

- (d) by the substitution in subsection (2) for the words preceding paragraph (a) of the following words:
 “In deciding whether to approve an application for a **[subsidy] tenure grant**, and if so, the priority to be given to that application, the Minister shall have regard to the extent to which an application complies with the following criteria:”;
- (e) by the deletion in subsection (2) of paragraph (c);
- (f) by the deletion in subsection (2) of the word “and” at the end of paragraph (e);
- (g) by the substitution in subsection (2) for paragraph (f) of the following paragraph:
 (f) there is an urgent need for the development or suitable alternative accommodation because occupiers have been evicted or are about to be evicted[:]; and”;
- (h) by the addition in subsection (2) of the following paragraph:
 “(g) the provision of accommodation and services contemplated in subsection (1)(e) entails a mutual accommodation of the interests of occupiers and owners:”;
- (i) by the substitution for subsections (3), (4), (5) and (6) of the following subsections, respectively:
 “(3) Where the persons who are intended to benefit from a development have been identified, a **[subsidy] tenure grant** shall not be **[granted] provided** unless the Minister has been satisfied that the development is acceptable to a majority of the adults concerned.
 (4) The Minister may, for the purposes of this section, **[grant subsidies] provide tenure grants** through an agreement with a provincial government or a municipality, or a person or body which he or she has recognised for that purpose, where—
 (a) a provincial government or a municipality or such person or body will facilitate, implement or undertake or contract with a third party for the facilitation, implementation or undertaking of a development or suitable alternative accommodation; or
 (b) the **[subsidy] tenure grant** is paid to the provincial government or a municipality or such person or body to enable it to facilitate, implement or undertake or contract with a third party for the facilitation, implementation or undertaking of a development or for the provision of suitable alternative accommodation.
 (5) No transfer duty shall be payable in respect of any transaction for the acquisition of land in terms of this section or in respect of any transaction for the acquisition of land which is financed by a **[subsidy] tenure grant** in terms of this section.
 (6) A potential beneficiary of a development or of suitable alternative accommodation may apply for a housing subsidy as provided for in terms of **[sections 10A, 10B, 10C and 10D of the Housing Act, 1966 (Act No. 4 of 1966)]** the Housing Act, 1997 (Act No. 107 of 1997).”.

Amendment of section 6 of Act 62 of 1997, as amended by section 7 of Act 51 of 2001

3. Section 6 of the principal Act is hereby amended—

- (a) by the insertion in subsection (2) after paragraph (dA) of the following paragraph:
 “(dB) to take reasonable measures to maintain the dwelling occupied by him or her or members of his or her family:”;
- (b) by the substitution for subsection (4) of the following subsection:
 “(4) Any person shall have the right to visit and maintain, or erect a tombstone on, mark, place symbols or perform rites on, his or her family graves on land which belongs to another person, subject to any reasonable condition imposed by the owner or person in charge of such land in order to safeguard life or property or to prevent the undue disruption of work on the land.”.