



PROVINCIAL DEPARTMENT OF PUBLIC WORKS AND INFRASTRUCTURE
PROCESS FOR THE
OUT OF HAND DISPOSAL/LETTING OF IMMOVABLE ASSETS
(LAND AND BUILDINGS)

- ☐ **Step 1:** Disposal application form to be completed by applicant:
- ☐ **Step 2:** Research and investigation of ownership of property will be undertaken by the Department. Should the property ownership be in the name of the Provincial Government of KwaZulu-Natal and confirmed under the ownership of the Department in the Fixed Asset Register, the disposal and letting process will commence in terms of the KwaZulu-Natal Land Administration Act 2014. (3 -4 weeks)
- ☐ **Step 3:** The Department will then determine the availability of the property by determining government need. Formal letters are forwarded to all Provincial Departments, the local municipality and National Public Works and Infrastructure for a period of 30 days to respond. (30 Days)
- ☐ **Step 4:** Letter is forwarded to the Department of Rural Development and Land Reform to determine if there are any registered land claims. (30 days)
- ☐ **Step 5:** After confirmation of Step 3 and Step 4 only then will the disposal or letting proceed.
- ☐ **Step 5:** The property will then be valued to determine either the market value or market rental depending on whether the property is to be sold or let. (1-2 months)
- ☐ **Step 6:** The application will be tabled at the Disposal of Immovable Assets Committee for recommendations to the MEC. (1 month)
- ☐ **Step 7:** The Section 5 notice giving notice of intention to the public in the relevant media is advertised to determine if there is any interest or any objections to the disposal/letting for consideration by the MEC: Public Works and Infrastructure before approval to dispose or let is granted. The notice is also forwarded formally to all Heads of Departments, the local municipality and National Public Works and Infrastructure for a period of 30 days. (30 days)

- ❑ **Step 8:** After the 30-day period, if no objections/interest are received, the final approval will be obtained by the MEC: Public Works and Infrastructure. (1 month)
- ❑ **Step 9:** Approval of the Provincial Treasury is required in the case of less than market rental or Sale at less than market value. (2-3 months)
- ❑ **Step 10:** Agreement of Sale is drafted in the case of a Sale or a Lease agreement for a letting. (1 month)
- Step 11:** Agreement is vetted by the Department Legal Services before signing by both parties. (2-3 months)
- ❑ **Step 12** Conveyancer is appointed by the purchaser to attend to the transfer in the Deeds Office in case of a Sale. (3 months)
- ❑ **Step 13:** If the property is being let then a lease agreement will be signed. (2 to 3 months)

The timeframes indicated above are estimated and the process timelines are determined not considering any external delays or factors.