



19th SARWA Conference



## Update on Regulation of Agricultural Land Holdings Bill

**T**he deadline for submission of comments on the first draft of the Regulation of Agricultural Land Holdings Bill (Bill), initially set for 18 April 2017, has been extended by 30 days, meaning the public has until 17 May 2017 to go through the contents of the Bill and make comments thereon. SARWA members who missed the previous deadline to submit comments, now have another opportunity to do so during the extended period. The broad objects of the proposed measure are to:

- ◆ Obtain agricultural land for distribution in order ... to ensure redress of past imbalances in access to agricultural land, to support and promote productive employment and income to emerging farmers; and to promote food security;
- ◆ Provide a transparent and more conducive regulatory framework for the generation and utilization of policy relevant information regarding agricultural land ownership and usage.
- ◆ Provide certainty regarding ownership of public and private agricultural land.

In order to give effect to the objects afore stated, the Bill proposes, amongst other things:

- ◆ The creation of the Land Commission, whose main function will be the establishment and maintenance of a register of private and public agricultural holdings;
- ◆ Agricultural land ceilings. Section 25 proposes that the Minister (DRDLR) shall, subject to prescribed criteria and factors, determine categories of ceilings for agricultural land holdings. All land that falls between or exceeds any category of agricultural land holdings determined by Minister as per above, will

be designated “Redistribution Agricultural Land”

- ◆ Black people as defined under the Employment Equity Act (Act 55 of 1998), shall have the right of first refusal in respect of sale of such “Redistribution Agricultural Land”
- ◆ Prohibition of ownership of agricultural land by foreigners. It is proposed foreign land ownership be replaced with long term leases.

*SARWA will monitor developments around the bill in the weeks and months ahead - Editor*



## The SARWA Way

*The South African Right of Way Association (SARWA) is a Chapter 83 of the International Right of Way Association (IRWA), the first IRWA chapter to be launched outside North America. The SARWA newsletter is the voice for the multi-disciplinary professionals involved in the acquisition of land and related real rights, for infrastructure development.*



### Features .....

**Legislation update ... RALHB .... 3**

**Expropriated Farmer Gets his Train .. 4**

**2017 SARWA Conference ... 5**

**International Credentialing .... 8**

**IRWA Annual Educational Conference .. 10**

**2017 Events Calender ... 12**

**SARWA Member Credentialing ... 13**

**We are SARWA ... 14**

**SARWA COPS ... 15**

**Advertisements/Letters to the Editor ... 15**

### Columns

**Incoming President, Jacques du Plessis, Shares his Outlook on the Year Ahead ...7**

**2016/17 Report - Outgoing president Jacob Boya ..... 11**





## Indian farmer gets more than he bargained for

**A** farmer's battle for what he considered to be proper compensation for land seized to build a railway line reached an unexpected conclusion, when a court awarded him a train ... literally.

Sampuran Singh had been fighting his compensation lawsuit since 2015, when he went to court to argue that Indian Railways had underpaid him for a piece of land in the northern state of Punjab, acquired to build new tracks.

After he won his case, the railway company refused to pay - so he filed another plea, after which he was awarded an express train in lieu of the 10 million rupees (about R1.9 million) he was owed.

"We were tired of pleading with the railways to clear the pending dues. The court asked us to identify properties for recovering our money", said Rakesh Gandhi, Singh's lawyer.

The court also granted Singh ownership of the stationmaster's office in Ludhiana, a Punjab city through which the train passes.

Following the judgement, Singh and his lawyer waited at Ludhiana station, and when the train pulled in, handed the court order to the driver.

Singh said he allowed the driver to carry on to the train's destination as stopping it "would have caused inconvenience to the thousands of passengers" on board.

Railway officials later secured an interim court order, giving them control of the train until the case was heard at a later date.

Gandhi however warned that if the railway continued to default, they risked a court sanctioned auction of the 20 coach express train, which runs daily between New Delhi and the Sikh holy city of Amritsar, in Punjab.

