

National Assembly gives land expropriation report green light

After a debate that lasted for over 70 minutes, a majority of the Members of Parliament in the National Assembly have voted in favour of the adoption of a report of the Constitutional Review Committee on the review of Section 25 of the Constitution. Despite opposition from the DA, IFP, ACDP, FF Plus and COPE, among others, the report was supported by a majority of the parties.



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The report was adopted after 209 MPs voted for the report to be adopted, while 91 voted against the adoption. There were no abstentions.

Ahead of the vote, the National Assembly heard how 449,552 authentic written submissions were made on the proposal for the Constitution to be amended to allow for the expropriation of land without compensation.

Opposition of the amendment

Stan Maila, who was a co-chairperson for the Joint Constitutional Review Committee, adopted the Bill and referred it to the National Assembly earlier this month. He said while the process was not a referendum, it was noted that 65% of the written submission were in opposition of the amendment.

He said, however, that in light of the process not being a referendum, the amount of people against the amendment of the Constitution was not relevant.

The adoption of the report comes after a protracted public consultation process, followed by country-wide public hearings, which saw people from all walks of life making written and oral submissions.

Depending on the resolution from the House on Thursday, 6 December, the report could be forwarded to either a Portfolio Committee or an ad hoc committee, which will convene to determine its programme going forward.

Intensive public consultation process

With the Constitution having been amended 17 times before, this is the first time that an amendment will be made on a section in the Bill of Rights, and this will necessitate for an intensive public consultation process to take place.

That committee is bound to a draft Bill which will be issued out for 30 days for the public to comment and then after the 30 days, they will reconvene and set up a proper programme.

Parliament will thereafter issue a proposed Bill to members of the public to amend Section 25 of the Constitution.

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