

Agri SA – die landbouer se voorkeur-besighiedsvennoot

Hoe gaan Agri SA se struktuur die landbouer bedien in die toekoms



TEAMWORK

"Teamwork is the ability to work together toward a common vision. It is the fuel that allows common people to attain uncommon results."

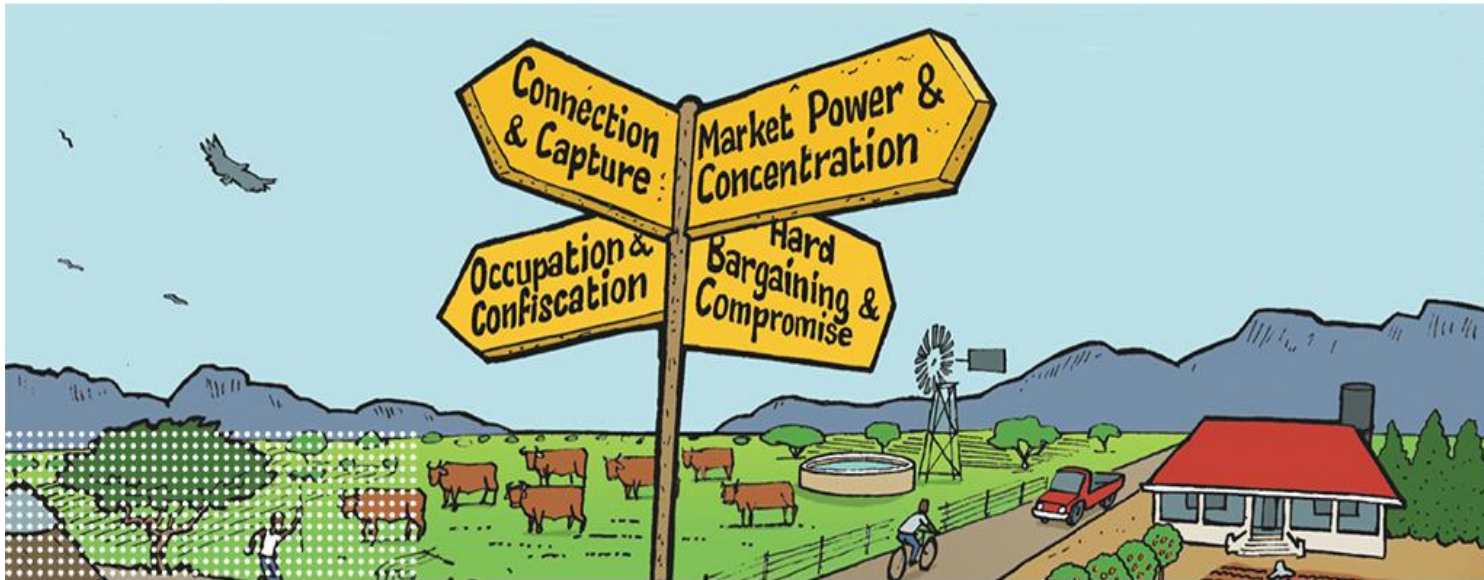
- Andrew Carnegie

Waaruit bestaan Agri SA



Alternatieve

Wat is die opsies vandag



Strategie

Strategic Reasons for Change



Financial Viability



Organisational streamlining in line with corporate governance best practice.



Building more leverage to **exert world class policy influence**, i.e. trade, resources, labour, etc.



Providing solutions in an ever changing environment with the farmer as the centre of the ecosystem.

Values

Agri SA and its members:



Respect and comply with the Constitution of the Republic South Africa in the formulation of its positions and related actions.



Regard private property rights and a free market approach as points of departure for wealth creation.



Focus on agricultural merits and act a-politically.



Respecting fundamental human rights, development and social justice.



Maintain the viability of the sector including e.g. export growth and tariff modification.



Maintain autonomy in the execution of our mandates.



Maintain democratic principles in decision making.



