



human settlements

Department:
Human Settlements
REPUBLIC OF SOUTH AFRICA

PAIA MANUAL

Prepared in terms of section 14 of the Promotion of Access to Information Act 2 of 2000 (as amended)

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1. LIST OF ACRONYMS AND ABBREVIATIONS

No.	Acronym or abbreviation	Explanation
1.	BNG	Breaking New Ground
2..	BASA	Business and Arts South Africa
3.	CBO	Community Based Organisations
4.	CCTV	Close-Circuit Television
5.	CEO	Chief Executive Officer
6.	CGE	Commission for Gender Equality
7.	CSOS	Community Schemes Ombud Service
7.	DHS	Department of Human Settlements ("the Department")
8.	DIO	Deputy Information Officer (designated as per section 17 of PAIA)
9.	EPHP	Enhanced People's Housing Process
10	FFC	Financial and Fiscal Commission
11.	FHF	First Home Finance
12.	HDA	Housing Development Agency
13.	HS	Human Settlements
14.	HSS	Housing Subsidy System
15.	IO	Information Officer (Director-General of the Department)
16.	IR	Information Regulator
17.	IT	Information Technology
18.	IGR	Inter-Governmental Relations
19.	NGO	Non- Governmental Organisation
20.	MTEF	Medium-Term Expenditure Framework
21.	NHBRC	National Home Builders' Registration Council

No.	Acronym or abbreviation	Explanation
22.	NHFC	National Housing Finance Corporation
23.	PAIA	Promotion of Access to Information Act
24.	PDHS	Provincial Department of Human Settlements
25.	POPIA	Protection of Personal Information Act, 2013
26.	PPRA	Property Practitioners Regulatory Authority
27.	SHRA	Social Housing Regulatory Authority
28.	SLA	Service Level Agreement

2. PURPOSE OF PAIA MANUAL

This PAIA Manual is useful for the public to-

- 2.1 check the nature of the records which may already be available at National Department of Human Settlements, without the need for submitting a formal PAIA request.
- 2.2 understand how to make a request for access to a record of the National Department of Human Settlements.
- 2.3 access all the relevant contact details of the persons who will assist the public with the records they intend to access.
- 2.4 know all the remedies available from the National Department of Human Settlements regarding request for access to the records, before approaching the Regulator or the Courts.
- 2.5 the description of the services available to members of the public from National Department of Human Settlements, and how to gain access to those services;
- 2.6 a description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it.

- 2.1 if the body will process personal information, the purpose of processing of personal information and the description of the categories of data subjects and of the information or categories of information relating thereto.
- 2.2 know if the National Department of Human Settlements has planned to transfer or process personal information outside the Republic of South Africa and the recipients or categories of recipients to whom the personal information may be supplied; and
- 2.3 know whether the National Department of Human Settlements has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

3. ESTABLISHMENT OF THE NATIONAL DEPARTMENT OF HUMAN SETTLEMENTS

The DHS is mandated in terms of section 26 of the Constitution and section 3 of the Housing Act, 1997 (Act No. 107 of 1997), to establish and facilitate a sustainable national housing development process in collaboration with provinces and municipalities.

The DHS has a mandate that is integral to the effort of the government to change the lives of South Africans for the better. This includes transforming the apartheid spatial geography and land and development patterns of social and racial exclusion. During the previous administrative term, we stayed true to our mandate by continuing to build and augment the work already done in creating sustainable human settlements and improving the quality of life for all households.

In fulfilling its mandate, the Department's focus over the medium term will be on creating integrated and transformed human settlements, upgrading informal settlements and providing affordable housing.

The Department was established to facilitate the pursuit of these focus areas and ensure its human settlements programmes are sustainable; therefore, the DHS will seek to fast-track its policy and programme review of the 1994 White Paper on Housing, the national housing code and the Housing Act, 1997.

3.1. Legislative Mandate

The Housing Act, 1997, provides the roles and responsibilities of the three spheres of government. The national government, acting through the Minister, determines national policy, including norms and standards in respect of housing development. The national government should (among its other functions) set broad national housing delivery goals and facilitate the setting of provincial, and where appropriate, local government housing delivery goals.

General Proclamation Notice No. 1570 of 2009, signed by the President of the Republic of South Africa (RSA), created the DHS as a successor to the Department of Housing. This notice, together with the Comprehensive Plan for the Creation of Sustainable Human Settlements, which was adopted by Cabinet in 2004, provided for a shift in the mandate, i.e. from providing housing to providing sustainable and integrated human settlements. Chapter Eight of the National Development Plan (NDP) of 2011 further controlled housing to work towards transforming human settlements to eliminate the apartheid spatial geography and to create settlements where people can work, pray, play and have access to social and economic amenities.

The table below provides a list of policies, legislation and strategies that shape the development of human settlement reforms:

Name of policy or legislation	Purpose
White Paper on Housing, 1994	To provide a macro policy that creates an enabling environment for housing delivery
Restitution of Land Rights Act, 1994	To provide for the restitution of rights to land to persons or communities that were dispossessed of their rights to land and establish a Commission on Restitution of Land Rights
Housing Act, 1997	To recognise the constitutional right to housing and further define the roles and responsibilities

Name of policy or legislation	Purpose
	of national, provincial and local government in relation to housing
Rental Housing Act, 1999	To regulate the relationship between landlords and tenants, and provide for dispute resolution
Home Loan and Mortgage Disclosure Act, 2000 (Act No. 63 of 2000)	To promote fair lending practices, which requires disclosure by financial institutions of information regarding home loans
National Housing Code, 2009	To provide prescripts to enable the delivery of housing
Comprehensive Plan for the Creation of Sustainable Human Settlements, 2004	To outline a plan for the development of sustainable human settlements over five years
Social Housing Policy, 2005	To promote an enabling environment for social housing to flourish
Social Housing Act, 2008 (Act No. 16 of 2008), and Social Housing Regulations, 2011	<p>To provide for the establishment of the Social Regulatory Authority, in order to regulate all Social Housing Institutions (SHIs)</p> <p>The regulations are used for the accreditation of SHIs, clear qualification criteria, compliance monitoring, and the investment criteria that will be applicable in the social housing sector</p>
<p>Housing Development Agency Act, 2008 (Act No. 23 of 2008)</p> <p>Housing Development Agency Regulations, 2014</p>	<p>To provide for the establishment of an agency that will facilitate land and landed property.</p> <p>These regulate processes for the declaration of a priority housing development area (PHDA), steps in creating a priority housing development plan, funding considerations, implementation of the protocol, and the implementation of the housing development and cooperation between the different State Departments</p>

