

# OFFICE OF THE SPEAKER



Private Bag X 11289  
 Nelspruit 1200  
 Tel +27 13 766 1061  
 Fax + 27 13 766 1469  
 Building No 1, Mpumalanga  
 Government Complex  
 Riverside, Nelspruit  
 Mpumalanga Province  
[www.mpsol.gov.za](http://www.mpsol.gov.za)

## FINAL MANDATE

### HOUSING CONSUMERS PROTECTION MEASURES AMENDMENT BILL [B 6B - 2007]

The Portfolio Committee on Local Government and Housing (the Committee) deliberated on Housing Consumer Protection Measures Bill [B 6B - 2007] (the Bill).

After deliberation, the Committee supported the Bill as amended.

The permanent delegate representing the Province of Mpumalanga in the National Council of Provinces (the NCOP) is hereby conferred with authority and mandated to vote in favour of the Bill.

**HON: YN PHOSA  
 SPEAKER: MPUMALANGA  
 PROVINCIAL LEGISLATURE**

11-9-07  
**DATE**

**PUBLIC HEARING REPORT OF THE PORTFOLIO COMMITTEE ON LOCAL GOVERNMENT AND HOUSING ABOUT THE HOUSING CONSUMERS PROTECTION MEASURES AMENDMENT BILL [B 6B-2007] 06 SEPTEMBER 2007**

**1. INTRODUCTION**

The Portfolio Committee on Local Government and Housing accepted a short notice to be briefed on Consumer Protection Measures Amendment Bill [B6B - 2007], a s 76 Bill. Subsequently the Committee resolved to conduct Public Hearings to elicit views, inputs and/or comments from the members of the Public and stakeholders.

**2. OBJECTIVES OF THE BILL**

To amend the Housing Consumers Protection Measures Act, of 1998, so as to amend certain definitions and to define certain words or expressions, to clarify the scope of the application of the said Act, to make provision for late enrolment, to enable owner builders to apply for exemption, to extend claims to include roof leaks, to make further provision for the use of money in the funds contemplated in the said Act, to extend offences created under the said Act, and to amend provisions pertaining to the granting of exemptions and to the lodging of appeals, and to provide for matters connected therewith.

**3. METHOD OF WORK**

Initially the NCOP indicated that the Committee will be briefed by Mr. A. Watson. Subsequently the officials of the National Department were deployed to conduct the briefing: Mr. Mngomezulu and Mr. Kwazi

and do the necessary inspections in order to ensure quality in building and to safeguard the consumers from abuses by builders.

- In section 14A (2) (b) the public submitted that the measure on late enrolment fees should not apply retrospectively. In other words, the provision on late enrolment fees should not affect houses built previously i.e. before the inception of the current Bill.
- In section 14A (3) the public is opposed to disciplinary measures against owners or builders of houses built before the enactment of the current Bill but would accept it only to owners and builders of houses built after its enactment.
- In section 17 (2) which is subject to subsections (3), (4) and (5) the public is opposed to the reduction and refusal of payment of claims by the NHBRC, but feels that the council must make means to pay all claims as much as it makes means to collect registration fees nation wide.
- In section 29 (1) the public is opposed to centralization of power around the NHBRC. Some feel the power must be centered on the Local Municipal Councils, MEC's for Local Government and Housing, whilst some feel the power must remain in the Minister's office.