



**MINISTRY OF SPORT, ARTS AND CULTURE
REPUBLIC OF SOUTH AFRICA**

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NATIONAL ASSEMBLY

QUESTION NO. 4488 – 2026

FOR WRITTEN REPLY

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Mr R A P Trollip (ActionSA) to ask the Minister of Sport, Arts and Culture:

1. With reference to the proposed geographical name change of Port Alfred and previous geographical name changes of Grahamstown to Makhanda and Graaff-Reinet to Robert Sobukwe Town, (a) on which provisions of (i) the SA Geographical Names Council Act, Act 118 of 1998, and (ii) the Promotion of Administrative Justice Act, Act 3 of 2000, did (aa) the SA Geographical Names Council and (bb) the relevant provincial geographical names committee rely on when considering the name changes, particularly with regard to all the prescribed procedural and consultation requirements and (b) which provisions were not complied with;
2. whether all interested and affected parties were afforded a reasonable opportunity to make representations during each of the above name-change processes; if not, why not; if so, what are the relevant details;
3. whether any documents, reports, submissions, records and/or other material relevant to the decision-making process were withheld from any interested and/or affected party, including any ratepayers' association or its legal representatives; if not, what is the position in this regard; if so, what were the reasons for withholding the specified material;

4. whether any objections or appeals alleging procedural irregularities or non-compliance with statutory requirements were received in respect of the specified name changes; if not, what is the position in this regard; if so, what was the outcome of each;
5. whether his department has found that each of the name-change processes complied with all applicable legislative and constitutional requirements; if not, what corrective measures have been or will be taken; if so, what are the relevant details? NW4822E

REPLY:

1. (a) (i) South African Geographical Names Council Act, 1998 (Act No. 118 of 1998)

The naming and renaming of geographical features forms part of the transformation of South Africa's heritage landscape and contributes to the development of a common national identity and nationhood. It also serves as a form of symbolic reparation through the recognition and restoration of the heritage and historical identities of previously marginalised communities.

Completed processes were undertaken within the framework of the South African Geographical Names Council Act, 1998 (Act No. 118 of 1998), read with the applicable regulations, the SAGNC Handbook on Geographical Names and the Council's Standard Operating Procedures.

The relevant provisions are:

- Section 2, which sets out the objects of the Council;
- Section 9(1)(c), concerning the receipt of proposed geographical names;
- Section 9(1)(d), concerning recommendations of geographical names to the Minister;
- Section 9(1)(e)(iii), concerning advice on the changing, removing or replacing of geographical names;
- Section 9(1)(f), concerning consultation with provincial governments;
- Section 10(1), in terms of which the Minister may approve or reject a geographical name recommended by the Council; and
- Section 10(5), in terms of which the Minister considers and determines objections lodged against an approved geographical name.

Applications and supporting documentation are subjected to scrutiny by the Education, Research, Technical, Capacity Building and Awareness (ERTCA) Subcommittee, which considers the applicable standardisation requirements and makes recommendations to the SAGNC. The full Council considers the ERTCA recommendations together with the application, consultation records, representations and objections before making its recommendation to the Minister.

1. (a) (ii) Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000)

It should be noted that the Promotion of Administrative Justice Act, 2000 (PAJA), is not a source of empowering provisions upon which the Council or a provincial committee “relies” when considering a name change. The empowering provisions are those of the South African Geographical Names Council Act set out above. PAJA operates as the framework of general application that constrains the exercise of those powers and renders the resulting administrative action reviewable.

The provisions of PAJA that govern the exercise of these powers are section 3, which provides for procedural fairness where administrative action materially and adversely affects the rights or legitimate expectations of particular persons; section 4, which provides for appropriate procedures where administrative action materially and adversely affects the rights of the public; section 5, which provides for the furnishing of written reasons for administrative action; and section 6, which provides for the judicial review of administrative action on specified grounds, including procedural unfairness and non-compliance with a mandatory and material condition prescribed by an empowering provision.

The Department applies these requirements throughout the process, and the manner in which they are given effect in any particular matter depends on the nature and the circumstances of the decision concerned.

1. (a) (aa) South African Geographical Names Council

Port Alfred: The applications for the proposed renaming of Port Alfred and the Kowie River have not been submitted to the South African Geographical Names Council, to the Department or to the Minister as required by the South African Geographical Names Council Act. The SAGNC has accordingly not considered the proposed renaming for standardisation, has made no recommendation to the Minister, and has relied on no provision of the Act in respect of it. No decision has been taken by the Minister.

