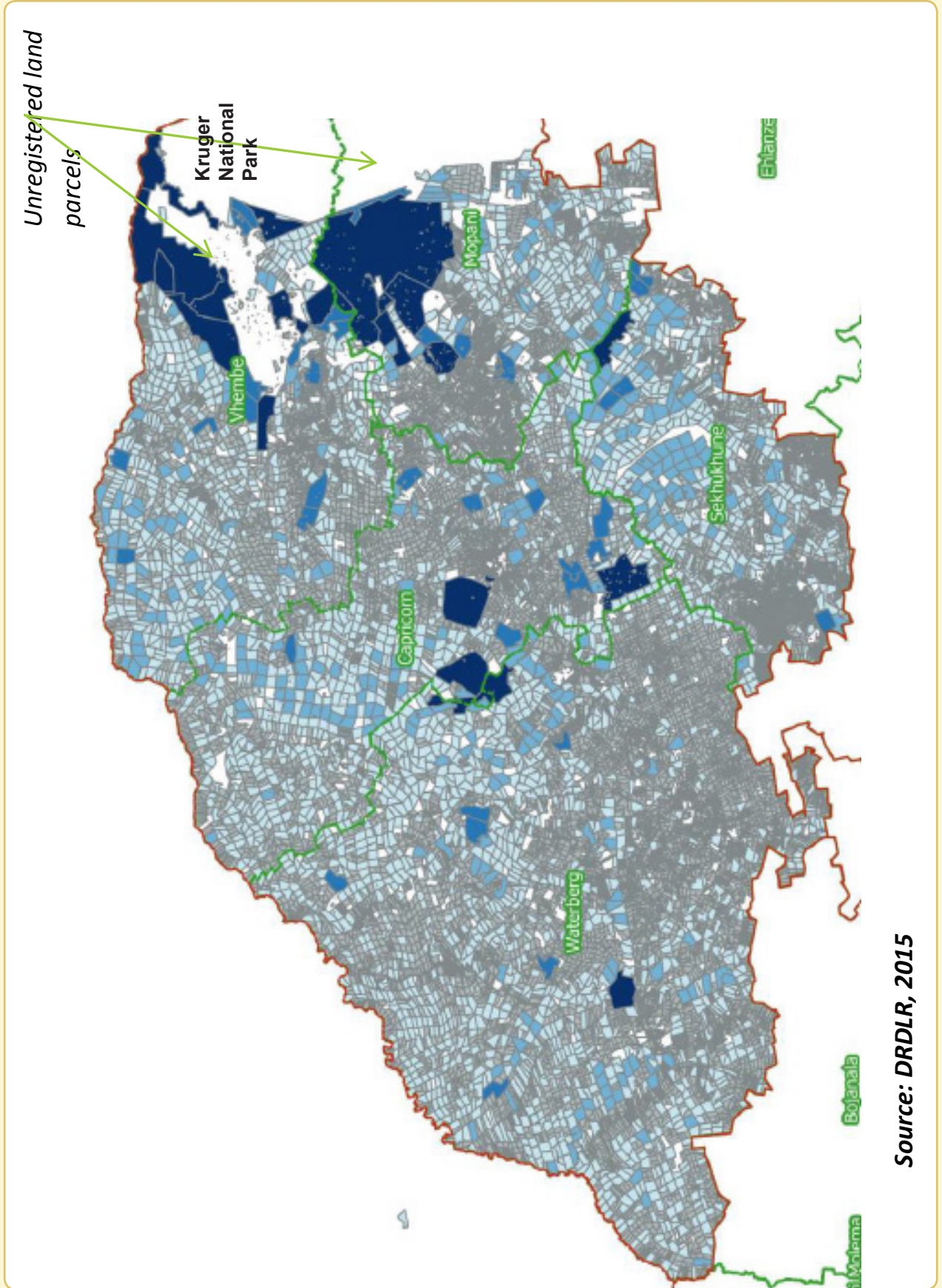
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MAP 1: EASTERN CAPE PROVINCE



Source: DRDLR. 2015

MAP 2: LIMPOPO PROVINCE



ANNEX 1: SOUTH AFRICAN LAND BY LAND USE AND EXTENT

LAND USE (HA)	EC	FS	GP	KZN	LP	MP	NC	NW	WC	TOTAL
In-land waters	36 996	73 611	3 228	69 413	5 748	6 011	10 340	17 175	23 530	246 052
Transformed areas	436 776	215 136	445 721	414 020	572 637	368 615	219 354	266 399	200 632	3 139 291
Protected areas	320 850	154 627	36 279	489 058	1 235 70	1 211 00	1 402 74	142 663	617 574	5 610 500
Forests	140 039	12 266	21 119	615 050	73 211	606 655	808	4 599	58 654	1 532 401
Cultivation	1 619 331	3 771 112	363 954	975 687	1 266 846	1 409 448	261 565	2 238 552	1 985 466	13 891 961
Rangeland	14 328 170	8 753 396	947 525	6 759 701	9 419 489	4 044 697	35 385 178	7 816 924	10 049 597	97 504 676
Total agricultural land	16 087 540	12 536 774	1 332 598	8 350 438	10 759 546	6 060 800	35 647 551	10 060 075	12 093 717	112 929 038
Total land	16 882 162	12 980 148	1 817 826	9 322 929	12 573 636	7 646 428	37 279 987	10 486 312	12 935 453	121 924 881
Communal areas	4 936 807	236 619	36 260	3 181 374	3 361 19	875 087	1 024 33	2 674 86	0	16 326 547

Source: DAFF, Undated





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