

## AGBIZ presents on Land Court Bill in Parliament

Agbiz made a presentation on its submission on the Land Court Bill to the parliamentary committee on justice and correctional services on the 1<sup>st</sup> of March 2022.

Agbiz highlighted the importance of access to justice and an efficient court system in land matters. Agbiz submitted that a successful land reform programme is seen as a prerequisite for sustainability in the sector as well as a potential driver of growth as it facilitates the entry of new participants into the primary sector. Many agribusinesses, cooperatives and commodity organisations have invested greatly into supporting new entrants to the farming sector through various farmer support programmes. Agbiz members, therefore, have an interest in the development of policies and programmes that can facilitate access to land for their future clients. Agbiz, therefore, has a substantial interest in the success of the Land Court as it forms an integral part of the institutional framework required to drive land reform in South Africa.

Agbiz questioned the need for a Land Appeals court and argued that the caseload in all likelihood would not justify the expense of setting up such a court. Agbiz also expressed concern about the proposal in the Bill for compulsory arbitration. Whilst Agbiz supports mediation, compulsory arbitration is by implication a limitation on either party's right to have a dispute resolved by a court as provided for by section 34 of the Constitution.

Agbiz also submitted technical comments on clauses dealing with hearsay evidence, the appointment of judges, the rules governing the process of the court and various other matters.