Several Indian courts in the past have unsuccessfully awarded trains to aggrieved farmers for unpaid dues.

Last year, an express train was confiscated on court orders after a 62 year old farmer in Karnataka state had won a compensation case over land taken in 2006.

The intercity express was halted at Harithar station for two hours before officials persuaded him to release it.

And in 2015, railway officials handed over 3 million rupees to two farmers at a station in the northern state of Himachal Pradesh to secure the release of an express train - *AFP*

*This article appeared in the Sunday Times and was sent to SARWA News Letter courtesy of Bobby Richardson. .*



**S**ARWA recently held its 19<sup>th</sup> Annual Educational Conference at the Glenhove Conference Centre, in Johannesburg. The educational part of the event took place on 6-7 March'17, followed by the conference/AGM on 8-9 March'17.

Mary-Anne Marr SR/WA (IRWA president) facilitated the 2-day educational event. A first time course C700 - Introduction to Property Management. was presented, after which participants sat down for an assessment exam. The course is part of the module requirements towards full international accreditation. At the time of going to print, participants were keenly awaiting receipt of their results

**Annual General Meeting**

The AGM took place 8 March'17, and was overseen by IRWA international president Mary-Anne Marr. Jacques du Plessis was elected president for 2017/18. The full executive committee for 2017/18 is made up of the following members:

- Jacques du Plessis - President
- Oupa Mashabela - Vice President
- Viresh Singh – Treasurer
- Ernest Grunewald – Secretary
- Piet-Nel de Vos – International Director
- Nellie Buitendag – Executive Committee Member
- Lungile Motsisi – Executive Committee Member
- Marius Kumm – Executive Committee Member
- Mamokete Mafumo – Executive Committee Member
- Jacob Boya – Executive Committee Member
- Lourens Nel – Executive Committee Member
- Mossi Ntene – Executive Committee Member
- Ig Van Rooyen – Co-opted Committee Member (Finance)
- Paul Cronje – Co-opted Committee Member (Legal)

### Conference/AGM 8-9 March

2017 saw another well attended SARWA Annual and Educational Conference. Outgoing president, Jacob Boya, opened the proceedings and welcomed attendees amongst whom were two guests, namely, IRWA international president, Mary-Anne Marr and Texan, Ryan Ray, who is no stranger to SARWA events. The two guests gave insightful perspective of the work they do in the field of acquisition of rights of way.

Continuing with the trend, this year's event attracted an array of professionals, some of whom gave presentations on topical issues encountered in their respective, rights of way related work. Below is the full line-up of speakers at the this year's event.

*IRWA-Global Land & Rights Networking - International President, Mary Anne Marr (USA)*

*How to comply with SPLUMA when acquiring land & Rights for new projects - Stefanie Chetty (DWS)*

*GIS Solution for encroachments - Ryan Ray -R2 Global TX (USA)*

*Corridors of Freedom ... an urban revolution Yandle Silimela—Executive Director (JDP)*

*WULA General Authorisation—how to apply and what is the approval process? Dr Wietsche Roets (DWS)*

*What must be considered when doing valuations for infrastructure acquisitions -Bill Collatz*

*Infrastrucure crossing Infrastrucure—what are the possible impacts to be mitigated? Arthur Burger (Eskom)*

*The impact of acquiring land & rights on land from*



## PRESIDENT'S PERSPECTIVE



Since the inception of SARWA in 1998, successive executive committees put in a tremendous amount of work not only to grow the association's brand, but to also promote and enhance the cause of the right of way profession in South Africa. Amid difficult challenges, SARWA has remained resolute in its endeavours to support and maintain steady growth. It is remarkable that our organization achieved much of its growth through use of very simple tools - like networking (local & international) and the fostering of a collaborative spirit amongst individuals and organisations involved in the rights of way related work. The introduction of fit for purpose, educational courses also provided an added dimension to that effort.

As we move into our 19<sup>th</sup> year of existence, there is a clear need to expand and align our efforts in line with our vision of being South Africa's leading professional and educational institution in the field of land & rights acquisition.

