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**Issued by the Ministry of Public Works & Infrastructure**

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## **MEDIA STATEMENT**

### **MINISTER MACPHERSON WELCOMES HIGH COURT ORDER HALTING LAND INVASION ON PRIME AGRICULTURAL LAND NEAR EAST LONDON**

- Public Works & Infrastructure Minister Dean Macpherson has welcomed the High Court's decision to grant a rule nisi with immediate interim effect, interdicting further construction and alterations to 13 unoccupied and incomplete structures erected on prime agricultural land near East London.
- The provisional court order halts further development pending the return date of 19 February 2026, when the Court will determine whether the interdict should be made final.
- The Minister said the ruling affirms the Department's position that it will not accept or tolerate land or building invasions, and that state assets will not be overrun by lawlessness.

The Minister of Public Works & Infrastructure, Dean Macpherson, has welcomed the order granted by the High Court of South Africa (Eastern Cape Division, East London Circuit Court), issuing a rule nisi with immediate interim effect in respect of 13 unoccupied and incomplete structures erected on prime agricultural land near East London. He said the ruling affirms the Department's position that it will not accept or tolerate land and building invasions.

A rule nisi is a provisional court order that takes immediate effect but requires the respondents to return to court on a specified date to show cause why the order should not be made final. In this matter, the case will return to court on 19 February 2026.

The Court's order interdicts the respondents from constructing, renovating, altering, fencing, demarcating or effecting any further improvements to the structures or associated land while the legal process continues. The Court further provided that, should the order be made final, the respondents may be required to remove building materials and restore the land, failing

which the Sheriff may be authorised to dismantle or demolish the structures in accordance with due legal process.

Minister Macpherson said the ruling affirms the Department's constitutional and legislative responsibility as custodian of state-owned land to act decisively where there are unlawful invasions or construction.

"As the custodian of state assets, the Department of Public Works & Infrastructure has a constitutional obligation to safeguard public land and buildings. We cannot allow individuals or groups to assume that they can simply invade state property, erect structures, and then expect the law to accommodate that conduct," Minister Macpherson said.

"For South Africa to achieve sustained economic and job growth, the rule of law must be upheld consistently and without exception. Investor confidence and orderly development depend on certainty. State land cannot become vulnerable to those who believe it can be taken or developed without due process."

The Minister emphasised that the granting of a rule nisi is not yet a final determination of the matter, but welcomed the immediate protection afforded by the Court pending its final decision.

"The Department will continue to approach the courts wherever necessary to protect public assets. We will act decisively and within the bounds of the law to ensure that state property is preserved for its intended public purpose and for the benefit of all South Africans."

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