

## GENERAL NOTICES

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### NOTICE 765 OF 2011

## DEPARTMENT OF HUMAN SETTLEMENTS

### EXPLANATORY SUMMARY OF THE RENTAL HOUSING AMENDMENT BILL, 2011

In accordance with Rule 241(1) of the Rules of the National Assembly –

1. The Minister of Human Settlements herewith gives notice of the intention to introduce into Parliament the Rental Housing Amendment Bill, 2011 (“the Bill”) during the Parliamentary session of 2011.
2. Section 1 of the Rental Housing Act:
  - 2.1 Bill proposes to bring the Act in line with the name change of the Department from the Department of Housing to the Department of Human Settlements as per Proclamation No. 48 of 2009, published on 7 July 2009 in *Government Gazette* No. 32387. The definition of “Minister” is therefore substituted.

- 2.2 The definition of “prescribed” is substituted to bring it in line with section 15 of the Act which empowers the Minister to make regulations. Prior to the commencement of the Rental Housing Amendment Act, 2007 (Act No. 43 of 2007) the authority to make regulations vested with the Members of the Executive Council (MECs) of the respective Provinces. Due to a technical omission, the definition of “prescribed” was not amended to bring it in line with the amended section 15.
3. Section 6 of the Act is amended to qualify the application of Chapter 4 and to render the application thereof mandatory to all Provinces.
4. Section 7 of the Act is amended to amplify the provisions on the establishment of the Rental Housing Tribunal and to render the establishment of a Rental Housing Tribunal in every Province mandatory.
5. Section 13 of the Act is amended to extend the powers of Rental Housing Tribunals to rescind any of its rulings.

6. Chapters 4 and 5 of the Act are amended by removing section 15 from Chapter 4 and inserting it under Chapter 5 of the Act to be in line with legislative drafting practices.
7. The Principal Act is amended by the substitution for the expression "local authority", wherever it occurs in the Act, with the expression "local municipality".

**TMG SEXWALE(MP)**  
**MINISTER OF HUMAN SETTLEMENTS**