Apply generally accepted practices of good corporate governance.

Key Priorities



The international competitiveness of all our members.



Use its influence to promote an enabling environment for all our members.



Be a watchdog for the sector – keep farms in production: be the custodian of primary agriculture and the required resources.



Custodian of all farmers regardless of race, creed or gender.



Establish and maintain a strong development mandate to secure inclusive growth and prosperity in the sector.



Exert world class policy influence, i.e. trade, resources, labour, etc.



Continuously adapt to an ever-changing environment.



Contribute to sustainable agriculture by focusing on people, planet and profit.

Strategic Goals



**Unity about
Agriculture**



**Policy
Development**

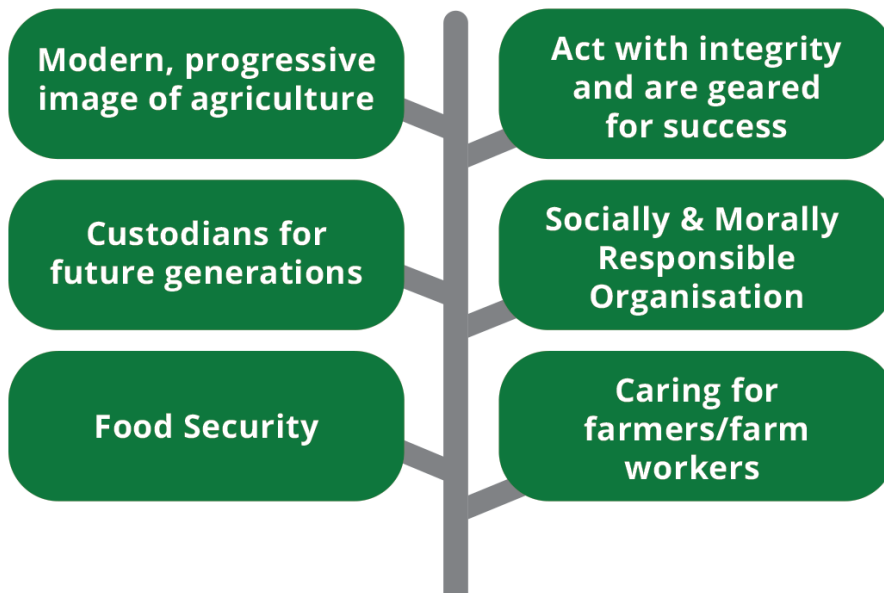


**Brand
Positioning**



**Internal
Goals**

BRAND PROMISE TREE



Internal Goals

- Additional Funding Streams
- Corporate Members
- Communication
- Human Resources

Organisational Framework

CONGRESS

Board of Directors

Non-Profit Company

Chairman Deputy Chairman Executive Director

General Affairs Chamber

Commodity Chamber

Corporate Chamber

Centres of Excellence



Commercial & Trade



Natural Resources



Agricultural Development



Rural Safety



Labour & Transformation

Support Functions



Finance & IT



Human Resources



Legal



Marketing & Communication



Parliamentary Liaison



Risk Management Desk

Clarifying Note
1 Corporate Director ex officio on BoD, 2 appointed by the BoD.



Litigatie fonds

Agri SA on Land Reform

THE SITUATION



'Land question' in SA remains deeply divisive, emotive, controversial, complex, contested.



Strong 'populist' support for expropriation without compensation.



Radical Economic Transformation...an important evolution for South Africa, but misdirected in context, content and as a cover for political policy decisions.



Land reform part of June policy conference, intensifying in lead up to Dec elective conference and 2019 elections.



Legislation on the table a significant threat to job/food security and sustainable land reform.

Agri SA

Championing the Defence of Farming, Food Security and Farm Property Rights



WHAT IS THE HIGH COST OF DOING NOTHING?

Agri SA's Role

Agri SA is catalyst/critical partner for sustainable farm reform in South Africa.



