
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”*.