Name of policy or legislation	Purpose
NDP, 2012	The plan aims to provide a long-term perspective, defines the desired destination, and identifies the role of different sectors in eliminating poverty and reducing inequality by 2030
Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013)	It provides a framework for spatial planning and land use management within the RSA
Rental Housing Amendment Act, 2014 (Act No. 35 of 2014)	It amends the Rental Housing Act, of 1999, provides norms and standards related to rental housing, introduces various changes that impact the relationship between tenant and landlord, requires all municipalities to have a rental office, expands the powers of the Rental Tribunal, etc.
Youth Policy 2015–2020	It provides a framework for strengthening the capacity of key youth development institutions, consolidation and integration of youth development into the mainstream of government, etc.
White Paper on the Rights of Persons with Disabilities, 2016	It provides a framework for mainstreaming the trajectory for realising the rights of persons with disabilities through the development of targeted interventions that remove barriers, and application of the universal design integrates the obligations in the United Nations Covenant on Rights of Persons with Disabilities and other related matters
Integrated Urban Development Framework, 2016	It provides a framework to enable spatial transformation by steering urban growth towards a sustainable growth model of

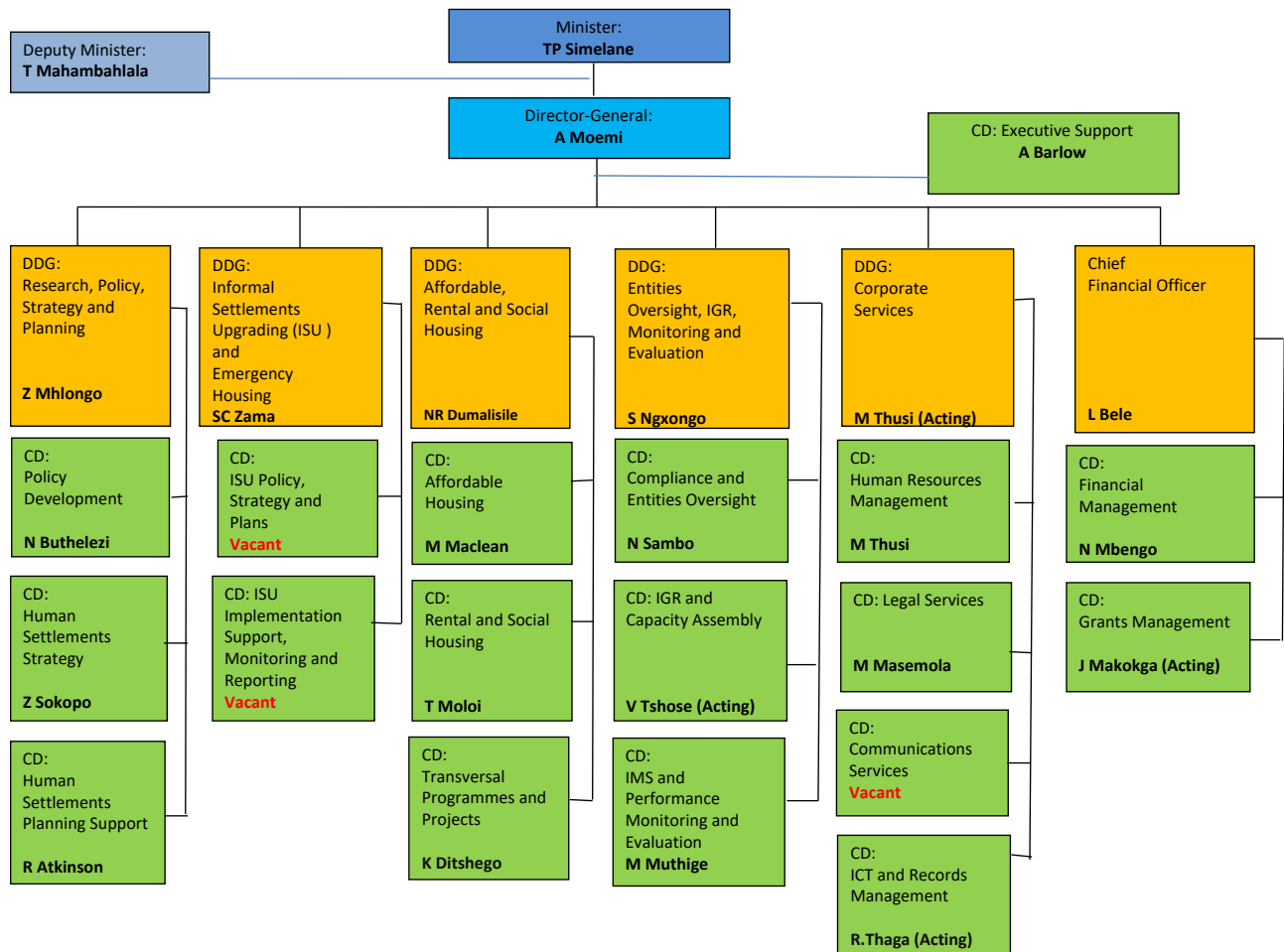
Name of policy or legislation	Purpose
	compact, connected and coordinated cities and towns
Sustainable Development Goals	They provide a framework for a universal call to action to end poverty, protect the planet and to ensure that all people enjoy peace and prosperity by 2030. Through the call "Leave No One Behind", countries committed to fast-tracking progress for those furthest behind first
Sendai Framework	It provides a road map to make communities safer and more resilient to disasters. It provides member states with concrete actions on how to protect development gains from the risk of disaster. It advocates the substantial reduction of disaster risk and loss of lives, livelihood and health, and in the economic, physical, social, cultural and environmental assets of persons, businesses, communities and countries
Agenda 2063	It is a strategic framework that provides a blueprint and master plan for transforming the African continent into a global powerhouse that delivers on its goal of inclusive and sustainable development
New Urban Agenda, 2016	It provides a shared vision for a better and more sustainable future – one in which all people have equal rights and access to benefits and opportunities that cities offer, and in which the international community reconsiders the urban systems and physical form of urban spaces to achieve this
Property Practitioners Act, 2019 (Act No. 22 of 2019)	It provides for the regulation of property practitioners, regulates the continuation of the Estate Agency Affairs Board (EAAB) in the new