Establish Agri SA / members as genuinely seeking a solution for all of South Africa's long term benefit.



Identify a 'grand gesture' that positions Agri SA as a trusted voice in the debate.



Agri SA and its constituencies enter the conversation with a manifesto of commitments to transformation / land reform / farm reform that is adopted, supported and advocated.



Campaign to create awareness and trust for successful projects/models.



Engage trusted voices in affected communities who validate Agri SA's principles, character and proposals.



WHAT CAN BE LOST?
Everything.



WHAT CAN BE DONE?

Launch an urgent campaign to change the whole focus of the debate on land, and to prevent a number of Bills and regulations that can negatively impact on the sector from being promulgated.

Industry, Government, labour and civil society must work together to find a sustainable solution that is economically, socially and politically acceptable.

THE PROPOSED CAMPAIGN

Top-Down / Bottom-Up

- 1 Influence policy through top-down direct engagement with Government, Parliament, ANC, engaging with the Parliamentary process and ensuring all affected and interested parties understand the expected impact of the legislation.
- 2 Create a groundswell of bottom-up, rural, affected community 'voices' in support.
- 3 Work with social partners to find a workable alternative solution and entrench Agri SA as a critical partner for sustainable land reform.



WHAT IS THE CAMPAIGN NOT?

- Not an advertising campaign.
- Success is based on expanding voices beyond 'usual suspects'.
- Not about 'radical land reform', but about 're-engineering the debate' to focus on the farm, food security, and impact on affected communities.



Campaign IS about agriculture, farming, jobs, food security and the crossroads that SA finds itself in.



Agriculture



Farming



Jobs



Food Security



Crossroads



WE REQUIRE YOUR ASSISTANCE TO LAUNCH A VOLUBLE, URGENT CAMPAIGN THAT DEFENDS THE RIGHTS AND NEEDS OF ALL SOUTH AFRICANS.

We urgently need to raise R3 million to launch this campaign. Please contact Omri van Zyl - omri@agrisa.co.za or Annelize Crosby - annelize@agrisa.co.za for more information about the campaign.

Agri SA on Litigation, Lobbying and Communication



Agri SA Litigation, Lobbying and Communication in the Land Reform and Natural Resources Space

Introduction

Land reform and the protection of property rights are closely related and there is often tension between the two. But, in the modern world, the protection of the property of existing and new property owners is non-negotiable. Property rights, in the form of title bring security and security serves as collateral for production loans. Title also creates certainty about who owns what - in many other African countries where land reform has taken place, the number one problem now, is a lack of property registration systems and certainty about who owns what. Tenure insecurity is a huge problem in many African countries.

Because of the radicalisation of politics in this country, land reform has now become politicized. The land issue is an emotive issue and a very useful lightning conductor for other issues such as corruption. For these reasons, it is becoming more and more difficult to successfully influence policy on land. The only avenues that remain available to us, is to litigate and to sway the debate by influencing public opinion. For this, we need facts, on landownership, land transferred, prices paid etc.

What is Agri SA doing



Getting the information on land ownership by race, amount of land transferred since 1994, average price paid for land. Agri SA has entered into an agreement with Agri Development Solutions (ADS) and Landbou Weekblad to finalise a database with all the required information at a cost of R900 000.00 plus VAT.



Communication campaign to shift the debate on land from the present radical one of taking land with no compensation to a more balanced and rational debate. Agri SA would like to contract an international agency with a proven track record to assist with this - estimated cost is R3 million.



Litigation: Trying to set positive precedents, prevent negative ones and get legal certainty. Agri SA is currently involved in the Msiza case as a friend of the court. This case is all about the determination of just and equitable compensation and how section 25(3) of the Constitution is to be interpreted. It is going before the Supreme Court of Appeal. An arbitrary amount was deducted from the market value by the Land Claims Court on the basis that the land was being taken for land reform purposes. To date this matter has run up costs of R21 000.00. Further estimated cost is R1,5 million.

