

SCHEDULE OF RECOMMENDATIONS

THE FUTURE OF AGRICULTURE AND THE RURAL ECONOMY IN THE WESTERN CAPE

Prepared by the FARE Panel - October 2013

No.	Description of challenge	Description of the intervention required (Recommendation)	Responsibility	Timeframes [Short (within 6 months), medium (between 6 months and 3 years) and long-term (3 years and beyond)]
1	Establish Forums	Identify key issues to inform the deliberations at provincial and local level between stakeholders, setting forth the common vision of the stakeholders (e.g., social compact). A mechanism to facilitate compact formation, should be agreed to. This should contain codes of conduct for various sectors of the rural economy (including agriculture), together with mechanisms to monitor compliance therewith, and providing a platform for negotiation between stakeholders on issues of concern.	Steering Committee	Short-term
Enabling Rural Economic Development and Growth				
2.1	Mitigate the impact of climate change on the commodity mix	(i) Assess the impact of climate change and the composition of the future commodity mix for the Western Cape. This would require research and development and partnerships with industry bodies. (ii) Assess what commodities might be suitable for smallholder farming.	Departments of Environmental Affairs; Agriculture, Forestry and Fishing (DAFF) and Water Affairs	Long-term
2.2	Lack of data on agricultural land	The National Department of Agriculture, Forestry and Fisheries should complete the National Agriculture Land Audit as the first priority and make the factual data publicly available. DAFF should, in conjunction with the Department of Rural Development and Land Reform (DRDLR) develop a set of monitoring and evaluation tools to ensure that political targets are met.	DAFF, Department of Rural Development and Land Reform (DRDLR)	Medium-term

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	Foreign market access and its challenges	<p>(i) The Department of Agriculture, Forestry and Fisheries should ensure access to existing and new markets and agriculture should become a key priority in our bilateral agreements.</p> <p>(ii) Existing market access support from DAFF is inadequate and should be expanded for both commercial and smallholder farmers.</p> <p>(iii) The capacity of DAFF should be developed to attract the requisite skills (e.g. researchers and trade negotiators) to unlock markets.</p>	Department of Trade and Industry (DTI) and DAFF	Medium-term
2.3	Development and support for Smallholder Farming	<p>(i) Prioritise support for smallholder farmers and the creation of an enabling environment for them to participate in the market.</p> <p>(ii) Priority access to arable municipal land, including commonage, should be given to smallholder farmers and for subsistence farming.</p> <p>(iii) The Department of Agriculture, Forestry and Fisheries should, in collaboration with the Western Cape Department of Agriculture (WCDoA), prioritise post-settlement support to smallholder farmers. Smallholder farmers should be involved in assessing and defining their needs before resources are directed to assist them.</p> <p>The trustees of the various agricultural trusts should be called upon to assist smallholder farmer development</p>	<p>Municipalities</p> <p>Provincial Department of Agriculture (WCDoA); DAFF; Agricultural associations, DRDLR</p> <p>National Agricultural Marketing Council (NAMC); Minister of DAFF; Trustees</p>	<p>Medium-term</p> <p>Short-term</p> <p>Medium-term</p>

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2.4	Subsistence agriculture	(i) Consolidate, coordinate and fairly distribute all support measures available to support smallholder farmers.		
		(ii) Encourage commercial enterprises to enter into partnerships with smallholder farmers to ensure market access and transfer of skills.		
		(iii) The Department of Trade and Industry should, in conjunction with the national Department of Agriculture, Forestry and Fisheries, encourage the development of cooperatives in the agricultural sector.	DTI; DAFF	Medium-term
		(iv) Support of smallholder agriculture should include the promotion of co-operatives providing farmers with inputs and services (e.g. marketing services).		
		(v) Smallholder farmers should be encouraged to co-operate among themselves to become more competitive.	Small scale farmers and the associations	Medium-term
		(vi) Special subsidies and funding to commercial enterprises should be made available to support smallholder farming.	DTI; DAFF ; Water Affairs ; DRDLR	Medium-term
		(vii) The funding allocation to smallholder farmers should be consolidated to: <ul style="list-style-type: none"> • enhance equitable distribution; and • target and focus support. 		
(viii) Provide accredited mentoring and training programmes with mentors having a reputable track record in the industry.	WCDa, DAFF and Commodity associations	Short-term		