Name of policy or legislation	Purpose
	form of the Property Practitioners Regulatory Authority, and further provides for transformation of the property practitioners sector through, inter- alia, the establishment of a transformation fund and a research centre on transformation
Gender-Responsive Planning, Budgeting, Monitoring, Evaluation and Auditing (GRPBMEA) Framework	To assist South Africa to achieve its constitutional vision of a non-sexist society and gender equality, and ensure allocation of adequate resources for women's empowerment and gender equality
Housing Consumers Protection Measures Act, 1998 (Act No. 95 of 1998)	It provides for the protection of housing consumers, the continuance of the National Home Builders' Registration Council as the National Home Building Regulatory Council, the registration of home builders, and the registration/enrolment of homes to be covered by the home warranty fund
Housing Consumers Protection Measures Amendment Act, 2007 (Act No. 17 of 2007)	To make provision for late enrolment and non-declared 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 the offenses created under the said Act, to amend provisions pertaining to the granting of exemptions and the lodging of appeals, and to provide for matters connected therewith.
Sectional Titles Schemes Management Act, 2011 (Act No. 8 of 2011)	This legislation provides for: the division of buildings into sections and common property, the acquisition of separate ownership in sections coupled with joint ownership in a

Name of policy or legislation	Purpose
	common property, the establishment of body corporates to control common property and for that purpose to apply rules, the establishment of a sectional titles regulation board, etc.
Community Schemes Ombud Service Act, 2011 (Act No. 9 of 2011)	This legislation provides for the establishment of the Community Schemes Ombud Service (CSOS), articulates the mandate and functions of the CSOS, provides a dispute resolution mechanism for community schemes, etc.

4. STRUCTURE OF THE NATIONAL DEPARTMENT OF HUMAN SETTLEMENTS AND FUNCTIONS

4.1. Structure



4.2. Functions of National Department of Human Settlements

The DHS–

- determines national policy, including national norms and standards in respect of housing development.
- NATIONAL sets broad national housing delivery goals and facilitate the setting of provincial, and where appropriate, local government housing delivery goals in support thereof.
- monitors the performance of national government and in co-operation with every MEC, the performance of provincial and local governments against housing delivery goals and budgetary goals.

- determines a procurement policy that is consistent with section 217 of the Constitution in relation to housing development.
- assists provinces to develop the administrative capacity required for the effective exercise of their powers and performance of their duties in respect of housing development.
- supports and strengthens the capacity of municipalities to manage their own affairs, to exercise their powers and perform their duties in respect of housing development.
- promotes consultation on matters regarding housing development between national government and representatives of civil society, sectors and sub sectors supplying or financing housing goods and services, provincial and local government, and other stakeholders in housing development.

5. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF THE NATIONAL DEPARTMENT OF HUMAN SETTLEMENTS

5.1. Information Officer

Name: Dr A. Moemi
 Tel: +27 12 412 1486
 Email: InformationOfficer@dhs.gov.za

5.2. Deputy Information Officer

Name: Ms RM Thaga
 Tel: +27 12 444 9012
 Email: DeputyInformationOfficer@dhs.gov.za

5.3. Access to information general contacts

Email: paia@dhs.gov.za
popia@dhs.gov.za

5.4. National / Head Office

Physical Address: Govan Mbeki House
 240 Justice Mahomed Street
 PRETORIA

0002
Telephone: 0800 146 873
Email: info@dhs.gov.za
Website: www.dhs.gov.za

6. DESCRIPTION OF ALL REMEDIES AVAILABLE IN RESPECT OF AN ACT OR A FAILURE TO ACT BY NATIONAL DEPARTMENT HUMAN SETTLEMENTS

6.1. Internal appeal

A requester aggrieved by a decision of the IO or DIO to refuse a request for access to information may lodge an internal appeal with the Minister (Executive Authority) of Human Settlements against the said decision.

6.2. Lodging internal appeal

An internal appeal:

- must be lodged within 60 days after the requester is informed of the decision taken on the request,
- must be completed on the prescribed internal appeal Form 4 attached as Annexure B to this PAIA Manual and which is also available on the DHS website [www.dhs.gov.za] or from the Information Regulator's website or office upon request,
- must be completed in full on the prescribed internal appeal form indicating the decision against which the internal appeal is lodged,
- must be signed in the space provided on the internal appeal form,
- must be submitted to the DIO through the contact details or address provided in this manual.

6.3. Referral of internal appeal to relevant authority

- The DIO must, within 10 working days of receipt of an internal appeal, refer the internal appeal, together with reasons for his or her decision regarding the request, to the relevant authority.
- The relevant authority must consider and decide on the internal appeal within 30 days after the notice of internal appeal is received.

6.4. The decision of the relevant authority must confirm or set aside the decision of the DIO or, where applicable, substitute a new decision for it.

7. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE

7.1. The Regulator has, in terms of section 10(1) of PAIA, updated and made available the revised Guide on how to use PAIA (“Guide”), in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPIA.

