

REPUBLIC OF SOUTH AFRICA

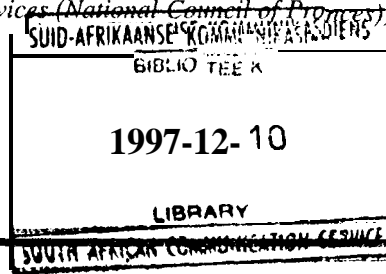
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**SELECT COMMITTEE AMENDMENTS  
TO  
HOUSING BILL**

[B 82B—97]

*(As agreed to by the Select Committee on Public Services (National Council of Provinces))*

[B 82C—97]



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REPUBLIEK VAN SUID-AFRIKA

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**GEKOSE KOMITEE-AMENDEMENTE  
OP  
BEHUISINGSWETSONTWERP**

[W 82B—97]

*(Soos goedgekeur deur die Gekose Komitee oor Openbare Dienste  
(Nasionale Raad van Provinsies))*

[W 82 C—97]

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## AMENDMENTS AGREED TO

### HOUSING BILL [B 82 B-97]

#### CLAUSE 2

1. On page 6, after line 33, to insert the following subparagraph:
  - (iv) is administered in a transparent, accountable and equitable manner, and upholds the practice of good governance;
2. On page 6, in line 34, after “communities” to insert:
  - , including, but not limited to, co-operatives, associations and other bodies which are community-based,
3. On page 6, in line 36, after “assistance” to insert:
  - in a way that leads to the transfer of skills to, and empowerment of, the community
4. On page 8, in lines 4 and 5, to omit “environmental conditions in respect of housing development” and to substitute:
  - the impact of housing development on the environment

#### CLAUSE 4

1. On page 12, in line 20, after “may” to insert:
  - after consultation with every MEC and the national organisation representing municipalities as contemplated in section 163(a) of the Constitution,

#### CLAUSE 5

1. On page 12, in line 49, to omit “and gender” and to substitute “, gender and geographic”.
2. On page 14, in lines 16 and 17, to omit “the Minister considers sufficient” and to substitute “which are just and fair”.

#### CLAUSE 7

1. On page 16, in line 54, before “support” to insert:
  - take all reasonable and necessary steps to
2. On page 18, in line 2, before “support” to insert:
  - take all reasonable and necessary steps to

3. On page 18, in lines 7 and 8, to omit “of any national housing programme in the province” and to substitute:

in the province of every national housing programme and every provincial housing programme, which is consistent with national housing policy and section 3(2)(b),

#### CLAUSE 8

1. On page 18, in line 39, to omit “the other members of”.
2. On page 18, after line 40, to insert the following paragraphs:
  - (c) The members of a provincial housing development board must be appointed only after—
    - (i) the MEC has through the media and by notice in the *Provincial Gazette* invited nominations of persons as candidates for the respective positions on such board; and
    - (ii) the committee for housing of the provincial legislature has made recommendations to the MEC in relation thereto after a transparent and open process of considering persons so nominated.
  - (d) The need for a provincial housing development board to reflect broadly the race and gender composition of South Africa and the geographic composition of the province must be considered when members are appointed.
3. On page 20, in line 9, to omit “the other members of”.
4. On page 20, in lines 10 and 11, to omit “the MEC and such members consider sufficient” and to substitute “which are just and fair”.
5. On page 20, after line 39, to insert the following subparagraph:
  - (ii) A member or alternate member of a provincial housing development board must, in the manner and at the intervals the MEC determines, disclose any direct or indirect financial interest—
    - (aa) such member or his or her spouse, immediate family member, business partner or associate or employer, other than the State; or
    - (bb) the business partner or associate or employer, other than the State, of his or her spouse, has in housing development.
6. On page 20, in line 40, to omit “subparagraph (i)” and to substitute “this paragraph”.
7. On page 20, in line 52, after “programme” to insert:
 

and every provincial housing programme, which is consistent with national housing policy and section 3(2)(b),
8. On page 24, in line 3, after “Africa” to insert:
 

and the geographic composition of the province

#### CLAUSE 9

1. On page 24, in line 31, to omit “unless the municipality is involved in the matter or has an interest therein”.

## CLAUSE 10

1. On page 26, after line 35, to insert the following paragraph:
  - (c)(i) Any municipality accredited under subsection (2) must be regularly reviewed by the MEC on the basis of adequate performance against the criteria for accreditation referred to in that subsection.
  - (ii) If any such municipality fails to perform, the MEC may intervene and take the steps necessary to ensure adequate performance.
2. On page 26, in line 36, after “may” to insert:
 

, after consultation with the relevant provincial housing development board,

## CLAUSE 12

1. On page 30, in line 6, to omit “of any national housing programme in a province” and to substitute:
 

in a province of any national housing programme and any provincial housing programme, which is consistent with national housing policy and section 3(2)(b)
2. On page 30, in line 17, to omit “of national housing programmed in the province” and to substitute:
 

in the province of national housing programmed and provincial housing programmes, which are consistent with national housing policy and section 3(2)(b)
3. On page 30, in line 33, after “the” to insert “relevant”.
4. On page 30, in lines 35 and 36, to omit “of any national housing programme in the province in question” and to substitute:
 

in the relevant province of any national housing programme or any provincial housing programme, which is consistent with national housing policy and section 3(2)(b)
5. On page 30, in line 47, to omit “to” and to substitute “into”.
6. On page 30, in lines 48 and 49, to omit “of any national housing programme in the province in question” and to substitute:
 

in the relevant province of any national housing programme or any provincial housing programme, which is consistent with national housing policy and section 3(2)(b)

## CLAUSE 14

1. In the Afrikaans text, on page 35, in line 29, after “deur” to insert “sodanige”.