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		Retailers should commit themselves to a programme of sourcing a percentage of their produce from smallholder farmers. They should play a leading role in sensitising consumers to locally grown produce and the value of smallholder farming.	Retailers and Commodity associations	Short-term
		(i) Implement measures to support subsistence farming (i.e. commercial farmers should consider making land available for food gardens and grazing).	DTI and WCDoA	Short-term
		(ii) Prioritise support to subsistence farmers who have the potential to graduate into smallholder farmers and monitor the impact of such support.	WCDoA and Municipalities	Short-term
2.5	Water	(i) Increase the capacity of the Department of Water Affairs to meet its responsibilities under the National Water Act and related legislation.	Water Affairs	Short-term
		(ii) Reduce the time it takes to consider and issue water licences. In other words: reduce bureaucratic delays. A determination of the reserves required to sustain river flows is a necessary step in this process.	Water Affairs	Medium-term
		(iii) Build new dams or expand the capacity of existing dams to enhance the supply of water available for agriculture. The user pays system should be applied. The payments of emerging farmers should be subsidised by the state to enhance the viability of their farms, especially because their capital expenditure repayments tend to be proportionally high.	Water Affairs	Medium-term

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		(iv) Police the illegal use of water and develop a unit of experts to identify and, where necessary, prosecute offenders.	Water Affairs, SAPS, Justice, Water Users Associations; NPA	Short-term
		(v) Promote the more economical use of water through reticulation methods such as spitter and drip irrigation instead of flood irrigation.		
		(vi) Compel municipalities to upgrade their irrigation systems to prevent or reduce water loss through leakages.	Water Affairs	
		(vii) Prioritise the retention and recruitment of skilled staff in the Department of Water Affairs.		
2.6	Beneficiation	Investigate the potential for beneficiating produce and the value of partnerships.	DTI; DAFF	Medium-term
2.7	Strengthen the sector's Research Capacity	(i) Increase the funding of institutions to enhance their research and development capacity. This will contribute to the growth and development of the sector.	DAFF ; Science and Technology	Short-term
		(ii) Evaluate and enhance access to these research institutions to assist smallholder farmers.		
2.8	Rural Economy and Local Economic Development	(i) Increase the staffing and skills capacity of municipalities to develop and manage economic development opportunities within municipalities.	Municipalities	Medium-term
		(ii) Strengthen partnerships with local businesses.		
		(iii) Establish local platforms for dialogue in which various local stakeholders (such as organised businesses, the municipality and organised labour) are able to engage with potential economic opportunities and concerns about existing practices.	Municipalities	Short-term

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		(iv) Implement more effective oversight and policing of municipal practices and by-laws.	Municipalities ; SARS; Home Affairs;	Short-term
Land Reform				
3.3	Lack of Land reform Strategy	(i) A land reform strategy should be developed for the Western Cape. Land reforms should, as far as possible, be decentralised to provincial and local level (e.g. area-based land reform strategies).	DRDLR	Short-term
	Expropriation of land	(ii) The Constitution requires the payment of just and equitable compensation for the expropriation of land.[1] In cases where land is to be acquired for purposes of redistribution by means of a voluntary sale agreement, and the seller demands a price which is not just and equitable, the land should be expropriated rather than bought at an inflated price.	DRDLR	Short-term
	Land audit	(iii) The government should, with the cooperation of municipalities and the private sector, conduct a comprehensive agricultural land audit in the Western Cape covering both land ownership and land use.	DoA, DRDLR	Short-term
	Municipal owned land for redistribution	(iv) Municipalities should be mandated to ascertain what state-owned land, municipal land and commonage is suitable for land redistribution.		

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	Rights awareness and legal representation	(v) Steps to make farm workers aware of their rights under ESTA should be intensified. Farm workers should have access to quality legal aid in cases where they question or dispute the rights of land owners to evict them. Where necessary, additional legal aid facilities should be established, and additional financial resources made available for legal aid.	DRDLR	Short-term
	Simplification of ESTA Procedures	(vi) The procedures prescribed under ESTA for obtaining eviction orders should be simplified.	DRDLR	Short-term
	Responsibility of Farmers regarding evictions	(vii) Where land owners need to evict farm workers for reasons such as redundancy (which could result from increased mechanisation), farmers should be encouraged to pay for or to contribute towards the costs of alternative housing.	DRDLR ; Municipalities; commodity associations	Medium-term
	Tax incentives to land owners for the provision of housing	(viii) Income tax incentives to land owners for the provision of housing should be investigated. For example, by allowing them to write off the costs of supplying on-site and off-site housing to farm workers (including retired and retrenched farm workers) over a period of three years, 50% in the first year, 30% in the second, and 20% in the third. The grant should be conditional to security of tenure for a period of, e.g., 10 years.	National Treasury ; SARS	Medium-term
	The state of evictions	(ix) An independent investigation should be conducted in the Western Cape to assess the state of evictions since March 2013, including the reasons for the evictions; the occurrence and frequency of unlawful evictions; the frequency of people leaving farms voluntarily at the request of the owners; and recommendations on the settlement of disputes through mediation.	DRDLR	Short-term

