



Committee Services

Our reference: **PORTFOLIO COMMITTEE ON INFRASTRUCTURE, ROADS, TRANSPORT
AND HUMAN SETTLEMENT**
Ons verwysing:
Tshupo ya rona:

Negotiating Mandate

TO: Chairperson of the Select Committee on Social Services

NAME OF BILL: Property Practitioners Bill

NUMBER OF BILL: [B21B – 2018]

DATE OF DELIBERATION: 20 February 2019

VOTE OF THE LEGISLATURE:

The Portfolio Committee on Infrastructure, Roads, Transport and Human Settlement as designated by the Free State Legislature votes in favour of the Bill with the following amendments: -

1. That the Department should conduct a road – shows to educate previously disadvantaged estate agencies on how to become qualified estate agents and the procedure that they need to follow to obtain Fidelity Fund Certificates.
2. The Bill should ensure that buyers of properties be educated on the details of the disclosure forms about any defaults in the property that they intend to purchase.
3. The Bill should ensure that previously disadvantaged estate agencies are aware of the mandatory disclosure forms which they are expected to sign for their protection.

4. The Bill must ensure that buyers are protected from paying high levies.
5. The public support the Bill.
6. Section 57(1)(b) is in contravention of the Bill of Rights in that it allows the estate agent or seller to choose the lawyer for the buyer when in actual fact the buyer is the consumer and must be protected.
7. Section 4(2) to 4(9) and 5(4) belongs in the regulations as it is more procedural.
8. The words "estate agents" in clause 6 must be replaced with the words "Property Practitioners"
9. Section 8(g) must make a provision of time frame within which the person disqualified cannot be appointed to serve. The Law allows for a rehabilitation period.
10. Section 13(3) should be amended to read "A quorum of the Board will be constituted by a majority of the members of the Board".
11. Section 13(7) the words "King III" must be replaced by "King IV".



HON MS MOLELEKI
CHAIRPERSON OF PORTFOLIO COMMITTEE INFRASTRUCTURE, ROADS,
TRANSPORT AND HUMAN SETTLEMENT
FREE STATE LEGISLATURE

Date: 20 February 2019