Grahamstown to Makhandla: The SAGNC considered the application submitted by the Eastern Cape Provincial Geographical Names Committee together with the supporting records, including public notices, attendance registers, stakeholder representations, objections, committee minutes and the report of the Provincial Committee. The Council satisfied itself that the applicable consultation and procedural requirements had been met before making its recommendation to the Minister in terms of section 9(1)(d), read with section 9(1)(e)(iii), of the Act.

Graaff-Reinet to Robert Sobukwe Town: The application served before the SAGNC and, following the Council's recommendation, the Minister initially declined to approve the proposed name change on the basis that the application was not supported by sufficient information, and referred it back to the Council. The matter is now the subject of pending review proceedings in the High Court. On the advice of Legal Services, the Department will address the substantive issues concerning the process in those proceedings and does not consider it appropriate to canvass the merits in this reply.

1. (a) (bb) Relevant Provincial Geographical Names Committees

Provincial Geographical Names Committees are established by the responsible Member of the Executive Council in the province concerned. They are accountable to the provincial executive and the provincial legislature. The Minister of Sport, Arts and Culture is not the

executive authority of a Provincial Geographical Names Committee and is not responsible for the conduct of the local and provincial consultation processes that a committee undertakes before an application is submitted to the SAGNC.

Port Alfred: The pending High Court proceedings are directed at the public participation process undertaken by the Eastern Cape Provincial Geographical Names Committee. As no application has been submitted to the SAGNC, to the Department or to the Minister, neither the Department nor the Minister is the decision-maker in respect of that process, and the Department holds no record of it. Enquiries regarding the conduct of that process are properly directed to the Eastern Cape Provincial Geographical Names Committee and the Member of the Executive Council responsible for it.

Grahamstown to Makhanda: The Eastern Cape Provincial Geographical Names Committee coordinated the application and undertook the local and provincial consultation processes in accordance with the Act, the SAGNC Handbook and the Council's Standard Operating Procedures, and submitted the application and consultation record to the SAGNC.

Graaff-Reinet to Robert Sobukwe Town: The conduct of the provincial process forms part of the subject matter of the pending review proceedings and will be addressed in those proceedings.

1. (b) Which provisions were not complied with

The Department is not aware of any provision of the South African Geographical Names Council Act, 1998, the applicable regulations or the applicable procedural framework that was not complied with in respect of the completed name-change processes.

In respect of Grahamstown to Makhanda, the process was confirmed as lawful by the High Court in 2019 and again on appeal before a Full Bench in 2022, as set out in the reply to paragraph 4 below.

In respect of Port Alfred, no application has served before the SAGNC, the Department or the Minister, and there is accordingly no process of the Council or of the Minister in respect of which a compliance finding arises.

In respect of Graaff-Reinet to Robert Sobukwe Town, the lawfulness of the process is the very question before the High Court. The Department will be guided by the outcome of those proceedings.

2. Whether all interested and affected parties were afforded a reasonable opportunity to make representations

Port Alfred

The public participation process referred to in the question was conducted by the Eastern Cape Provincial Geographical Names Committee and not by the SAGNC, the Department or the Minister. No application has been submitted to the SAGNC, the Department or the Minister, and no process affording representations at national level has yet arisen. The adequacy of the provincial public participation process is the subject of the pending High Court proceedings and falls to be determined by the Court.

Grahamstown to Makhanda

Yes. The records indicate that interested and affected parties were notified and invited to participate in the consultation process. Public notices were published, stakeholder meetings and public hearings were convened, and written objections and representations were received and considered.

Objections were lodged by, among others, the Keep Grahamstown Grahamstown campaign and the local residents' and ratepayers' structures, and were considered by the Eastern Cape Provincial Geographical Names Committee and by the SAGNC.

The SAGNC convened a fact-finding session on 15 February 2018 with objectors, the Provincial Geographical Names Committee and other stakeholders. On 20 April 2018 the SAGNC reviewed the consultation records and the objections and concluded that sufficient consultation had taken place at local and provincial level.

The adequacy of the opportunity afforded to interested and affected parties was subsequently tested in court and the process was found to be lawful at first instance and on appeal.

Graaff-Reinet to Robert Sobukwe Town

The adequacy of the consultation process is directly in issue in the pending review proceedings. It would not be appropriate for the Department to canvass the merits of that question while the proceedings are before the High Court.