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	Monitoring and evaluation of policies	(x) Proper monitoring of the efficacy of existing policies and practices relating to land reform should be done.		
		(xi) Contract farming should not be promoted unless smallholder farmers has access to independent legal advice as to the terms of any such contract.		
		(xii) There should be an investigation of farm worker equity schemes and should not be promoted until this investigation is complete. Further consideration should then be given to whether FWES should continue.		
		(xiii) The Proactive Land Acquisition Strategy and Recapitalisation and Development Programme policies should be reviewed in terms of effectiveness and impact, focusing on tenure security in the broader context of tenure reform.	DRDLR	Long-term
	Moratorium on evictions	(xiv) The stakeholders should consider placing evictions on hold for a specified period of time, subject to certain conditions, as part of a social compact and to facilitate discussions regarding long-term solutions to tenure on commercial farms.		
The rural labour market and labour relations				
4.1	Status of Seasonal Work	(i) Implement measures to enhance the status of seasonal work and to mitigate the vulnerability of seasonal workers. Such measures should include recognition of the skills of seasonal workers, and the promotion of employment security of workers.	Department of Labour, Trade unions and commodity organisations	Medium-term

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	Sustainability of seasonal work	(ii) Provide legal recognition that seasonal workers employed by a particular employer during the previous season have a reasonable expectation that they will be employed by the same employer the following season. This and similar measures could be addressed in a code adopted by employers and organised labour.	Department of Labour, Trade unions and commodity organisations	Medium-term
	Social protection of seasonal workers	(iii) Implement measures to enhance the social protection of seasonal workers, including facilitating improved access to Unemployment Insurance Fund (UIF) benefits and the promotion of self-help schemes, such as savings and credit cooperatives.	Department of Labour, Trade unions and commodity organisations	Short and Medium term
	Permission by the Department of Home Affairs for foreign migrants to be employed in agriculture	(iv) Provide greater transparency regarding permission granted by the Department of Home Affairs for foreign migrants to be employed in agriculture, including consultation at a local level. Provisions to this effect should be incorporated in a code.	Department of Labour, Trade unions and commodity organisations	Short-term
	The provision of social services such as health care and care for the aged	(v) Provide social services such as health care and care for the aged. This will shape perceptions among rural workers of how their contribution is valued. These social services would also be an important potential source of employment (see Chapter 5). Currently, there are virtually no facilities for the aged in rural towns, and there is also no model for how such services could be provided in a sustainable way in rural towns.	Departments of Social Services; Housing; Health; Municipalities; Commercial farmers	Medium-term

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	Alternative forms of income generation or employment for seasonal workers	(vi) Promote the adoption of alternative forms of income generation or employment for seasonal workers living on or off farm during the off season. Part-time employment along the lines of the community health care workers currently utilised by the Department of Health is an example of a sustainable initiative.	Department of Labour; Municipality	Medium-term
	Improve rural livelihoods	(vii) Promote measures to improve rural livelihoods, such as promoting food gardens on individual plots or a communal basis on municipal commonage.	Municipalities	Short-term
	Employment of seasonal workers directly	(viii) Seek to secure agreement with farmers to directly employ the seasonal workers they require, and arrange their own transport or a transport service to do so.	Department of Labour	Short-term
	Hostels	Launch an investigation of the conditions of on-farm hostels.	Department of Labour; Municipality	Short-term
4.2	Associational rights and governance	(i) Develop a code that emphasises that the independence and autonomy of worker and employer organisations should be respected and maintained.	Organised business, organised labour, government and civil society organisations; CCMA	Short-term
		(ii) Develop a code that gives effect to the right of workers resident on farms to receive visitors, including trade union officials.		

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		(iii) The LRA does not specify a specific representivity threshold that trade unions have to meet to exercise organisational rights, but many farmers impose a threshold of 50% of the workforce, which is higher than is generally accepted in an urban context. Develop a code that stipulates that for a trade union to exercise rights of access a lower threshold, not more than 10% of the workforce, should apply. Similarly, the code should recommend thresholds lower than 50% plus one for the exercise of other organisational rights.		
		(iv) Acknowledge the role of NGO labour service organisations and ethical trade organisations should be seen as complementary to the endeavours of trade unions to represent workers. A code should recognise the role these organisations play.		
		(v) Acknowledge the role that ethical trade codes play, stipulating that accredited farmers are required to grant access to any registered trade union that meets the stipulated level of representivity. Farmers should also identify in their audit reports any instances when requests for access were refused.		
		(vi) A code should emphasise the importance of organisations representing employers and workers, and of having accessible structures at local, regional level and higher levels.		

