to have the environment protected, for the benefit of present and future genera-
tions, through reasonable legislative and other measures that—
(i) prevent pollution and ecological degradation;
(ii) promote conservation; and
(iii) secure ecologically sustainable development and use of natural resources
while promoting justifiable economic and social development.

25. Property.—(1) No one may be deprived of property except in terms of law of gen-
eral application, and no law may permit arbitrary deprivation of property.

(2) Property may be expropriated only in terms of law of general application—
(a) for a public purpose or in the public interest; and
(b) subject to compensation, the amount of which and the time and manner of
payment of which have either been agreed to by those affected or decided or
approved by a court.

(3) The amount of the compensation and the time and manner of payment must be just
and equitable, reflecting an equitable balance between the public interest and the interests of
those affected, having regard to all relevant circumstances, including—
(a) the current use of the property;
(b) the history of the acquisition and use of the property;
(c) the market value of the property;
(d) the extent of direct state investment and subsidy in the acquisition and benefi-
cial capital improvement of the property; and
(e) the purpose of the expropriation.

(4) For the purposes of this section—
(a) the public interest includes the nation’s commitment to land reform, and to
reforms to bring about equitable access to all South Africa’s natural resources;
and
(b) property is not limited to land.

(5) The state must take reasonable legislative and other measures, within its available
resources, to foster conditions which enable citizens to gain access to land on an equitable
basis.

(6) A person or community whose tenure of land is legally insecure as a result of past
racially discriminatory laws or practices is entitled, to the extent provided by an Act of Parlia-
ment, either to tenure which is legally secure or to comparable redress.

(7) A person or community dispossessed of property after 19 June 1913 as a result of
past racially discriminatory laws or practices is entitled, to the extent provided by an Act of Parlia-
ment, either to restitution of that property or to equitable redress.

(8) No provision of this section may impede the state from taking legislative and other
measures to achieve land, water and related reform, in order to redress the results of past racial
discrimination, provided that any departure from the provisions of this section is in accordance
with the provisions of section 56 (1).

(7) Parliament must enact the legislation referred to in subsection (6).