

SPECIAL AGRICULTURE BUSINESS LEASES: WHERE ARE WE AT?

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The paper looks at the COI on the SABL

- The Key Findings of the COI
- Where Government is at now in the implementation of the COI findings and recommendations
- Future of the SABL

Key Findings

- **All 45 SABLs were issued under a defective process**
- **Widespread discrepancies in the process of application – application, meeting minimum criteria, verification and assessment, LIP & LIR, informed consent of landowners**
- **Despite claims of such many applicants for SABLs were non representative of landowners or did not get agreement for land owners, usually the well-to-do or educated were involved in the process**
- **Landowners do not know that their land have been leased**

- **Title holders of the SABLs were companies purporting to be LANDCOS. Almost all of them have questionable directorships and operations**
- **Titled land were used for logging or unused other than business and agriculture**
- **Of the 45 SABLs, only two have significant business and commercial investment**
- **SABLs have been used for land grab.**
- **No quality assurance and ongoing monitoring and control of business and agriculture investments**

Where is Gov't at now?

Govt. will need to act in three areas

- Deal with the SABLs acquired defectively**
- Deal with the future of SABL (Policy and legal framework) and think of policy options**
- Deal with the people who have mismanaged/corrupt the process**

Problem with dealing with the “defective” SABLs

- **Government can't act arbitrarily and therefore immediately. It does not have the power to do so**
- **Some recommendations of the COI are contrary to law**
- **It has made several attempts but it could not unwind the SABLs as it is**
- **It must make amendments to the legal framework (Land Act) to allow it to act**
- **First priority of Gov't now is to deal with the defective SABLs**

What is the future of SABLs

SABLs are incorporated in Law. Gov't has to deal with it

- Stay as it is but with a strong policy and regulatory framework?**
- Incorporate with the ILG Act?**
- Do away with it?**