

**MINISTER**

**HUMAN SETTLEMENTS, WATER AND SANITATION**

**REPUBLIC OF SOUTH AFRICA**

**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**QUESTION NO.: 1471**

**DATE OF PUBLICATION: 10 JULY 2020**

**Mrs M R Mohlala (EFF) to ask the Minister of Human Settlements, Water and Sanitation:**

What (a) measures has she put in place to stop the City of Cape Town from forcefully evicting people from their homes (i) during the lockdown to curb the spread of the coronavirus and (ii) in the middle of winter and (b) challenges has she encountered in the face of belligerent city councils who are adamant on evicting people from the homes despite her previous announcement that evictions would be disallowed during the lockdown to curb the spread of the virus? **NW1842E**

**REPLY:**

Honourable Member, we received a number of complaints regarding evictions and therefore ensured that the following regulations were issued for the duration of the lockdown period.

The Regulations issued in terms of section 27(2) of the Disaster Management Act of 2002 by the Minister of Cooperative Governance and Traditional Affairs, on 16 April 2020 (Regulations Gazette 43232) on the prohibition on evictions, states that “no person may be evicted from their place of residence. Regardless of whether it is a formal or informal residence or a farm dwelling, for the duration of the lockdown."

Moreover, Regulation 19 of the Regulations issued on 29 April 2020 (Regulations Gazette 43258) on the Prohibition on Evictions provides that:

“A competent court may grant an order for the eviction of any person from land or a home in terms of the provisions of the Extension of Security of Tenure Act 62 of 1997 and the Prevention of Illegal Eviction from and Unlawful Occupation of Land Act 19 of 1998: Provided that any order of eviction shall be stayed and suspended until the last day Alert Level 4, unless a court decides that it is not just and equitable to stay and suspend the order until the last day of the Alert Level 4 period”.

Although the said regulations were issued, the implementation thereof fall under different authorities. In upholding and affirming the regulations cited above, Imade a public appeal to municipalities and private property owners to suspend evictions during the lockdown and instead for all parties to prioritise measures aimed at curbing the spread of the COVID-19 pandemic. We have intervened in cases where we had been made aware of this and have also communicated these details to the public.

On 16 July 2020, I issued a media statement wherein I urged the City of Cape Town to adhere to the Alert Level 3 Regulations which prohibit the evictions of persons from their homes. I also confirmed my unwavering commitment to support the Western Cape Department of Human Settlements to provide basic services such as water and sanitation in their rollout of the Upgrading of Informal Settlements Program.