

2 December 2019

Ms. L. Sisulu, MP
Minister of Human Settlements and Water and Sanitation
Department of Human Settlements and Water and Sanitation
185 Francis Baard Street
PRETORIA
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By email: Ndivhuyo.mabaya@dhs.gov.za
CC: eab@eaab.org.za

Dear Madam Minister

REVOCAION OF PROPOSED RESOLUTION BY ESTATE AGENCY AFFAIRS BOARD – PREVIOUSLY DISADVANTAGED INDIVIDUALS

It has been brought to AfriForum's attention that the Estate Agency Affairs Board (EAAB) has proposed a resolution to the Minister of Human Settlements and Water and Sanitation that will permit previously disadvantaged individuals (PDIs) to apply for exemption from certain legislative requirements.

AfriForum insists that this proposed regulation be withdrawn as it is tantamount to blatant racism and unfair discrimination.

According to a presentation by the EAAB, these exemptions include:

- Exemption from payment for Fidelity Fund Certificates, Continuing Professional Development (CPD) and fines;
- Exemption from CPD compliance;
- Exemption from education qualifications; AND
- Exemption from submissions and audit reports.

This proposed resolution in fact suggests different rules for different groups of people based on the colour of their skin. It is unfair discrimination according to section 9(3) of the Constitution, which states that:

The state may not unfairly discriminate directly or indirectly against anyone on one or more grounds, including **race**, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language and birth.

It is unthinkable that certain people are in effect exempted from being held responsible, while others are held to certain standards. Control measures – such as those which the regulation aims to set aside for PDIs – indeed exist to protect the public's interest.

AfriForum also believes that the implementation of this resolution may set a precedent for other professional bodies.

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Member Administration – Fax: 012 644 0342 • **E-mail:** afriforum@afriforum.co.za • **Directors:** Flip Buys, Rev. Dirk Laufs, Dr Dirk Hermann, Alana Bailey, Prof. Danie Goosen, Frans de Klerk, Deon de Vries, Louis Trichardt, Prof. Koos Malan, Kallie Kriel • **Reg. No** 2005/042861/08 • 054 - 590 - NPO

AfriForum therefore insists that the EAAB withdraws the proposed resolution in its entirety, and that the Minister rejects it. AfriForum is also considering legal action, should this resolution be implemented.

Yours sincerely

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