

**Update on the review of the National Building  
Regulations and Building Standards Act, Act No. 103 of  
1977 (hereinafter: The Act)**

**The 6<sup>th</sup> Annual BCO's Convention  
Directorate: Technical Infrastructure  
24 November 2016  
Sbu Khumalo**



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# Structure of the Presentation

- Background
- Progress
- Plan
- Conclusions



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# Background

- Application of the Act.
- The current landscape, including informal settlements requires changes to the Act.
- Interpretation of the Act.
- Court cases.

# Progress

- Position paper.
- Inputs for the draft Bill.
- The draft Bill.
- Internal (**the dti**) consultation.



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# The plan.....

- A draft Bill is sent to **the dti** divisional DDG for approval to processed to ExCo;
- ExCo approves the draft Bill for presentation to ExBo;



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# The plan.....

- ExBo approves a draft Bill for policy stakeholder consultation – (Including inter-governmental consultation, as the draft Bill is not yet a public document) and DG endorses ExBo decision to proceed;
- Policy development team incorporates inputs from participating stakeholders before submitting the draft Bill to the DG and thereafter to the Minister;



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# The plan.....

- The DG and lead officials will then introduce the draft Bill to relevant Government Cluster, particular the Economic Sector and Employment Sector (ESEC);
- Department submits the draft Bill to the office of the Chief State Law Advisor for quality assurance and constitutionality. This is via **the dti** Legal division. (***Preliminary certification***);



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# The plan.....

- Minister present the Draft Bill to appropriate cabinet committee for recommendation to be considered by Cabinet;
- Minister introduces the draft Bill to full Cabinet – Cabinet approves subject to three months public consultations. Incorporates inputs from public process and tables incorporated draft Bill to NEDLAC;



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# The plan.....

- Policy development team submits the draft Bill to ESEC for approval to introduce into Parliament;
- Minister presents to full Cabinet for approval for introduction to into Parliament;
- After Cabinet approval, draft Bill is sent back to Office of the Chief State Legal Advisor for certification;



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# The plan.....

- Minister or Deputy Minister introduces draft Bill into Parliament, followed by public hearing;
- Passing of the Bill by Parliament occurs in the form of adoption of the Bill by the National Assembly (NA) and National Council of Provinces (NCOP);
- The President (President Office) assents and signs the Bill, which then becomes an Act (or Law)



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# Other Related Issues

- During the process matters related to capacity, legal, technologies and financial implication of the policy will be considered.
- SEIAS will assist to address, amongst issues, the points indicated above.



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# Thank You and Conclusion

## Comments, Inputs and Conclusion

Sbu Khumalo

Department of Trade and Industry

012 394 3566

072 140 2604

[ISKhumalo@thedti.gov.za](mailto:ISKhumalo@thedti.gov.za)



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