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4.3	Sectoral Determination	(i) A panel should be established to independently assess the impact of the recent Sectoral Determination on the livelihood of households living on- and off farms, in respect of the monetary income of the household and also the social wage. This investigation should be submitted to the Employment Conditions Commission (ECC) to inform future determinations.		
		(ii) This investigation should encompass the conditions of work prescribed in the determination, including the adequacy and appropriateness of provisions relating to the deductions that farmers are entitled to make for housing, electricity and the like, and whether they are adequately enforced.		
		(iii) Submissions to this panel should be made through organisations with a mandate to represent the employers on behalf of whom the representations are made, and by trade unions or NGOs operating in the agricultural sector.		
4.4	Collective Bargaining	Develop a code to promote effective collective bargaining at a sectoral level. The code should provide for the certification of the members of any employers' association that enters into a collective bargaining agreement with a registered trade union.		
4.5	Regional Employment Forums	Engage in a process for the establishment of pilot regional employment forums in regions such as Worcester, Grabouw and Clanwilliam. The value chain approach could be used, allowing stakeholders to participate as part of the negotiation process. A part-time secretariat and staff should be engaged to facilitate the process and receive and collate agenda items.		

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4.6	Occupational Health and Safety	<p>(i) Explore cooperation between the Department of Labour and Ethical Trade auditing bodies to monitor the implementation of the Occupational Health and Safety Act.</p> <p>(ii) Promote broader acceptance of industry standards such as the Sustainability Initiative of South Africa (SIZA).</p>		
Settlement patterns in, and social dimensions of, rural communities				
5.1	Housing	<p>(i) Prioritise the development of a strategy for the settlement of farm workers.</p> <p>(ii) The Department of Rural Development and Land Reform should, as part of the CRDP and in conjunction with the municipalities, conduct an investigation on the provision of basic services. Following this, there should be a resolution on the provision of services on farms and some form of regulation in terms of service standards and pricing.</p> <p>(iii) Prioritise the provision of alternative accommodation for evicted farm workers. Few municipalities have put an emergency response plan or an emergency settlement plan into place. People who have been evicted from a farm should have access to housing. Municipalities should make provision for providing alternative accommodation for people evicted from farms.</p> <p>(iv) Investigate the need for, and provision of, retirement housing options and models. Municipalities should facilitate alternative housing options within available resources.</p>		

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		<p>(vi) Municipalities should ensure that the standard of farm worker housing complies with existing building legislation and regulations.</p> <p>(vii) Investigate various options for the accommodation of farm workers off farms.</p> <p>(viii) Formalise the areas where informal settlements are located.</p> <p>(ix) Explore converting existing clusters of housing on farms to agricultural villages.</p> <p>(x) Where appropriate, consider options for affordable low-cost infrastructure development with adequate sustainable standards. The standards of the infrastructure need not necessarily be as high as is required in established towns.</p> <p>(xi) Municipalities should consider earmarking a reasonable proportion of their allocated housing budget for the settlement of farm workers. The budget should clearly indicate the funding allocated towards housing and in particular towards farmworker housing (Drakenstein Municipality allocates approximately 15% of its housing budget for priority farm worker settlement).</p>		
5.2	Transport	<p>(i) Investigate options for improved access to public transport in municipalities, including the viability of public transport systems using busses and taxis to enhance mobility for farm workers and rural dwellers.</p> <p>(ii) The Department of Transport should investigate using existing rail systems to provide a passenger service for isolated communities, where feasible.</p>		

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		(iii) Provincial government and municipalities should improve the conditions of roads under their jurisdiction also for the use of bicycles where feasible.		
		(iv) Rigorously enforce public and private transport safety regulations.		
5.3	Health and Social Services	(i) Expand the part-time community care worker initiative which provides certain basic health services and care at community level.		
		(ii) Encourage civil society organisations to formalise the provision of CCW services. Greater cooperation and coordination between government and the NGO sector is required to facilitate the provision of these services. Government and the private sector should assist in providing financial support to assist up-skilling staff in providing services where NGOs are involved.		
		(iii) Adopt measures to ensure farm workers get access to mobile clinics. Clinic visits should be scheduled in consultation with farmers and farm worker representatives. Farm workers should be offered basic first aid training.		
		(iv) Expand the capacity of ambulance services to respond to the needs of people in remote locations like farms.		
		(v) Consider weekly transport services to take patients to health facilities.		
		(vi) Work with schools, the provincial Department of Social Development and NGOs to develop a comprehensive programme to address substance abuse in rural areas, including impacts such as foetal alcohol syndrome.		