3. Whether any material relevant to the decision-making process was withheld from any interested or affected party

Port Alfred

Neither the Department nor the SAGNC has received a request for documentation in respect of the proposed renaming of Port Alfred or the Kowie River, and neither the Department nor the SAGNC has withheld any such material from any party, including the Port Alfred Ratepayers' and Residents' Association or its legal representatives.

The documentation relating to the provincial public participation process is held by the Eastern Cape Provincial Geographical Names Committee. Any dispute regarding access to that documentation forms part of the subject matter of the pending High Court proceedings.

Grahamstown to Makhanda

The Department has no record of any material relevant to the decision-making process having been withheld from an interested or affected party. The documentation relating to the consultation and decision-making process, including public notices, attendance registers, objections, committee minutes and the report on public objections, was considered by the Eastern Cape Provincial Geographical Names Committee and by the SAGNC.

When the Minister's decision was taken on review, the full record of the decision was delivered in terms of Rule 53 of the Uniform Rules of Court and was available to the applicant and to the Court.

Graaff-Reinet to Robert Sobukwe Town

The Department will deliver the record of the decision in the pending review proceedings as required by Rule 53 of the Uniform Rules of Court. Beyond that, it would not be appropriate for the Department to comment on the merits while the proceedings are before the Court.

4. Whether any objections or appeals alleging procedural irregularities or non-compliance were received, and the outcome of each

Port Alfred

Yes. Objections to the provincial public participation process have been raised by local ratepayers', residents' and business structures, and proceedings have been instituted in the High Court. Those objections were directed at the Eastern Cape Provincial Geographical Names Committee. No objection or appeal in terms of section 10(5) of the Act arises, as no name has been approved. The outcome of the pending proceedings is awaited.

Grahamstown to Makhanda

Yes. Objections and representations were received which raised a range of procedural concerns, including concerns regarding the adequacy of the consultation undertaken and the publication of notices.

The SAGNC considered those objections together with the public notices, attendance registers, minutes and the report of the Eastern Cape Provincial Geographical Names Committee. The Council also convened a fact-finding session with objectors and other stakeholders. Having considered the matter, the Council concluded that sufficient consultation had taken place at local and provincial level.

The Minister thereafter considered the objections lodged in terms of section 10(5) of the Act and was satisfied that the name-change process had been undertaken in accordance with the South African Geographical Names Council Act, 1998.

The Minister's approval of the name change and his rejection of the objections were both taken on review in the High Court. In December 2019 the Eastern Cape Division dismissed the review, holding that the consultative and other statutory requirements had been complied with. The applicant appealed. On 10 March 2022 a Full Bench of the Eastern Cape Division dismissed the appeal in *Ndumo v Minister of Arts and Culture N.O.* (CA 81/2020) [2022] ZAECGHC 22, confirming the lawfulness of the process followed in the renaming of Grahamstown to Makhanda.

Graaff-Reinet to Robert Sobukwe Town

Yes. Objections and representations concerning the name-change process were received. The merits of those objections, and the lawfulness of the manner in which they were dealt with, are in issue in the pending review proceedings, and the outcome of those proceedings is awaited.

5. Whether the Department has found that each of the name-change processes complied with all applicable legislative and constitutional requirements

Port Alfred

No finding arises. No application has served before the SAGNC, the Department or the Minister, and no decision has been taken in terms of the South African Geographical Names Council Act, 1998. Should an application in due course be submitted, it will be considered on its merits and in accordance with the Act, the applicable regulations, the SAGNC Handbook and the Council's Standard Operating Procedures.

The Department is not the decision-maker in the pending High Court proceedings and will be guided by the outcome of those proceedings.

Grahamstown to Makhanda

Yes. The Department's records indicate that the name-change process was undertaken within the applicable legislative and administrative framework. The SAGNC considered the consultation process, the objections and the supporting documentation before recommending the name change to the Minister, and the Minister thereafter considered and determined the objections received in terms of section 10(5) of the Act.

That conclusion has been confirmed judicially. The High Court dismissed the review in December 2019 and a Full Bench dismissed the appeal on 10 March 2022. No corrective measures arise.

Graaff-Reinet to Robert Sobukwe Town

The compliance of the process with the applicable legislative and constitutional requirements is the question before the High Court. It would not be appropriate for the Department to pronounce on that question while the proceedings are pending. The Department will be guided by the outcome, and will take any corrective steps that the Court's determination may require.