I want to take this opportunity to express my heartfelt thanks to the outgoing executive committee for holding a truly world class event, with excellent presentation of topical issues. The conference also saw presentation, for the first time, of an internationally accredited course C700 - Property Management.

The current executive takes from where our predecessors left in terms of prioritising the marketing of our organisation and accreditation of our educational courses. There are numerous social interactive events lined up for 2017, to give members additional platforms to interact and network. These include workshops, seminars and, back by popular demand - a fun day.

On the educational front, a variety of land and rights related courses (web and class room based) will be offered during 2017/18.

Next year's Annual & educational conference will mark the 20<sup>th</sup> year of SARWA's existence. We look forward to celebrating this important milestone in our young organisation. Further communication on this and other events will be put out during 2017. Watch This Space...

Following on the successes of educational workshops held during the latter part of 2016, we will be looking at expanding member exposure, with events being planned in places outside Gauteng Province. SARWA also plans greater interactions with other professional institutions, in order to sell the work that we do in the field of land & rights acquisition, and to exploit possible synergies that might exist.

In order to effectively market the association, our members are requested to spread the word, wherever they go. Over and above our quest to continuously market our chosen professional career path, there is also a need to ensure the long term sustainability of our beloved association. We need to grow our membership base, and this can't be achieved without support from the industries in which we operate. Should anyone encounter an individual/groups or companies that wish to know what SARWA is about, please refer them to our address [www.sarwa.co.za](http://www.sarwa.co.za).

Carving out your niche in a competitive world could be a daunting task. Do remember, however, that Rome was not built in a day. We invite you to walk this exciting journey with us, as we take this association to a new level of excellence. As our international president very elegantly put it - we are indeed improving peoples' quality of life through our work in infrastructure development. There are many ways to get involved - in our social media platforms, COPS, and other initiatives. We are just a click away [info@sarwa.co.za](mailto:info@sarwa.co.za), and would love to hear from you.

Thank you  
*Jacques du Plessis, SARWA president 2017/18*

## C700 - Introduction to Property Management

This internationally accredited, land & rights related course was facilitated by the International Rights of Way (IRWA) president, Mary Anne Marr SR/WA, during the 19<sup>th</sup> Annual & Educational Conference held in Glenhove, Johannesburg. The course was held over two days, 6 -7 March 2017.

SARWA, which is the Chapter 83 of IRWA, is the only institution accredited to offer this course in South Africa. The course is tailor-made for professionals involved in the land & rights related work, who want to upskill and develop themselves.

To the 38 first participants, completion of this course not only enhances their knowledge and skills levels, but also accelerates module build-up towards international credentialing.

### Course Scope

The course is designed for full-time asset managers or generalists tasked with the management of the organisation's property portfolio. It covers all major aspects of property and management, a field where land and rights related professionals play a prominent role. Participants learn how to establish a cost-effective, management plan to improve profitability, conserve resources and reduce risk exposure.

### Topics covered

- Establish, classify, and maintain a property inventory
- Develop simplified management policies and procedures
- Identify and evaluate risks, hazards and liabilities
- Establish ownership monitoring schedules to control encroachments and other unauthorized uses
- Decide if property should be leased, sold or held
- Recognise advantages and pitfalls of joint use agreements
- Effectively repair and maintain improved properties
- Profitably dispose of excess lands or property rights