7.2. The Guide is available in each of the official languages.

7.3. The aforesaid Guide contains the description of-

7.3.1. the objects of PAIA and POPIA;

7.3.2. the postal and street address, phone and fax number and, if available, electronic mail address of-

7.3.2.1. the Information Officer of every public body, and

7.3.2.2. every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA¹ and section 56 of POPIA²;

7.3.3. the manner and form of a request for-

7.3.3.1. access to a record of a public body contemplated in section 113; and

7.3.3.1. access to a record of a private body contemplated in section 50⁴;

7.3.4. the assistance available from the Information Officer of a public body in terms of PAIA and POPIA.

7.3.5. the assistance available from the Regulator in terms of PAIA and POPIA.

7.3.6. all remedies in law available regarding an act or failure to act in respect of a right or duty conferred or imposed by PAIA and POPIA, including the manner of lodging-

7.3.6.1. an internal appeal;

¹ Section 17(1) of PAIA- *For the purposes of PAIA, each public body must, subject to legislation governing the employment of personnel of the public body concerned, designate such number of persons as deputy information officers as are necessary to render the public body as accessible as reasonably possible for requesters of its records.*

² Section 56(a) of POPIA- *Each public and private body must make provision, in the manner prescribed in section 17 of the Promotion of Access to Information Act, with the necessary changes, for the designation of such a number of persons, if any, as deputy information officers as is necessary to perform the duties and responsibilities as set out in section 55(1) of POPIA.*

³ Section 11(1) of PAIA- *A requester must be given access to a record of a public body if that requester complies with all the procedural requirements in PAIA relating to a request for access to that record; and access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.*

⁴ Section 50(1) of PAIA- *A requester must be given access to any record of a private body if-*

- a) *that record is required for the exercise or protection of any rights;*
- b) *that person complies with the procedural requirements in PAIA relating to a request for access to that record; and*
- c) *access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.*

- 7.3.6.1. a complaint to the Regulator; and
- 7.3.6.2. an application with a court against a decision by the information officer of a public body, a decision on internal appeal or a decision by the Regulator or a decision of the head of a private body;
- 7.3.7. the provisions of sections 14⁵ and 51⁶ requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;
- 7.3.8. the provisions of sections 15⁷ and 52⁸ providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
- 7.3.9. the notices issued in terms of sections 22⁹ and 54¹⁰ regarding fees to be paid in relation to requests for access; and
- 7.3.10. the regulations made in terms of section 92¹¹.
- 7.4. Members of the public can inspect or make copies of the Guide from the offices of the public or private bodies, including the office of the Regulator, during normal working hours. The Guide can also be obtained-

⁵ Section 14(1) of PAIA- The information officer of a public body must, in at least three official languages, make available a manual containing information listed in paragraph 4 above.

⁶ Section 51(1) of PAIA- The head of a private body must make available a manual containing the description of the information listed in paragraph 4 above.

⁷ Section 15(1) of PAIA- The information officer of a public body, must make available in the prescribed manner a description of the categories of records of the public body that are automatically available without a person having to request access

⁸ Section 52(1) of PAIA- The head of a private body may, on a voluntary basis, make available in the prescribed manner a description of the categories of records of the private body that are automatically available without a person having to request access

⁹ Section 22(1) of PAIA- The information officer of a public body to whom a request for access is made, must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

¹⁰ Section 54(1) of PAIA- The head of a private body to whom a request for access is made must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

¹¹ Section 92(1) of PAIA provides that –“The Minister may, by notice in the Gazette, make regulations regarding-

- (a) any matter which is required or permitted by this Act to be prescribed;
- (b) any matter relating to the fees contemplated in sections 22 and 54;
- (c) any notice required by this Act;
- (d) uniform criteria to be applied by the information officer of a public body when deciding which categories of records are to be made available in terms of section 15; and
- (e) any administrative or procedural matter necessary to give effect to the provisions of this Act.”

7.4.1. upon request to the Information Officer;

7.4.2. from the website of the Regulator (<https://www.justice.gov.za/inforeg/>).

8. DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD BY THE NATIONAL DEPARTMENT OF HUMAN SETTLEMENTS

Subjects on which the body holds records	Categories of records held on each subject
STATUTORY AND REGULATORY FRAMEWORK	<ul style="list-style-type: none">- DHS legislation (Bills, Acts, regulations, Green Papers, White Papers, Codes of Practice)
ORGANISATION AND CONTROL	<ul style="list-style-type: none">- Departmental mandate (Functions)- Delegation of powers/authority- Establishment matters- Organisational performance planning and monitoring- Risk management!- Anti-fraud and corruption- Security management- Internal audits- Organisational transformation- Organisational health and safety- Disaster management- Compliance implementation and monitoring- Standard operating procedure
HUMAN RESOURCES	<ul style="list-style-type: none">- Post control, establishment and planning- Determination of Condition of Service- Vacancies, appointments and placements- Human Resource Development- Planning, Utilisation, Control and Monitoring- Performance Management and Development- Labour and Employee Relations- Staff Transformation Matters

Subjects on which the body holds records	Categories of records held on each subject
	<ul style="list-style-type: none"> - EHW & OHS services
FINANCIAL MANAGEMENT	<ul style="list-style-type: none"> - Budget (estimates of national expenditure for human settlements) - Basic Accounting System(BAS) - Financial Compliance - Financial Audits - Expenditure - Income - Claims and Refunds - Debtors System - Conditional Grants Reports and Funds Management - Bank matters - Reconciliation of Accounts - Financial Irregularities - Financial Assistance - Report and Statistics - Financial Statements - Loss Control Files - Disbursements of Funds to Provinces/Metros - Frameworks - Division of Revenue Act
SUPPLY CHAIN MANAGEMENT	<ul style="list-style-type: none"> - Bids and contracts (proposals, specifications, advertisements, awards, committees and ITC approvals) - Demand and acquisition (quotations, requisitions and acquisitions) - Asset management
TRAVEL AND TRANSPORT SERVICES	<ul style="list-style-type: none"> - Travel - Transport
FACILITIES MANAGEMENT	<ul style="list-style-type: none"> - Buildings, Grounds and Property (needs identification and analysis, planning and design, acquisition and