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		(vii) Provide free opportunities for youth social activities and recreational facilities to reduce the risk of anti-social behaviour. Farmers should be encouraged to work with the Department of Cultural Affairs and Sport to implement its after school programmes.		
5.4	Education and Training	(i) The Western Cape Education Department should, in consultation with civil society, investigate what forms of ECD are feasible and appropriate in the rural context.		
		(ii) Increase investment in ECD services, especially within rural areas to ensure that all young children, especially those in the age group 0 to 3 years have access to ECD services.		
		(iii) Consider relaxing certain legislative requirements to facilitate and expedite the establishment of ECD centres within rural areas.		
		(iv) Provide accredited training for people on farms to act as ECD practitioners and equip them to provide emotional, cognitive, health and physical care to children.		
		(v) Provide specific public schools with resources for Grade R classes.		
		(i) Acknowledge the potentially important role rural schools can play by providing them with the financial and human resources that will enable them to provide quality education to learners. There should be proper stakeholder consultation around the possible closure of schools.		
		(ii) Develop an effective educator training and development programme.		

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		(iii) Encourage more affluent schools (e.g., private and Model C schools) in rural areas to 'adopt' and assist non-fee paying schools. This could include sharing resources to encourage learners to stay in school and achieve higher grades.		
		(iv) Improve the quality of educational outcomes to ensure that learners have a proper foundation for future employment.		
		(v) Ensure that agricultural schools facilitate access for everyone, especially the children of disadvantaged farm workers.		
		(vi) Ensure and encourage learners to remain in school for as long as possible and parents to play a supporting role.		
		(vii) Amend the policy on the transportation of rural school children by significantly reducing the current 5km radius provision.		
		(i) Engage with industry stakeholders via regional employment forums to assess the relevance of the learnerships and programmes offered by Agri-SETA.		
		(ii) Promote skills training courses for farm workers.		
		(iii) Increase the number of agricultural and technical schools providing skills training for farming.		
		(iv) Provide incentives to institutions such as commodity organisations and employer organisations to facilitate on-going farmer training and education, focusing on areas such as labour relations, productivity, people management and change management.		
		(v) Request the CCMA to present labour relations training programmes for farmers and farm workers.		

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Rural Development, public policy and multi-stakeholder engagement				
6.1	Intergovernmental Relations	(i) Comply with the letter and the spirit of constitutional and legislative frameworks to guide inter-governmental relations in the development and implementation of policies and plans.		
		(ii) Develop and provide a credible qualitative and quantitative information platform to aid planning and the periodic assessment of impacts of policies and plans. This involves providing regular information about the human development needs and growth potential of rural economies, including towns, corresponding at least to the planning cycles of municipalities. Each national and provincial government department and municipality should develop and update its data and monitoring and evaluation systems. The department responsible for monitoring and evaluation should oversee the execution of this mandate.		
		(iii) Ensure alignment of performance management evaluation systems with the remuneration of government officials.		
6.2	Associational life	(i) The Provincial Government should develop a better understanding of associational life among participants by making stakeholder analyses a prerequisite for dialogue. Whenever legislation requires public participation, the implementation of the legislation must be strictly followed in accordance with proper understanding of associational life and ensuring inclusivity and representivity.		

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		(ii) The Provincial Government needs to understand importance of using different methods of dialogue in engaging with stakeholders.		
		(iii) Develop appropriate databases to aid stakeholder analyses at municipal, regional and provincial levels when preparing for public participation processes		
6.3	Partnerships	(i) The strengthening of existing and the establishment of local and provincial forums to facilitate social dialogue and the development of agreement between affected and interested stakeholders.		
		(ii) The specific recommendations contained in the aforementioned chapters could be agenda items for deliberations about the substantive nature of social compacts.		
		(iii) Consider using such platforms for self-regulation of the labour market and labour legislation issues. These will not replace existing labour legislation or legislative processes.		
		(iv) The FARE Steering Committee must be tasked to facilitate the establishment of such an inclusive provincial forum. See Annexure 1 for a more detailed outline of the recommendations.		