



RECORD OF INTENTION

Agreed upon by and between

THE MINISTER OF HIGHER EDUCATION AND TRAINING

Herein represented by **Minister BE Nzimande, MP**

In his capacity as Minister of Higher Education and Training

(Herein referred to as "the MHET")

And

THE MINISTER OF PUBLIC WORKS

Herein represented by **Minister TW Nxesi, MP**

In his capacity as Minister of Public Works

(Hereinafter referred to as **MPW**)

And

THE PREMIER OF MPUMALANGA PROVINCE

Herein represented by **Premier D Mabuza**

In his capacity as Premier of Mpumalanga Province

(Hereinafter referred to as **PMP**)

**TO FACILITATE THE RAPID ESTABLISHMENT OF THE NEW UNIVERSITY IN
MPUMALANGA AND THE TRANSFER AND DEVELOPMENT OF THE IDENTIFIED
PUBLICLY OWNED LAND**

Three handwritten signatures in black ink. The top signature is the longest and most stylized. Below it are two shorter signatures, one on the left and one on the right. A small number '1' is written to the right of the bottom-right signature.

1. PARTIES

- 1.1. The Minister of Higher Education and Training
- 1.2. The Minister of Public Works
- 1.3. The Premier of the Province of Mpumalanga

2. PREAMBLE

WHEREAS Government has committed itself to building a new University in Mpumalanga Province in order to improve access to post school education opportunities.

AND WHEREAS the President of the Republic announced the proposed seat of the university on the 5th July 2012.

AND WHEREAS Government's vision for the university was gazetted for public comment on the 31st August 2012

AND WHEREAS the Department of Higher Education and Training is charged with the development and establishment of this new university

AND WHEREAS the Premier of the Province represents the current provincial user of portions of the land identified for the purpose of the new university

AND WHEREAS the National Department of Public Works is the ultimate custodian of land on behalf of the national government

AND WHEREAS there is an urgent need for the Minister of Higher Education and Training to proclaim the new University in terms of the Higher Education Act (including the seat of delivery), so as to establish the University's governance and management structures and enable the start of academic programmes in 2014

AND WHEREAS the Cabinet Meeting of 05 December noted the progress made in the planning and development of two new universities including consultation with the public and affected stakeholders

AND WHEREAS the President of the Republic in his State of the Nation address on the 14th February 2013 confirmed that construction is expected to commence in September 2013



AND WHEREAS there is a need to commence the physical planning and development of the new University,

AND WHEREAS the Parties recognise that the processes of land transfer may take some time to conclude

NOW THEREFORE THE PARTIES CONFIRM THEIR COMMITMENT TO THE RAPID ESTABLISHMENT OF THE UNIVERSITY AND THE TRANSFER AND DEVELOPMENT OF THE LAND IDENTIFIED IN ANNEXURE 1 AS FOLLOWS:

3. EFFECTIVE DATE

The commitments expressed in this memorandum shall be sustained until transfer of the land into the hands of the new University when it is established.

4. LAND TRANSFER

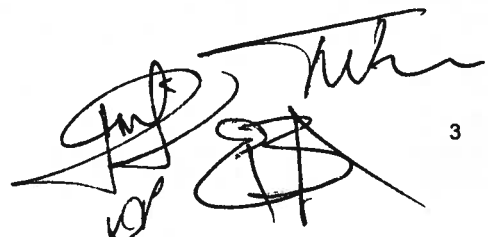
4.1. The portions of land identified in Annexure 1 will be transferred into the ownership of the new University after it has been proclaimed and in accordance with the established land disposal processes of Government.

4.2. It is the intention that the existing Lowveld Agricultural College will be incorporated into the new university and the parties recognize that the transition process will need to be managed to avoid disruption to existing academic programmes.

4.3. It is further envisaged that, in the future, the Siyabuswa Teacher College will be incorporated into the University and that all immovable property belonging to that institution will be transferred at that stage.

5. OCCUPATION AND DEVELOPMENT RIGHTS

5.1. Until the processes of land transfer are concluded, the new university is authorized to take occupation and to develop the land as if it were the owner. Until the university is established the Department of Higher Education and Training will act on its behalf in accordance



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with Clause 14 of the Interpretation Act 33 of 1957. The envisaged development activities include, but are not restricted to the following:

- 5.1.1. Surveys, site investigations, alterations, maintenance and on-site improvements,
 - 5.1.2. Applications for zoning, planning approvals, building permits and any other planning processes required for development,
 - 5.1.3. Installation of new services and the maintenance of existing
 - 5.1.4. Construction work.
- 5.2. As the duly authorized occupier and developer of the land the new university will be accountable, through the Department of Higher Education and Training, to manage the property in full compliance with all laws and regulations governing property owners in general and any specific requirements of the respective title deeds.
- 5.3. The authorities which have custodianship of the land and act on behalf of the State will actively support and act at all times in the best interest of the University when it exercises any right referred to in sub-clauses 5.1 and 5.2.