Subjects on which the body holds records	Categories of records held on each subject
	<p>leases of offices and official residences, allocations, maintenance and alienation)</p> <ul style="list-style-type: none"> - Equipment and other Facilities (installation, repairs and maintenance) - Energy efficiency and Maintenance (plan, management, inspections and reports) - Maintenance, Monitoring and Inspections (electrical, plumbing, pest control, hygiene and cleaning services) - Reports
INFORMATION MANAGEMENT SERVICES	<ul style="list-style-type: none"> - Cabinet Memoranda - Parliamentary Approved Replies - Parliamentary Structure (DHS) - Promotion of Access to Information (PAIA) - Records Management - Sector Information Management (HSS online) - Knowledge Management - Library - Information Technology and Systems - Protection of Personal Information (POPI)
COMMUNICATIONS	<ul style="list-style-type: none"> - Publications - Events, campaigns, launches and publicity programmes (includes speeches of the Minister and Deputy Minister and photographs) - Reports
LEGAL SERVICES	<ul style="list-style-type: none"> - Legal opinions - Appointment of legal experts - Claims, litigations and appeals - Prosecutions

Subjects on which the body holds records	Categories of records held on each subject
	<ul style="list-style-type: none"> - Court decision - Drafting and Review of Legal Documents - Memorandum of understanding/agreement - International Agreement - Service level Agreements - Amendments - Contract Management Policy
ATTENDING AND HOSTING OF GATHERINGS AND MEETINGS	<ul style="list-style-type: none"> - Parliamentary meetings - Management meetings - Corporate committees - Provincial and Sector Committees and Panels - Sector Cluster Meetings - Sub-committees, Task teams and Working Groups - Forum Meetings - Seminars, Conferences, Symposia and Summits - Sector Councils and References Groups - Commissions and Boards - Entity Meetings
MONITORING EVALUATION IMPACT ASSESSMENTS	<ul style="list-style-type: none"> - Annual Practice Notes - Monitoring, Evaluation, and Impact Assessment (MEIA) System Matters - Evaluations, Assessments and Monitoring - Reports (Monthly, Quarterly, Annual and Medium-Term Strategic Framework)
POLICY DEVELOPMENT ASSISTANCE AND RESEARCH	<ul style="list-style-type: none"> - Policy Development - Policy Assistance - Policy Research - Sector Interventions and Assistance - Reports (Research and Conception)
HUMAN SETTLEMENTS PLANNING	<ul style="list-style-type: none"> - National Planning Approved Human Settlements Development Plan (National Business Plan),

Subjects on which the body holds records	Categories of records held on each subject
	<ul style="list-style-type: none"> - Provincial Planning Approved Municipal Urban Settlements Development Grant Plan. (National Business Plan) - Municipal Planning Approved Provincial and Municipal Informal Settlements Upgrading Partnership Grant Plans. (National Business Plan) - Municipal Accreditation - The Neighbourhood Planning and Design Guide
PROGRAMME IMPLEMENTATION, SUPPORT AND MONITORING	<ul style="list-style-type: none"> - Business Plans - Upgrading informal human settlements (includes plans, implementation, coordination and support) - Other Sector Programmes and Projects - Catalytic projects - Mining Towns - Titles Deeds Restoration Project - Blocked Projects - Report on the implementation of First Home Finance - Report on the delivery of Serviced Sites and BNG Units - Project Process Guide for Human Settlements Programmes
HUMAN SETTLEMENTS EQUITY AND PRIORITY PROJECTS	<ul style="list-style-type: none"> - Human Settlements equity - Facilitation of Priority projects
HUMAN SETTLEMENTS PROGRAMMES AND PROCESSES	<ul style="list-style-type: none"> - Rental Human Settlements programmes - Entity Support, Monitoring and Oversight - People's Human Settlements Process (PHP) - PHP Policy Framework

Subjects on which the body holds records	Categories of records held on each subject
RENTAL HOUSING AND PEOPLE HUMAN SETTLEMENTS PROCESS	<ul style="list-style-type: none"> - Private Rental Housing Programme - Public Rental Housing Programme - Rental Housing Tribunals
STAKEHOLDER RELATIONS AND MOBILISATION	<ul style="list-style-type: none"> - Engagements, Allowance and Liaison - Sector Stakeholder, Agreements and Partnership - Community Sector Outreach and Support Programmes - IGR and Strategic Partnership IGR and Strategic Partnership - Govan Mbeki Awards (Framework and Implementation plan) - Reports
HUMAN SETTLEMENTS CAPACITY DEVELOPMENT	<ul style="list-style-type: none"> - Capacity Assembly - Beneficiary and community empowerment (includes implementation and collaborations, assessments monitoring and evaluation) - Establishment and operationalization of Human Settlement centre of Excellence Research Capacity - Professionalization of the Sector - Institutional Capacity Development

9. CATEGORIES OF RECORDS OF THE NATIONAL DEPARTMENT OF HUMAN SETTLEMENTS WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

Category	Document Type	Available on Website	Available upon request
Tender document	<ul style="list-style-type: none"> - Advertised tender - Name of successful bidder - Awarded bids - Central supplier database - Closed tenders - Current bids 	X	
Legislation/ Regulations	<ul style="list-style-type: none"> - Department of Human Settlements Legislation: <u>Acts: (list not exhaustive)</u> - Training manual for municipal officials on Rental Housing Amended Act - SLA: municipal officials training on Amended Rental Housing Act - Housing Act 107 of 1997 - Social Housing Act no: 16 of 2008 - Social Housing Regulation - Rental Housing Act 50 	x	

