

GENERAL EXPLANATORY NOTE:

- [] Words in bold type in square brackets indicate omissions from existing enactments.
- Words underlined with a solid line indicate insertions in existing enactments.

(English text signed by the President)
(Assented to 18 November 2018)

ACT

To amend the Extension of Security of Tenure Act, 1997, so as to amend and insert certain definitions; to substitute the provision of subsidies with tenure grants; to further regulate the rights of occupiers; to provide for legal representation for occupiers; to further regulate the eviction of occupiers by enforcing alternative resolution mechanisms provided for in the Act; to provide for the establishment and operation of a Land Rights Management Board; to provide for the establishment and operation of Land Rights Management Committees to identify, monitor and settle land rights disputes; and to provide for matters connected therewith.

BE IT ENACTED by the Parliament of the Republic of South Africa, as follows:—

Amendment of section 1 of Act 62 of 1997, as amended by section 20 of Act 61 of 1998, section 6 of Act 51 of 2001 and section 35 of Act 4 of 2011

1. Section 1 of the Extension of Security of Tenure Act, 1997 (hereinafter referred to as the principal Act), is hereby amended—

- (a) by the insertion before the definition of “consent” of the following definition: 5
 “**‘Board’** means the Land Rights Management Board established in terms of section 15A;”;
- (b) by the insertion after the definition of “court” of the following definition: 10
 “**‘dependant’** means a family member whom the occupier has a legal duty to support;”;
- (c) by the insertion after the definition of “evict” of the following definition: 15
 “**‘family’** means the occupier’s spouse, and includes—
 (i) a spouse in a customary marriage, whether or not the marriage is registered;
 (ii) a child, including an adopted child, or foster care child;
 (iii) a grandchild;
 (iv) a parent; and
 (v) a grandparent, 20
 who are dependants of the occupier and who reside on the land with the occupier;”;