6. COSTS

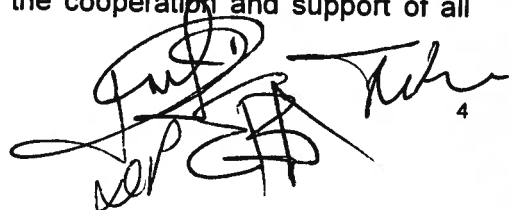
All costs associated with the occupation, implementation and development of the new university shall be carried by the university and/ or the Department of Higher Education and Training.

7. TRANSFER OF THE PROPERTY

The process to effect transfer of the property will be initiated by the Department of Higher Education and Training and will be facilitated and processed by the Department of Public Works, with the support of the Premier and the Provincial Executive and will be given a high priority by all parties involved.

8. PUBLICATION

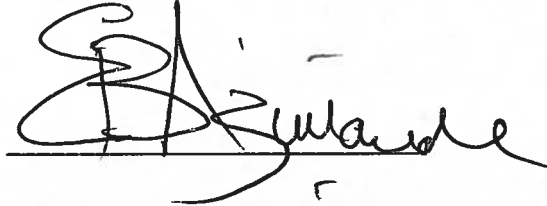
The parties wish to communicate this Record of Intention and agree to its publication in the Government Gazette in order to facilitate the cooperation and support of all



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organs of state, public authorities and the private sector in the establishment of the new university.



SIGNED at ERMENO on this 6 day of March 2013



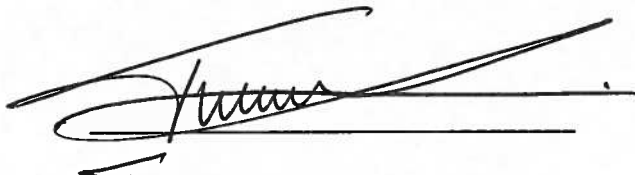
DR. BE NZIMANDE


MINISTER OF HIGHER EDUCATION AND TRAINING

AS WITNESSES (MHET):

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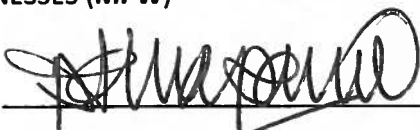

SIGNED at RETORIA on this 11 day of APRIL 2013




 **Mr FW NXESI**

MINISTER OF PUBLIC WORKS

AS WITNESSES (MPW)

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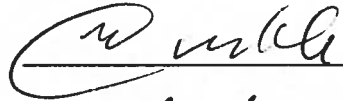
SIGNED at ERMELO on this 6 day of MARCH 2013

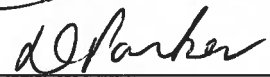


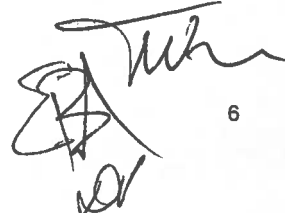
Mr D MABUZA

PREMIER OF MPUMALANGA PROVINCE

AS WITNESSES (PMP)

