

CORRECTION NOTICE

National Extraordinary Gazette No. 38283 of 3 December 2014 is hereby withdrawn and replaced with the following:

GENERAL NOTICE

NOTICE 64 OF 2015



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 , 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"*.

