
BOARD NOTICES RAADSKENNISGEWINGS

BOARD NOTICE 106 OF 2014

LEGAL NOTICE 01/2014

DRAFT RULES ON THE TRANSFER OR DISPOSAL OF SOCIAL HOUSING STOCK FUNDED WITH PUBLIC FUNDS

The Social Housing Regulatory Authority ("SHRA") is the regulator of social housing in the Republic of South Africa, and derives its mandate from the Social Housing Act 16 of 2008 ("the Act") and the Social Housing Regulations ("Regulations"). The mandate of the Regulatory Authority is to invest in projects in the social housing sector ("the sector") and regulate the sector.

In terms of Section 11(3)(h) of the Act, *"The Regulator must, subject to the provisions of this Act consider applications from social housing institutions to dispose of properties developed, refurbished or purchased with the assistance of public funding and approve or refuse applications on the basis of compliance with the investment criteria forming part of the regulations"*.

Furthermore, in terms of Section 11(4)(a)(i) to (v) of the Act, *"The Regulator may, subject to the provisions of this Act and by notice in the Gazette make rules, not in conflict with the regulations, giving effect and detailed content to the regulations, prescribing necessary standards, ratios, procedures, requirements, forms and returns, further regulating the conduct of social housing institutions, prescribing procedures for compliance monitoring and the enforcement of compliance, including intervention in the affairs of social housing institutions or specifically authorised or required by regulation"*.

Finally , in terms of Regulation 13(2), *“When a social housing institution wants to transfer social housing stock to another social housing institution such social housing institution must apply in writing to the Regulatory Authority for its approval before transferring social housing to another social housing institution”*.

In terms of Regulation 14(1)(a) and (b), *“A social housing institution must seek permission from the Regulatory Authority before disposing of social housing stock into the open market where it might cease to be social housing for low to medium income households as provided in the Act, and disposing of social housing stock funded with public funds”*.

THE SHRA HEREBY PUBLISHES THE DRAFT RULES ON THE TRANSFER OR DISPOSAL OF SOCIAL HOUSING STOCK FUNDED WITH PUBLIC FUNDS IN THE GOVERNMENT GAZETTE FOR COMMENTS FROM THE PUBLIC AND INTERESTED PARTIES.

THE SHRA HEREBY INVITES ALL RELEVANT STAKEHOLDERS IN THE SOCIAL HOUSING SECTOR TO SUBMIT WRITTEN COMMENTS AND ORAL PRESENTATION ON THE DRAFT RULES ON THE TRANSFER OR DISPOSAL OF HOUSING STOCK FUNDED WITH PUBLIC FUNDS TO THE SHRA WITHIN 30 DAYS OF THE PUBLISHING OF THE GOVERNMENT GAZETTE:

Hand Delivery: 32 Princess of Wales Terrace
Sunnyside Office Park, Building B, Ground Floor
Parktown
2193

Postal Address: Postnet Suite 240
Private Bag X30500
Houghton
2041

Email: Regulation@shra.org.za

FURTHERMORE, THE SHRA WILL BE HOLDING A PUBLIC HEARING WORKSHOP ON THE DRAFT RULES ON THE TRANSFER OR DISPOSAL OF HOUSING STOCK FUNDED WITH PUBLIC FUNDS WITHIN 30 DAYS OF THE PUBLISHING OF THE GOVERNMENT GAZETTE.

A copy of the Draft Rules on the Transfer or Disposal of Stock funded with public funds is available on request to the following email: Regulation@shra.org.za and on the SHRA's website www.shra.org.za

For any enquiries on this matter, please contact Khulile Boqwana at KhulileB@shra.org.za or Lungelo Hlangwana at LungeloH@shra.org.za for assistance.

Kind regards,

SIGNATURE: 

SHRA CHAIRPERSON: ZOHRA EBRAHIM (For and on behalf of the SHRA)

DATE: 18/08/2014