**The next Course 700 – Property Management will be offered in 2018.**

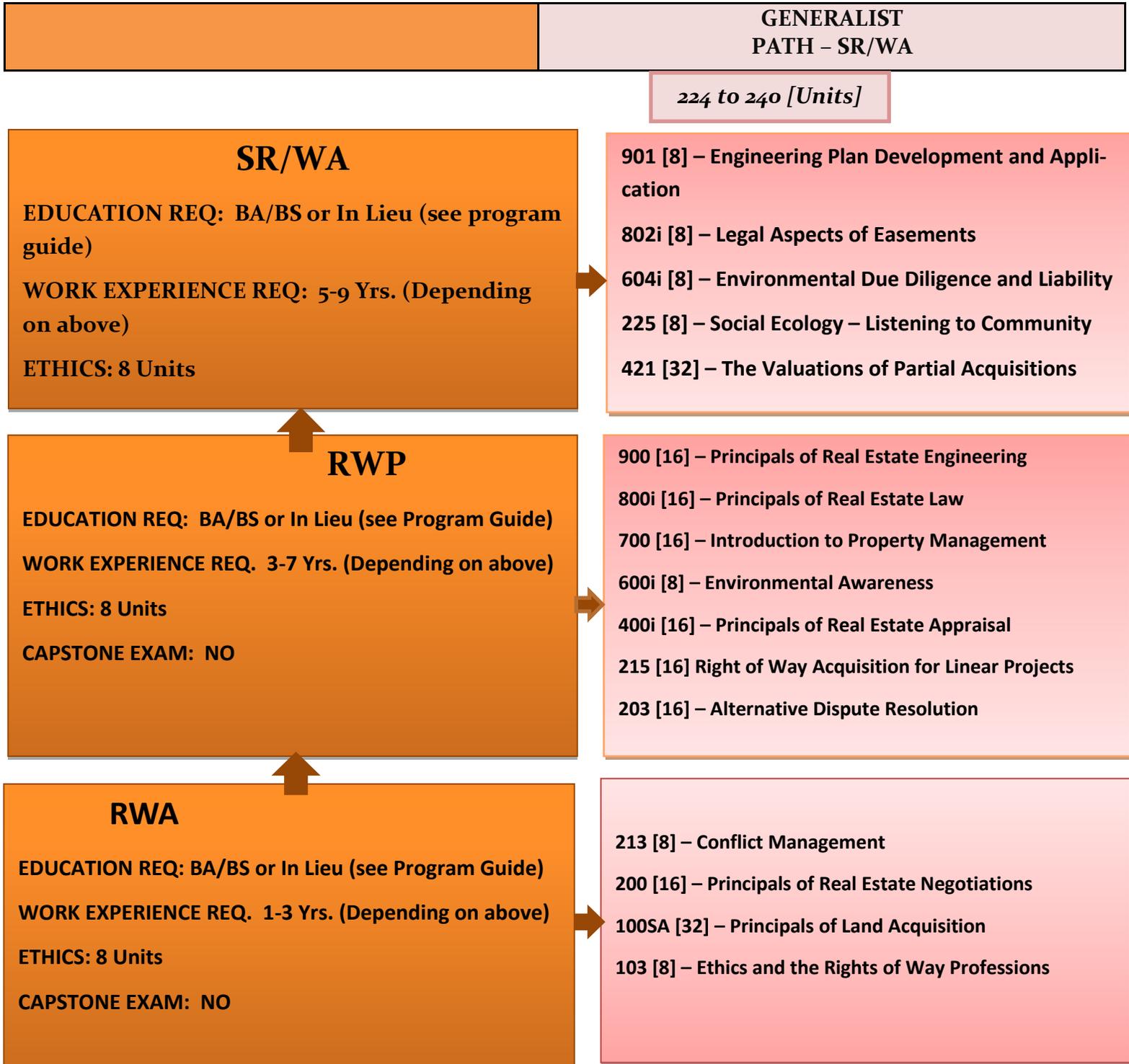
## International Rights of Way Certification

The rights of way related professionals in South Africa can now obtain International Rights of Way Certification.

There are three certifications to full accreditation, which begin with RWA (Rights of Way Agent), then RWP (Rights of Way Professional) and the highest certification being SR/WA (Senior Rights of Way Agent).

Ten RWA certifications have been achieved in South Africa to date.

All the training modules for RWA certification are being offered annually in South Africa as well as 3 training modules for RWP certification.



