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GOVERNMENT NOTICE

DEPARTMENT OF TRADE AND INDUSTRY

No. 1537

24 October 2003

**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 Harvest Ingathering Appeal from the provisions of section 6 of the Housing Development Schemes for the Retired Persons Act, 1988 (Act No. 65 of 1988), as well as from the provisions of regulations 6-14 contained in the Government Notice No. R1351 of 30 June 1988, promulgated under the above-mentioned Act, with regards to seven (7) retirement villages as set out in Schedule A, on conditions as set out in Schedule B hereto.

Schedule A

1. Adventhaven Retirement Village situated at Boschoek Estate and Sedavan Road, Heidelberg district;
2. Drie Riviere Retirement Village situated on Portion 1 of Erven 1281, 1280, 1282 and remainder of Erven 1282 and 1082;
3. Diamant Retirement Village situated on Portion 1 of Erf 881, Wolmaransstad;
4. Esda Retirement Village situated at Boyes street, New State Areas, Springs;

5. Montana Retirement Village and Community Service, situated on Portion 257 (a portion of portion 44) of Hartebeesfontein 324 JR, Gauteng;
6. Pardes Retirement Villages situated at 124 President Steyn Street, Rynfield, Benoni; and
7. Sonskyn Retirement Village situated on Portion 4 of Erf 1444 extension 1 Erf 1447.

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

**Deputy Director General: Consumer and Corporate Regulation Division
Private Bag X84
PRETORIA
0001**

**Attention: Mercia Ramaboea
Fax No. : (012) 320 0311**

Schedule B

PERMANENT EXEMPTION OF THE HARVEST INGATHERING APPEAL FROM THE PROVISIONS OF SECTION 6 AS WELL AS FROM THE PROVISIONS 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 The exemption is valid for an indefinite period, but may be withdrawn by the Minister of Trade and Industry at any time.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 Harvest Ingathering Appeal 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. Harvest Ingathering Appeal 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 Harvest Ingathering Appeal as well as the suspensive conditions related thereto must be brought to the attention of the prospective buyers in the relevant scheme by way of either a letter as an annexure to the sales agreement or as a clause in the sales agreement.

6. That Harvest Ingathering Appeal should provide an irrevocable guarantee to buyers that in the event a unit is not available for occupation on the agreed occupation date, Harvest Ingathering Appeal shall take all steps reasonably possible to procure 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.
7. That Harvest Ingathering Appeal shall arrange for the title deeds of the land on which the housing development scheme is being, or has been developed and be endorsed in terms of section 4C(1) of the Act to the effect that the land is subject to a housing development scheme.
8. Harvest Ingathering Appeal is obliged to report in writing to the Minister of Trade and Industry, after 5 (five) years from the date of which the exemption has been granted, regarding their compliance to the above mentioned conditions.

Alexander Erwin, MP
Minister of Trade and Industry

Printed by and obtainable from the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001
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Advertisements: Tel: (012) 334-4673, 334-4674, 334-4504
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