



Government Gazette Staatskoerant

REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID AFRIKA

Vol. 671

11

May
Mei

2021

No. 44555

N.B. The Government Printing Works will
not be held responsible for the quality of
“Hard Copies” or “Electronic Files”
submitted for publication purposes

ISSN 1682-5845



AIDS HELPLINE: 0800-0123-22 Prevention is the cure

IMPORTANT NOTICE:

THE GOVERNMENT PRINTING WORKS WILL NOT BE HELD RESPONSIBLE FOR ANY ERRORS THAT MIGHT OCCUR DUE TO THE SUBMISSION OF INCOMPLETE / INCORRECT / ILLEGIBLE COPY.

No FUTURE QUERIES WILL BE HANDLED IN CONNECTION WITH THE ABOVE.

Contents*No.**Gazette Page
No. No.***GENERAL NOTICES • ALGEMENE KENNISGEWINGS****Human Settlements, Department of / Menslike Nedersettings, Departement van**

266	Housing Consumer Protection Bill, 2021: Publication of Explanatory Summary of the Housing Consumer Protection Bill, 2021	44555	3
-----	--	-------	---

GENERAL NOTICES • ALGEMENE KENNISGEWINGS

DEPARTMENT OF HUMAN SETTLEMENTS

NOTICE 266 OF 2021

PUBLICATION OF EXPLANATORY SUMMARY OF THE HOUSING CONSUMER PROTECTION BILL, 2021

1. Notice is hereby given in terms of Rule 159(1)(b) of the Joint Rules of Parliament, the National Assembly that the Minister of Human Settlements, Water and Sanitation intends to introduce the Housing Consumer Protection Bill, 2021, in the National Assembly.

2. The explanatory summary of the Bill is hereby published in accordance with Rule 276(1)(c) of the Rules of the National Assembly.

The Bill repeals the current Housing Consumers Protection Measures Act (Act No. 95 of 1998) ("the Act"). Since the promulgation of the Act on 4 June 1999, the National Home Builders Registration Council ("the Council") has identified a number of challenges with certain key provisions of the Act, which impacted negatively on the efficient execution of the Council's mandate. The said challenges, *inter alia*, relate to inadequate protection of housing consumers, the transformation of the industry, the high risk of litigation, the inadequate enforcement powers, the ineffective alternative dispute resolution mechanism and the excessive turnaround time of the current enforcement procedures.

To this end, the Bill seeks to ensure adequate protection of housing consumers and effective regulation of the home building industry by, *inter alia*, strengthening the regulatory mechanisms; expanding the protection to housing consumers; introducing effective enforcement tools and prescribing appropriate penalties/sanctions to deter non-compliance by home builders. In addition, the Bill creates an enabling environment for new entrants into the home building industry through the introduction of contractual provisions to ensure their sustainability in the market.

The economic transformation of the industry is also addressed by the introduction of provisions such as the warranty fund surplus which can be utilised towards human settlements' developmental programmes, and to provide for matters connected therewith.

3. A copy of the Bill can be found on the websites of the National Department at <http://www.humansettlements.gov.za> and that of the Parliamentary Monitoring Group at <http://www.pmg.org.za> and, after introduction, may also be obtained from: Government Printers: Cape Town (Telephone number: (021) 465-7531).

This gazette is also available free online at www.gpwonline.co.za

Printed by and obtainable from the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001
Contact Centre Tel: 012-748 6200. eMail: info.egazette@gpw.gov.za
Publications: Tel: (012) 748 6053, 748 6061, 748 6065