

EASTERN CAPE PROVINCIAL LEGISLATURE

PORTFOLIO COMMITTEE ON HUMAN SETTLEMENTS

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Date: 09 October 2023
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Ref: HCPB- 2021

NEGOTIATING MANDATE

To : The Chairperson Select Committee on Cooperative Governance and Traditional Affairs, Water, Sanitation and Human Settlements

Name of Bill : Housing Consumer Protection Bill

Number of Bill : [B10B -2021]

Date of Deliberation : 09 October 2023

1. Vote of the Legislature

The province votes in favour of the Bill, with a proposed amendment and therefore mandates the Permanent Delegate to the NCOP to negotiate in favour of the Bill within the following parameters:

The proposed amendment is as follows:

(a) **Clause 14 of the Bill – Addition of subparagraph (i) after subparagraph (h)**

That clause 14 (i) be added as follows;

“(i) provide for exemption from payment of registration fees for builders who are unable to pay for their registration.

(b) **Clause 31 of the Bill- Addition of a new subsection 4**

Subsection 4

(4) ‘Failure by the homebuilder or developer to enroll a home shall not absolve the homebuilder or developer of any liability in terms of the Act.’

(c) **Clause 35 – Addition of subsection 4 as follows;**

(4) The Council must prescribe a procedure for submitting claims from the warranty fund as well as timeframes within

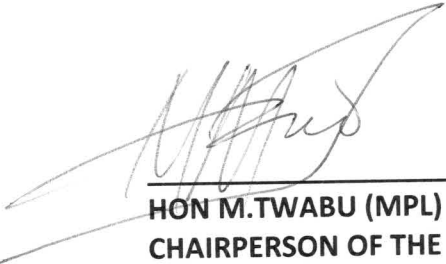
which such claims must be paid.

(d) Clause 89 (1) – Amendment of section 89 (1) as follows;

(1) The Minister must, by notice in the Gazette, publish a code of conduct for members of the Board and staff of the council.

General Comments

The report of the Portfolio Committee attached hereto highlights other issues raised by the stakeholders, relating to the Bill before the Portfolio Committee and are matters that ought to be given serious consideration by the Department of Human Settlements.



HON M.TWABU (MPL)
CHAIRPERSON OF THE PORTFOLIO
COMMITTEE ON HUMAN SETTLEMENTS

9/10/2023

DATE