

LAND CLAIM ACTION GROUP - SPECIAL GENERAL MEETING 18 JANUARY 2025

ALENGENI WEDDING AND EVENTS VENUE 10:00

PRESENT: Leon Scholtz (CHAIRMAN), Pedro Carvalho, Pierre Venter,
John Franklin, Elsabe Heystek and Diana Potgieter

PRAYER: Alex Durr

WELCOME:

- LS thanked everyone for attending.
- Thanked Alan and Isabel for the venue and food
- Gave a brief report on where we are after 20 years – we have the fourth pre-trial taking place on 23 January, where the remaining problems will be resolved and a date for the trial set, June/July, depending on availability
- On 23/1/25, our final database of members must be submitted.
- The reason for this SGM is for members to decide on action regarding the non-paying members in LCAG. In 2018, members voted to carry members who could not pay, but now we find ourselves at a crossroads – whether we continue to do so or remove them from the database.
- Facts to remember – when we joined LCAG, we made a commitment to pay subscriptions when called for
Clause 13.1 of our constitution :
“All members of LCAG, by acceptance of this Constitution, voluntarily accept pro-rata guarantee of the liabilities of the LCAG during the subsistence of their membership.”
- Total subscriptions per sub-division paid to date are R 14 100 (or 75c per day)
- The committee put forward a proposal to the floor - If members had paid R 10 000 and are prepared to sign an Acknowledgment of Debt for the balance, to be paid over the next four months, their name will be included on the database – if not, they will be removed.
- The court case is expected to cost around R 200 000 per day. Our legal team expects it to take 10 – 14 days to complete- at this stage we are 1.4m short of walking into court, excluding R600 000 for an anthropological report (we have a historical report). Still, in the last two land claim cases they have required an anthropological report, and should this happen, we do not want to be unable to produce it.
- As a committee, we are prepared to continue to drive this process to court, but should we not have the funds to instruct our legal team to proceed with the case, we are not prepared to be held responsible for the costs in our personal capacity and will step down /walk away.

- If we are successful and win the case, we should get back around 80% of our costs. Our legal team are confident and believes we have a very strong case. (Peet Grobelaar has not lost a land claim case yet)

FINANCES - Pedro Carvalho did a PowerPoint presentation

1. Finance update – finances were discussed
2. Three options are open to landowners in the claim area:
 - a) Ignore the claim – the act interprets this as accepting that the claim is valid and, therefore, the owner accepts their land is available for restitution – without the option to appeal the court order.
 - b) Defend yourself – R200 000 per day, and R3m+ in total
 - c) Join LCAG, pay subscriptions and be represented.
3. Table of membership payments to date
4. Facts on interest accrued and interest denied
5. A Question and Answer session
6. Vote on the committee’s proposal to rescind the previous resolution and no longer continue to “carry” members in arrears, unless:
 - a) They pay at least R10 000 of the R14 100 per property within 14 days of SGM.
 - b) And sign an agreement to pay the balance by 30 April 2025
 - c) Those who do not comply to be removed from the properties being represented

The vote was 63 in favour – 31 against and 13 abstentions, so the resolution was adopted.

7. Recap and the road ahead:
 - Recap of the Anthropologist/Historical report estimates to be discussed at the next SGM,
 - In the next 2 weeks, we will understand the membership and number to be represented
 - Next meeting, mid/end February.
8. The meeting ended with thanks to all members for their attendance.

Signed.....

Dated.....