Category	Document Type	Available on Website	Available upon request
	<ul style="list-style-type: none"> - Housing Consumers Protection Measures Amendment Act, 2007 - Sectional Titles Schemes Management Act, 2011 - Community Scheme Ombud Service Act, 2011 - Home Loan and Mortgage Disclosure Act, 2000 - Prevention of Illegal Eviction from and Unlawful Occupation of Land Act, 1998 (Act No. 19 of 1998) - Rental Housing Amendment Act 43 of 2007 - Settlements for 2023 - Rental Housing Amendment Act No: 35 of 2014 - The National Housing Code - Rental Housing Amendment Act no: 50 of 1999 - Community Residential Units - Private Rental Housing Programme - Public Rental Housing Programme - Rental Housing Act of 1999 - Rental Housing Tribunal - <u>Bills:</u> 		

Category	Document Type	Available on Website	Available upon request
	<ul style="list-style-type: none"> - Housing White Paper (December 2024) - Housing Amendment Bill 2009 - Rental Housing Bill - Social Housing Bill - Social Housing Programme - Housing Consumer Protection Measures Amendment Bill, 2006 - Sectional Titles Schemes Management Bill, 2009 - Community Scheme Ombud Service Bill 2009 - PIE Amendment Act - Property Practitioners Bill - <u>Regulations:</u> - CSOS Sectional Titles Schemes Management Regulations - CSOS Regulations: Levies and Fees - Regulations on Community Schemes Ombud Services - HLAMDA Regulations (as Gazetted) - Compliance Manual 2010 - <u>International Commitments:</u> - New Urban Agenda Habitat III October 2016 		

Category	Document Type	Available on Website	Available upon request
	<ul style="list-style-type: none"> - Johannesburg Declaration on Sustainable Development, 2002 - Istanbul Declaration on Cities and other Human Settlements, 1996 - Vancouver Declaration on Human Settlements, 1976 - Millennium Goals and Targets - Millennium Declaration, 2000 		
STRATEGIC DOCUMENTS (plans, policies and reports)	<ul style="list-style-type: none"> - Estimates of National Expenditure 2023 Vote:33 - Annual performance Plan (2017-24) - Revised Strategic Plan 2020-2025 - Strategic Plan 2015-2020 - Revised Strategic Plan 2015-2020 - Strategic Plan 2014-2019 - MTSF 2014-2019 - Monitoring, Evaluation and Impact Assessment (MEIA) 2013/2014-2018/2019 - Monitoring, Evaluation Impact Assessment (MEIA) Policy and Framework - Breaking New Ground - Implementation Forums 	x	

Category	Document Type	Available on Website	Available upon request
	<ul style="list-style-type: none"> - Revised MTSF for 2019-2024 - National Housing Code-2009 - Outcome 8 - First Home Finance - Report on Amchud - Amchud on Durban Declaration - Amchud on the Enhanced Framework - Social Contract on Rapid Housing Delivery 2005 - Social Contract for the Development of Sustainable Human Settlements - Framework for Women (Policy Framework) 2008 2009 - Framework for Youth (Policy Framework) - Impact Evaluation of Housing Chapters of the Integrated Development Plan (2022) 		

Category	Document Type	Available on Website	Available upon request
	<ul style="list-style-type: none"> - Rapid Appraisal of Outcome 8 (2019). - Impact and Implementation Evaluation of the Social Housing Programme.(2016) - Evaluation of the Impact of the Rural Housing Programme - PHP Policy Framework 2008 - Revised Framework on Accreditation of Municipalities to Administer National Human Settlements Programmes October 2023 		
FINANCIAL MANAGEMENT	<ul style="list-style-type: none"> - Budget (Estimates of National Expenditure for DHS) - Bank Matters - Annual Report 	X	
SUPPLY CHAIN MANAGEMENT	<ul style="list-style-type: none"> - Bids and contracts (proposals, specifications, advertisements, awards, committees and ITC approvals) 	X	

Category	Document Type	Available on Website	Available upon request
	<ul style="list-style-type: none"> - Demand and acquisition (quotations, requisitions and acquisitions) - Asset management - Acquisition and procurement plans (Individual Files) - Registers (includes bids, suppliers' database records (transversal), invoice/payment records, stocktaking control sheets, commitments, accruals and payables, dispute invoice register) - Orders and payments (systems, invoices, SLAs, stock take on inventory (plans), acquisitions) - Payment of invoices within 30 days - Fixed asset register, disposals, verification count sheets, assets and inventory lists, monthly reconciliations, asset movements, asset handover, asset loss report) - Acquisition/disposal of departmental vehicles 		

Category	Document Type	Available on Website	Available upon request
FACILITIES MANAGEMENT	<ul style="list-style-type: none"> - Buildings, Grounds and Property (needs identification and analysis, planning and design, acquisition and leases of offices and official residences, allocations, maintenance and alienation) - Equipment and other Facilities (installation, repairs and maintenance) - Energy efficiency and Maintenance (plan, management, inspections and reports) - Maintenance, Monitoring and Inspections (electrical, plumbing, pest control, hygiene and cleaning services) - Reports 	X	
PAIA & POPIA RECORDS	<ul style="list-style-type: none"> - Parliamentary Approved Replies - Parliamentary Structure(DHS) - Promotion of Access to Information (PAIA) - Sector Information Management 	X	

Category	Document Type	Available on Website	Available upon request
	<ul style="list-style-type: none"> - Section 32 report - PAIA & POPIA forms - Section 15 list 		
RENTAL HOUSING AND PEOPLE HUMAN SETTLEMENTS PROCESS	<ul style="list-style-type: none"> - Private Rental Housing Programme - Public Rental Housing Programme - Rental Housing Tribunals 	X	
PROGRAMME IMPLEMENTATION, SUPPORT AND MONITORING	<ul style="list-style-type: none"> - Upgrading informal human settlements (includes plans, implementation, coordination and support) 	X	

10. SERVICES AVAILABLE TO MEMBERS OF THE PUBLIC FROM THE NATIONAL DEPARTMENT OF HUMAN SETTLEMENTS AND HOW TO GAIN ACCESS TO THOSE SERVICES

In addition to the role that provinces and municipalities play with regard to human settlements, the following national institutions were established to facilitate the human settlements related needs of the sector:

The Department primarily:

- establishes and maintains a policy and legislative framework required for facilitation of a sustainable and integrated human settlements' objective in line with government's objective and departmental mandate, and
- facilitates apportionment of annual allocation to provinces and municipalities for human settlements, infrastructure development and land acquisition.