As has been the norm over the years, SARWA was well represented at this IRWA flagship event. Outgoing president, Jacob Boya, led the delegation and was joined on the trip by Piet-Nel de Vos, the International Director of the association. Other delegations in attendance included those from USA, Canada, Mexico, Nigeria (Chapter 84), Australia, (Chapter 86), Uganda (represented by flying solo, Richard Mungati), China and Germany.

### **Organisation**

The conference, which saw election of Mary-Anne Marr SR/WA as IRWA international president, was held at the lavish, Gaylord Opryland Resort Hotel situated in close proximity to the Tennessee International Airport. The number of delegates in attendance was put at around 1200.

The organisation at the conference event was simply out of this world. According to organisers, hosts for these events are selected five years ahead of the time, in order to give them a head start. Going into the conference, hosts had already been selected for the 2017-2021 events. Anchorage (Alaska) is set to host the 2017 edition of these annual events.

A line-up of exciting events had been put in place to ensure delegates were kept busy and captivated throughout. The exhibition hall was a must visit for delegates. Close to 70 booths provided an international platform for organisations to showcase services rendered in the performance of rights of way related work.

### **Presentations**

There were three featured speakers, each for the opening ceremony (Mark Robinson- motivational speaker “The little things that matter”), the plenary (Roland Waniek “Energy in Germany”) and breakfast (Rocky Bieier - SR/WA “Power of the mind”). Besides the featured speakers, delegates were treated to some insightful presentations by eminent persons in the international rights of way profession.

### **Auction**

The auction to raise funds for educational foundations again put IRWA’s charitable side in the spotlight. Jacob (Amarula Cream and African hand-made Beads) and Piet-Nel (old Mine Lamp) brought with them some south african made goodies for auction. The Beads and Amarula Cream sold for \$280.00 and \$350.00 respectively, and the Mine Lamp sold for \$680.00. The auction raised more than \$100 000.00, excluding sponsorship money for the event. Well done SARWA delegation.

### **SARWA State of Affairs**

The SARWA delegation got an opportunity to brief IRWA leadership on the current state of affairs at SARWA, as well as the association’s future plans.

### **Closing**

The installation banquet held on the 15<sup>th</sup> June brought down the curtain on this memorable event. There was an opportunity also for the incoming president, Mary-Anne Marr, to make her mark with an inspirational and uplifting speech that had delegates on their feet throughout. Good luck madam president.

*[An extract from a report by Jacob Boya, SARWA president 2016/17 – Editor]*





Fellow members. In the past 12 months you put me at the helm of this great organisation of ours. I stand here today, at the end of my tenure, to pass the baton to our next president, to grow this organisation even further. Above all, I stand here to thank you for the trust and faith that you bestowed on me. I am eternally honoured to have had the opportunity to serve you as the president.

The journey that I have travelled would never have been easier if I had to walk it alone. I am particularly grateful that our predecessors had the foresight to understand that an empowered executive was the key to successful delivery on its mandate. Meaningful powers vested in prominent role players like the Deputy President, Secretary and Treasure, allows for quicker decision making and action. Thanks to this wonderful legacy, I'm pleased to announce that much of the goals agreed to at last year's bosberaad (*SA - for strategy session*) have been achieved.

I also want to commend our predecessors for the exciting initiatives they have undertaken. The most notable of these are the recently established Community of Practices (COPS), which got to a flying start.

Best wishes to the incoming executive. I do believe they have what it takes to take SARWA to greater heights. Let's give them all the support that they need to serve us.

Below is the summary report of activities undertaken during 2016/17.

### **Active SARWA membership increased by 36%**

2016/17 = 181

2015/16 = 133

### **Active IRWA Chapter 83 membership increased 4%**

2016/17 = 75

2015/16 = 72

### **Retirements**

Roland Moore retired from Eskom. He was one of the earliest (the fourth) member to join SARWA in 1998. Roland joins four honorary SARWA members who have retired, to become the fifth.

