
GOVERNMENT NOTICE

DEPARTMENT OF TRADE AND INDUSTRY

No. 1398**7 November 2002****HOUSING DEVELOPMENT SCHEMES FOR RETIRED PERSONS ACT (ACT No. 65 OF 1988)**

I, Alexander Erwin, Minister of Trade and Industry do hereby publish for general comment, the intended notice to exempt indefinitely the Methodist Homes for the Aged from the provisions of regulations 6–14 contained in the Government Notice No. R. 1351 of 30 June 1988, promulgated under the Housing Development Schemes for the Retired Persons Act, 1988 (Act No. 65 of 1988), with regard to Fairleads on Portion 104 (a portion of Portion 53 of the farm Vlakfontein 69 IR; Eddy, Noel and Vivian Homes in 133 Amphill Avenue, on Stand 1675 IR, Benoni Township; Ridgeview Village in Caravelle Road on Portion 423 (a portion of Portion 213) of the farm Klipfontein IR, Impala Park and Samuel Broadbent House in 66 Du Plooy Street, on conditions as set out in Schedule A hereto.

Interested persons are invited to make written comments regarding this notice within a period of twenty-one (21) days from the date of this publication to:

Deputy Director General: Consumer and Corporate Regulation Division
Private Bag X84
PRETORIA
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Attention: Mercia Ramaboea
Fax No.: (012) 320-0311

PERMANENT EXEMPTION OF THE METHODIST HOMES FOR THE AGED FROM THE PROVISION OF REGULATIONS 6 TO 14 CONTAINED IN THE GOVERNMENT NOTICE No. R. 1351 OF JUNE 1989 PROMULGATED UNDER THE HOUSING DEVELOPMENT SCHEMES FOR THE RETIRED PERSONS ACT, 1988 (ACT No. 65 OF 1988)

1. The exemption is valid for an indefinite period, but may be withdrawn by the Minister of Trade and Industry at any time.
2. The Management Structure of Methodist Homes for the Aged will provide each housing development scheme with a separate local committee consisting of approximately 10 members, who are concerned and interested persons living in the vicinity of the scheme and who are responsible to the board of directors. Each local committee shall include at least two democratically elected resident representatives on the basis of two resident representative members per forty privately financed units.
3. Each housing development scheme must have a full time or part time paid manager with employees as required to assist with administration, and provision of services such as financial management, the preparation and serving of meals and provision of nursing care.
4. Methodist Homes for the Aged will not allow any bonds to be registered over the property.
5. A clause that conditional exemption from provisions of regulations 6 to 14 contained in Government Notice No. 1351 of 30 June 1989 has been granted to Methodist Homes for the Aged as well as the suspensive conditions related thereto must be contained in the Sales Agreement between Methodist Homes for the Aged and the prospective buyer of the occupational rights in the above-mentioned housing development scheme.
6. That Methodist Homes for the Aged should provide an irrevocable guarantee to buyers that in the event a unit is not available for occupation on the agreed occupation date, Methodist Homes for the aged shall take all steps reasonably possible to ensure that the unit is available as soon as possible thereafter or, if occupation is likely to be unduly delayed, offer, if available, another unit which has not been allocated to the occupant and if accepted by the occupant, the agreement shall be amended accordingly or all payments made will be refunded to the buyer, if, for any reason whatsoever, a unit is not completed within two years from the date of conclusion of the contract, the above condition within paragraph six (6) applies.
7. That Methodist Homes for the Aged arranged for the title deeds of the land on which the housing development scheme is being, or has been developed. The said title deed shall be endorsed in terms of section 4C (1) of the Act to the effect that the land is subject to a housing development scheme.

A. ERWIN

Minister of Trade and Industry