Provinces and metropolitan municipalities are accredited to coordinate the building of housing within their jurisdiction, using grants received from the Department. This makes

them high-priority stakeholders as the Department relies on them to deliver housing opportunities. The Department provides the necessary support through the development of legislative and policy frameworks, approval of business plans, monitoring and evaluation of services rendered.

Human settlements entities assist the Department in terms of delivering on its mandate. They are also of high priority and expect the Department to provide funding for implementation of human settlements projects and strategic direction. In terms of achievements, the Department, in partnership with the entities, implemented human settlements projects that include First Home Finance, People's Housing Process (PHP), Informal Settlements Upgrading Programme, Rural Housing Loan Fund, catalytic projects and individual subsidies.

Entities	Services	Clients	Gain access to the services at
Property Practitioners Regulatory Authority (PPRA)	<ul style="list-style-type: none"> • Regulate the conduct of property practitioners in dealing with consumers; • Regulate the conduct of property practitioners in so far as marketing, managing, financing, letting, renting, hiring, sale and purchase of property are concerned. • Regulate and ensure that there is compliance with the provisions of the Act. • Ensure that consumers are protected from undesirable and sanctionable practices as set out in section 62 	Housing consumers, property practitioners and business enterprises	DHS, PPRA offices

Entities	Services	Clients	Gain access to the services at
	<p>and section 63 of the Act.</p> <ul style="list-style-type: none"> • Regulate any other conduct which falls within the ambit of the Act in as far as property practitioners and consumers in this market are concerned. • Provide for the education, training and development of property practitioners and candidate property practitioners. • Educate and inform consumers about their rights as set out in section 69 of the Act; and • Implement measures to ensure that the property sector is transformed as set out in Chapter 4 of the Act 		
Community Schemes Ombud Service (CSOS)	<ul style="list-style-type: none"> • Ensure registration and compliance of community schemes. • Provide a dispute resolution mechanism for community schemes. 	Community scheme body corporate, community scheme unit, Community	DHS, CSOS offices

Entities	Services	Clients	Gain access to the services at
	<ul style="list-style-type: none"> • Regulate, monitor and control the quality of schemes' governance documentation. • Take custody of, preserve and provide public access, electronically or by other means, to schemes' governance documentation; and • Training sessions conducted for adjudicators, conciliators and stakeholders 	<p>Scheme Stakeholders i.e. owners and tenants</p>	
Housing Development Agency (HDA)	<ul style="list-style-type: none"> • Develop a development plan to be approved by the Minister in consultation with the relevant authorities in the provinces and municipalities. • Develop strategic plans with regard to the identification and acquisition of state, privately and communal owned land which is suitable for residential and community development. 	<p>Housing consumers, developers, and organs of state (National Department, Provinces, Municipalities and Metros)</p>	<p>DHS, Provincial department of human settlements (PDHS), municipalities, HDA offices</p>

Entities	Services	Clients	Gain access to the services at
	<ul style="list-style-type: none"> • Prepare necessary documentation for consideration and approval by the relevant authorities as may be required in terms of any other applicable law. • Monitor progress of the development of land and landed property acquired for the purposes of creating sustainable human settlements. • Enhance the capacity of organs of state including skills transfer to enable them to meet the demand for housing delivery. • Ensure that there is collaboration and intergovernmental and integrated alignment for housing development services. • Identify, acquire, hold, develop and release state, privately and communal owned land for residential and community development. 		

Entities	Services	Clients	Gain access to the services at
	<ul style="list-style-type: none"> • Undertake such project management services as may be necessary, including assistance relating to approvals required for housing development. • Contract with any organ of state for the purpose of acquiring available land for residential housing and community development for the creation of sustainable human settlements. • Assist organs of state in dealing with housing developments that have not been completed within the anticipated project period. • Assist organs of state with the upgrading of informal settlements; and • Assist organs of state in respect of emergency housing solutions. 		
National Home Builders' Registration	<ul style="list-style-type: none"> • Regulate the home building environment through home enrolment 	Housing consumers and home builders	DHS, PDHS, municipalités, NHBRC offices

Entities	Services	Clients	Gain access to the services at
Council (NHBRC)	<p>and home builder registration processes.</p> <ul style="list-style-type: none"> • Protect the housing consumer against structural defects through building inspections and administration of the warranty reserve. • Promote innovative home building technologies; and • Set home building standards and improve the capabilities of home builders through training 		
National Housing Finance Corporation (NHFC)	<ul style="list-style-type: none"> • Provide innovative and affordable housing finance solutions for the low- to middle-income housing market in terms of the following services: <ul style="list-style-type: none"> ▪ Private rental term loans; ▪ Social housing rental facilities; ▪ Bridging finance to developers. 	Low-income earners established housing institutions, social housing institutions, developers, contractors, non-banking retail intermediaries and banks	DHS, PDHS, municipalities, NHFC offices (RHLF plus NURCHA merged with NHFC effective from 1 October 2018)

Entities	Services	Clients	Gain access to the services at
	<ul style="list-style-type: none"> ▪ Wholesale incremental housing facilities; ▪ Wholesale homeownership facilities; and • Administration of the First Home Finance (FHF) • Empower low-income households in rural areas to access housing credit; • Operate as a wholesale lender and thus attain its mandate by providing loans through retail intermediaries to its target market to be used for incremental housing purposes. • Provide bridging finance to small, medium, and established contractors building low- and moderate-income housing, and related 	lending to poor households.	