### **Courses offered during 2016/17**

C100 SA - Principles of Land Acquisition

C103 - Ethics and the Right of Way Profession

C213 - Conflict Management

**SAQA Accreditation** - Matter to be re-visited during 2017/18

### **Workshops**

Educational conference in March 2016

Educational workshop in Mpumalanga

### **Webpage**

Webpage and Facebook now up and running.

### **Newsletter**

Lourens Nel has volunteered to assist with the Newsletter.

### **SARWA / Olympics**

1<sup>st</sup> SARWA Olympics – Golf, Cycling, table tennis, tennis. SARWA sponsored the lunch and the participants paid for their sport event.

THANK you and GOD bless.

*Jacob Boya*

*SARWA president 2016/17*



**C700 : Introduction to Property Management**

Venue: Glenhove Conference Centre, Johannesburg



**AGM : Annual educational Conference & AGM**

Venue: Glenhove Conference Centre, Johannesburg



**C100 SA: Principles of Land Acquisition**

Venue: Gautrans, Pretoria



**C103 : Ethics and The Right of Way Profession**

Venue: Gautrans, Pretoria



**C213 : Conflict Management**

Venue: Gautrans, Pretoria



**Workshop : Gauteng Regional Workshop**

Venue: To be Announced



**Online : IRWA Online Courses**

Venue: Glenhove Conference Centre, Johannesburg

# Credentialing



## STAND OUT in the crowded marketplace...

### SARWA members receive Right of Way Agent Certification

Once again we wish to recognise and congratulate the following SARWA members who successfully completed the required courses to earn the prestigious designation of *Right of Way Agent (RWA)*:

- Ernest Grunewald
- Paul Cronjé
- Piet-Nel de Vos
- Jacques du Plessis
- Okkie Stevens
- Charles Madigage
- Hennie Schoeman
- Oupa Mashabela
- Rio Kgatle
- Guillaume Bodenstein



### Career Path

The Right of Way Professional Career Path is a three level generalist programme leading to the Senior Right of Way Agent (SR/WA) Designation. While the generalist may be a specialist in one area, they must also be familiar with all disciplines associated with the right of way profession. The RWA & RWP Certifications and SR/WA Designation reflect evidence of professional accomplishment in the right of way profession.

IRWA stands for the highest standard of excellence. As such, its certification and designation path is a rigorous process that will work to differentiate you from other professionals. Our high standards have enabled us to create a distinction that is universally respected by customers, businesses and colleagues across most disciplines.

Earning a Certification or Designation will help expand employment opportunities, increases salary potential, boosts chances for career advancement and demonstrates professional commitment.



Visit the new and improved web page: [www.sarwa.co.za](http://www.sarwa.co.za)

Social media



- SARWA has **181** active members
- Through SARWA's affiliation with the IRWA you have access to just under **10 000** industry professionals from **15 countries** and chapters in the United States, Canada, Australia, Mexico, Nigeria and Saudi Arabia
- The 2017 IRWA conference will be taking place in Anchorage Alaska

Call 811 before you dig... at the March conference we heard more information on this exciting new industry development



# COMMUNITIES OF PRACTICE

How to get in touch with the COP Chairpersons



## NEGOTIATION

Hector Dombo

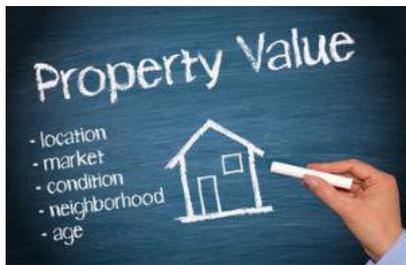
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## ***Advertisements***

In today's competitive landscape effective marketing of your services or that of your company is critical. Placing ads in this newsletter will allow you to reach hundreds of other professionals who are active in the field of property and related rights acquisition and management. Members or companies who are interested in placing ads in the newsletter are invited to contact us at [info@sarwa.co.za](mailto:info@sarwa.co.za).

## ***Letters & Articles***

The newsletter can only continue if members supply us with topical information and industry news. We urge you to please send through news on any new developments affecting the right of way profession, or to share with us information on current projects you are busy with.