FORESEEN FUTURE LITIGATION



Agri SA will very likely have to contest the Regulation of Landholdings Bill once it is enacted. Our legal advice points to the fact that the Bill is unconstitutional. Cost of the opinion and commentary on the Bill was R66 000.00. Estimate future cost is R2 million.



Agri SA will likely also have to interdict and contest the Regulations in terms of the Property Valuation Act, which propose a mechanistic approach to valuation that may well lead to compensation amounts of 50% and less of market value when land is acquired by the state for land reform purposes. Estimated cost of such litigation is: R2,2 million;



If indeed there is an attempt to scrap or amend the property clause in the Constitution, Agri SA will also have to approach the Constitutional Court to try and prevent such a step. The estimated cost of such litigation is likely to be around R1,5 million.



Appeal and High Court Review of granting of exploration rights for shale gas through hydraulic fracturing in the Karoo and elsewhere;

Appeal and High Court Review of granting of prospecting and mining rights for Uranium and Molybdenum in the Karoo;

Obtaining a declaratory order regarding the Constitutionality of certain provisions of the proposed Aquaculture Bill;

Obtaining a declaratory order regarding the Constitutionality of the consensus provisions contained in section 50A of the National Environmental Management Act, 1998 (the "One Environmental System")



In total, for current and immediate future litigation, communication and data on land ownership, an amount of

R38,1 million
is required.

| What is Agri SA doing | Parties involved with Agri SA | Amount excl VAT | VAT | Total incl VAT |
|--|--|------------------------|-----------------------|------------------------|
| Information on land ownership by race, amount of land | Agri Development Solutions (ADS) and Landbou Weekblad | R 900 000,00 | R 126 000,00 | R 1 026 000,00 |
| Communication campaign to shift the debate on land from the present radical one of taking land with no compensation to a more balanced and rational debate | Possibly Allan Hilburg and Associates | R 3 000 000,00 | R 420 000,00 | R 3 420 000,00 |
| Litigation: Msiza case: (An arbitrary amount was deducted from the market value by the Land Claims Court) | Supreme Court of Appeal and Constitutional Court | R 1 500 000,00 | R 210 000,00 | R 1 710 000,00 |
| Future litigation - Regulation of Landholdings Bill | Constitutional Court | R 2 000 000,00 | R 280 000,00 | R 2 280 000,00 |
| Regulations in terms of the Property Valuation Act, (compensation amounts of 50% and less of market value) | High Court, Supreme Court of Appeal and Constitutional Court | R 2 200 000,00 | R 308 000,00 | R 2 508 000,00 |
| Scrap or amend the property clause in the Constitution | Constitutional Court | R 1 500 000,00 | R 210 000,00 | R 1 710 000,00 |
| Appeal and High Court Review - Granting of exploration rights for shale gas | High Court, Supreme Court of Appeal and Constitutional Court | R 15 000 000,00 | R 2 100 000,00 | R 17 100 000,00 |
| Appeal and High Court Review - Granting of prospecting and mining rights for Uranium and Molybdenum | High Court, Supreme Court of Appeal and Constitutional Court | R 5 000 000,00 | R 700 000,00 | R 5 700 000,00 |
| Obtaining a declaratory order regarding the Constitutionality of certain provisions of the proposed Aquaculture Bill | High Court, Supreme Court of Appeal and Constitutional Court | R 2 000 000,00 | R 280 000,00 | R 2 280 000,00 |
| Obtaining a declaratory order regarding the Constitutionality of the consensus provisions contained in section 50A of the National Environmental Management Act, 1998 (the "One Environmental System") | High Court, Supreme Court of Appeal and Constitutional Court | R 5 000 000,00 | R 700 000,00 | R 5 700 000,00 |
| Total estimate for current and immediate future litigation, communication and data on land ownership | | R 38 100 000,00 | R 5 334 000,00 | R 43 434 000,00 |

Dankie