Entities	Services	Clients	Gain access to the services at
	<p>community facilities and infrastructure; and</p> <ul style="list-style-type: none"> • Provide programme and fund management services 		
Social Housing Regulatory Authority (SHRA)	<ul style="list-style-type: none"> • Regulate the social housing sector in South Africa. • Deliver affordable rental housing for the low- to middle income groups. • Achieve spatial, economic and social integration of the urban environments in South Africa; and • Approve, administer, and disburse both institutional investment and capital grants (namely the Consolidated Capital Grant (CCG)) 	Social housing institutions, private developers	DHS, PDHS, municipalities, SHRA offices

11. PUBLIC INVOLVEMENT IN THE FORMULATION OF POLICY OR THE EXERCISE OF POWERS OR PERFORMANCE OF DUTIES BY NATIONAL DEPARTMENT OF HUMAN SETTLEMENTS

The functions of the national government are stipulated in section 3 of the Housing Act. These include determining policy such as norms and standards, setting delivery goals, monitoring performance, capacitating municipalities, providing administrative capacity to provinces, etc.

The Department has a national policy task team comprised of representatives from provinces, metros and Chapter 9 institutions such as FFC, Information Regulator, CGE and the Public Protector. The DHS policy unit writes to all provinces to confirm names of representatives. The nominated members must be at a senior management level. The Director-General then issues letters in this regard.

The public is consulted through special consultation sessions, which are hosted with key stakeholders such as NGOs, BASA, CBOs, private sector companies, professional bodies, sector departments, contractors, developers, etc. There is a list of stakeholders, which is updated from time to time through the support of the Intergovernmental Relations Unit.

The Department also publishes gazette notices on the policy principles in the Government Gazette as stipulated in terms of section 2 of the Housing Act and Social Housing Act, e.g. one of the changes was the change in income bands. This is done through the Policy Unit.

The Department also places some of the policies on departmental websites. IT has been requested to assist us to update the website, create a my-policy email address and even create a blog for us.

Regarding legislation and regulations, the Department always host public consultations in the form of roadshows to all provinces supported by the Provincial Council.

12. PROCESSING OF PERSONAL INFORMATION

12.1. Purpose of Processing

POPIA provides that personal information may only be processed lawfully and in a reasonable manner that does not infringe on the data subject's privacy.

The type of personal information that the Department processes is dependent on the purpose for which it is collected. The purpose as to why the personal

information is being collected will be disclosed to data subjects, and it will be processed for that specific purpose only.

The DHS processes personal information for various administrative purposes, including, but not limited to, the appointment of employees and contractors. It further collects and processes personal information for purposes of rendering its services to the citizens as mandated.

12.2. Description of the categories of Data Subjects and of the information or categories of information relating thereto

Categories of data subjects	Personal information that may be processed
Beneficiaries/housing subsidy applicants – natural persons	Name and surname, contact details (contact number(s), email address), gender, residential address, identity number
Service providers – juristic persons	Names of contact persons, name of legal entity, physical and postal address, contact details (contact number(s), fax number, email address), registration number, financial, commercial, scientific or technical information and trade secrets
Employees/employees' family members	Gender, pregnancy, marital status, race, age, language, educational information (qualifications), financial information, employment history, identity number, physical and postal address, contact details (contact number(s), fax number, email address), criminal behaviour, relatives (family members), medical history, sex, nationality, ethnic or social origin, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language, biometric information of the person
Students for scholarship programme	Names, identity documents and acceptance letters from institutions of higher learning
Website visitors	Cookies

Visitors	Organisation's name, address, contact telephone number, identity number, passport number, driver's licence details, vehicle registration number, CCTV footage and laptop serial number
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12.1 The recipients or categories of recipients to whom the personal information may be supplied

The DHS may disseminate personal information to certain potential recipients. Below is an example of the category of personal information to be disseminated and the recipient or category of recipients of the personal information.

Category of personal information	Recipients or Categories of Recipients
Identity number and names, for criminal checks	South African Police Services
Qualifications, for qualification verifications	South African Qualifications Authority
Credit and payment history, for credit information	Credit Bureaus

The Department may supply personal information to these potential recipients:

- management
- employees
- temporary staff
- contracted operators, and
- other recipients in international organisations

The DHS endeavours to enter into written agreements to ensure that other parties comply with confidentiality and privacy requirements. Personal information may also be disclosed where there is a legal duty or a legal right to do so.

12.2 Planned transborder flows of personal information

Personal Information may be disclosed to third-party service providers whose services or products the Department elect to use, including cloud services hosted in international jurisdictions.

12.3 **General Description of Information Security Measures to be implemented by the responsible party to ensure the confidentiality, integrity and availability of the information**

The DHS employs appropriate, reasonable, technical and organisational measures to prevent loss of damage to or unauthorised destruction of personal information and unlawful access to or processing of personal information. These measures include:

- information security policies
- segregation of user access rights
- logical and physical access control
- secure setup of hardware and software making up the DHS's information technology structure.

13. AVAILABILITY OF THE MANUAL

13.1. This manual will be made available in English and all official languages, depending on the availability of the translators at the Department of Sport, Arts and Culture.

13.2. A copy of this Manual or the updated version thereof, is also available as follows-

13.1.1. on the National Department of Human Settlements' website at www.dhs.gov.za

13.1.2. at the head office of the department for public inspection during normal

business hours;

13.1.3. to any person upon request and upon the payment of a reasonable prescribed fee; and

13.1.4. to the Information Regulator upon request.

13.3. A fee for a copy of the Manual, as contemplated in annexure B of the Regulations, shall be payable per each A4-size photocopy made.

14. UPDATING OF THE MANUAL

The National Department of Human Settlements will, if necessary, update and publish this Manual annually.

Issued by:



Dr Alec Moemi

Director General

Date: 30/07/2025