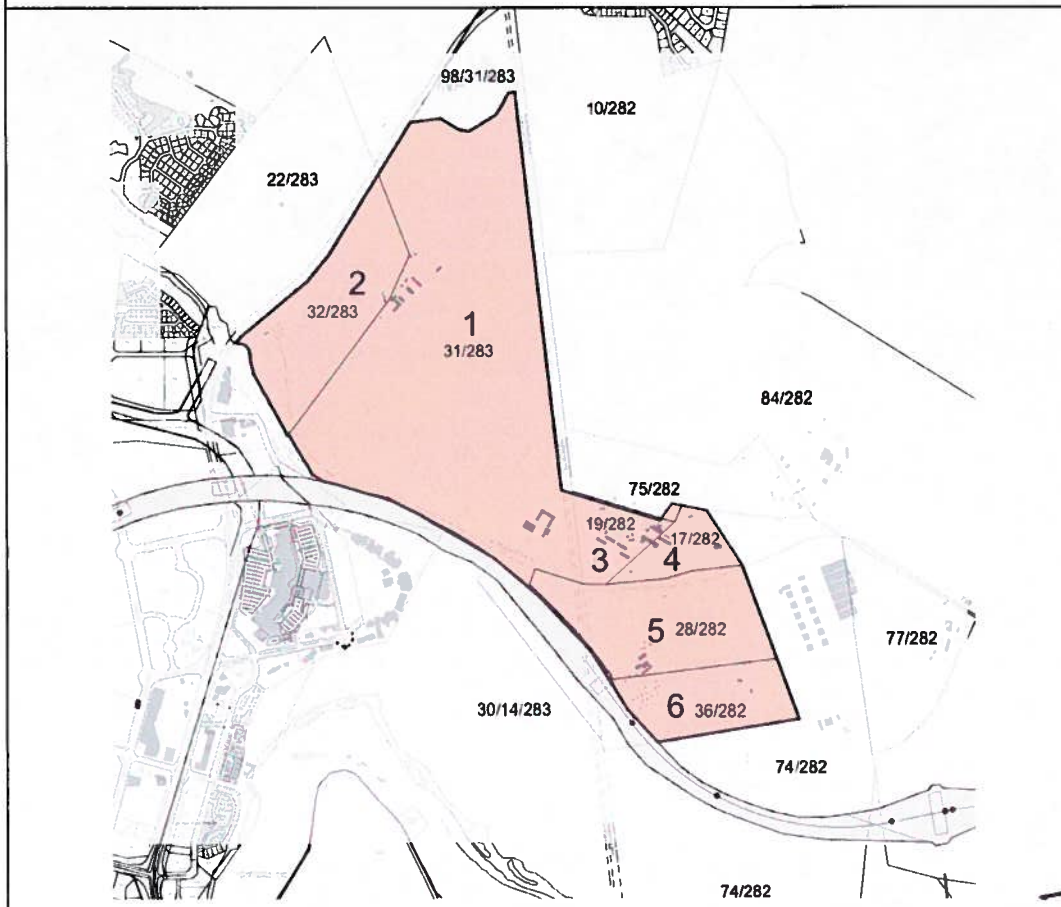
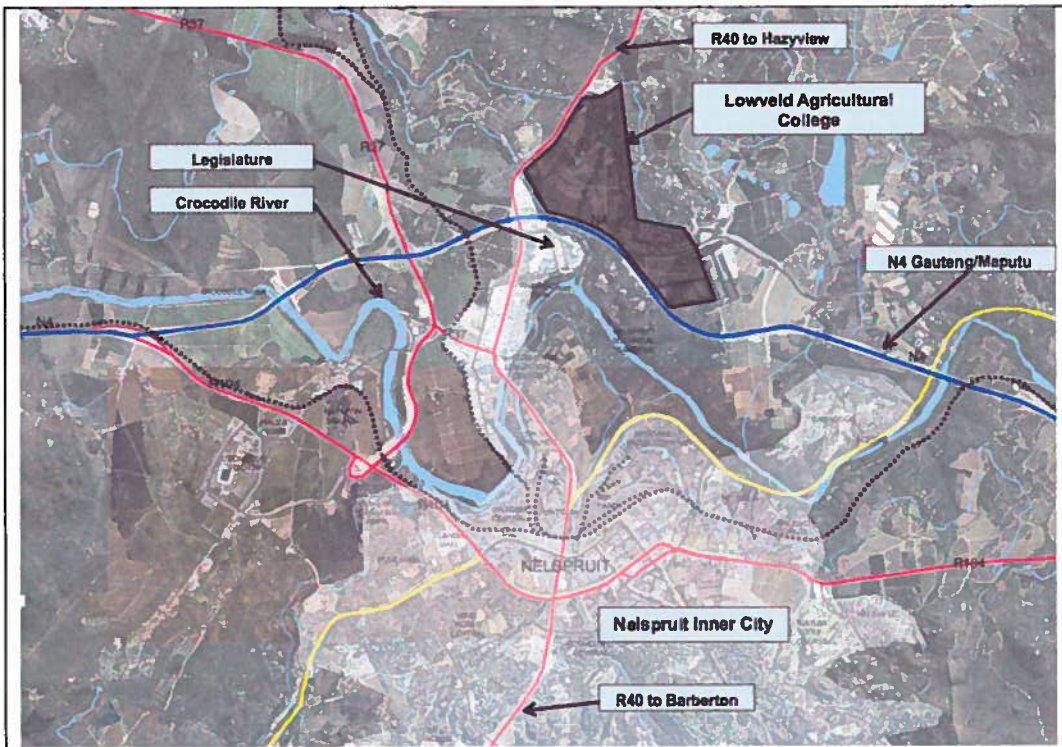
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ANNEXURE 1 - SCHEDULE OF PUBLICLY OWNED LAND REFERRED TO IN THIS RECORD OF INTENTION



Property numbers refer to Table 1 of the schedule (see below)

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OP 7

Table 1 – Schedule of properties for the New University campus, Mbombela, in Mpumalanga Province

Property			Ownership/ Custodianship
No	Description	Size (ha)	
1	Portion 31 of farm Boschrand JT 283,	180.4310	RSA / National Department of Public Works
2	Portion 32 of farm Boschrand JT 283,	31.7293	RSA / National Department of Public Works
3	Portion 19 of farm Friedenheim Nr. 282,	9.4219	RSA / Provincial Department of Public Works
4	Portion 17 of farm Friedenheim Nr. 282	8.5613	RSA / Provincial Department of Public Works
5	Portion 28 of farm Friedenheim Nr. 282	27.4090	RSA / Provincial Department of Public Works
6	Portion 36 of farm Friedenheim Nr. 282	23.1264	RSA / Provincial Department of Public Works

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