

2 December 2019

Ms. Lindiwe Sisulu
Minister of Human Settlements and Water and Sanitation
Department of Human Settlements and Water and Sanitation
185 Francis Baard Street
PRETORIA
0001

By email: Ndivhuyo.mabaya@dhs.gov.za
CC: eab@eaab.org.za

Dear Ms Sisulu

REVOCATION OF PROPOSED RESOLUTION BY ESTATE AGENCY AFFAIRS BOARD REGARDING PDI CHANGES

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 (PDI) to apply for exemption from certain legislative requirements. AfriForum insists that this proposed regulation be withdrawn as it boils down to blatant racism and unfair discrimination.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;
- 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 cannot be that certain people are in effect exempted from being held responsible, while others are held to certain standards. Control measures, such as those that the regulation aims to set aside for certain people, exist to protect the public interest.

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

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

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Yours sincerely

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