

24 JUNE 2019

# REAL ESTATE ALERT

## IN THIS ISSUE >

### **"Airbnb" Bill – what you need to know**

The Department of Tourism has extended the deadline for comments on the so-called "Airbnb Bill", formally the Draft Tourism Amendment Bill, to 15 July 2019. This follows months of speculation on whether the Bill may restrict and regulate short-term rentals, popularised by the likes of Airbnb, in South Africa.

FOR MORE INSIGHT INTO OUR  
EXPERTISE AND SERVICES

[CLICK HERE](#) 



CLIFFE DEKKER HOFMEYR

## “Airbnb” Bill – what you need to know

Industry players are concerned that these regulations could limit the amount of nights a visitor may spend in a short-term rental, as well as the amount of money a lessor may earn.

The Department of Tourism has extended the deadline for comments on the so-called “Airbnb Bill”, formally the Draft Tourism Amendment Bill, to 15 July 2019. This follows months of speculation on whether the Bill may restrict and regulate short-term rentals, popularised by the likes of Airbnb, in South Africa.

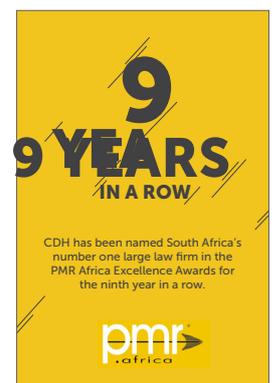
The concerns stem from the Bill’s proposition “to provide for the determination of thresholds for short-term home sharing” which many interpret as an indication that Airbnb and other short-term rentals will soon be regulated. The Bill also provides for a definition of a “short-term home rental” as “the renting or leasing on a temporary basis, for reward, of a dwelling or a part thereof to a visitor”.

Industry players are concerned that these regulations could limit the amount of nights a visitor may spend in a short-term rental, as well as the amount of money a lessor may earn.

While the Bill certainly warrants attention, affected parties are advised to await a final version of the Bill and gazetted regulations confirming the scope of the thresholds. Only once the Bill proceeds past draft format and is fleshed out by way of regulations, can the true scope of its impact be determined.

Should you wish to comment on the draft Bill, your input can be emailed to Ms Mmaditlonki Setwaba at [msetwaba@tourism.gov.za](mailto:msetwaba@tourism.gov.za) before 15 July 2019 or enquiries can be directed to her at (012) 444 6312.

*Mieke Vlok overseen by John Webber*



## OUR TEAM

For more information about our Real Estate practice and services, please contact:



**John Webber**  
National Practice Head  
Director  
T +27 (0)11 562 1444  
E john.webber@cdhlegal.com



**Bronwyn Brown**  
Director  
T +27 (0)11 562 1235  
E bronwyn.brown@cdhlegal.com



**Nayna Cara**  
Director  
T +27 (0)11 562 1701  
E nayna.cara@cdhlegal.com



**Mike Collins**  
Director  
T +27 (0)21 481 6401  
E mike.collins@cdhlegal.com



**Lucia Erasmus**  
Director  
T +27 (0)11 562 1082  
E lucia.erasmus@cdhlegal.com



**Simone Franks**  
Director  
T +27 (0)21 670 7462  
E simone.franks@cdhlegal.com



**Daniel Fyfer**  
Director  
T +27 (0)21 405 6084  
E daniel.fyfer@cdhlegal.com



**Fatima Gattoo**  
Director  
T +27 (0)11 562 1236  
E fatima.gattoo@cdhlegal.com



**Muhammad Gattoo**  
Director  
T +27 (0)11 562 1174  
E muhammad.gattoo@cdhlegal.com



**Andrew Heiberg**  
Director  
T +27 (0)21 481 6317  
E andrew.heiberg@cdhlegal.com



**Simone Immelman**  
Director  
T +27 (0)21 405 6078  
E simone.immelman@cdhlegal.com



**William Midgley**  
Director  
T +27 (0)11 562 1390  
E william.midgley@cdhlegal.com



**Attie Pretorius**  
Director  
T +27 (0)11 562 1101  
E attie.pretorius@cdhlegal.com



**Muriel Serfontein**  
Director  
T +27 (0)11 562 1237  
E muriel.serfontein@cdhlegal.com



**Natasha Fletcher**  
Senior Associate  
T +27 (0)11 562 1263  
E natasha.fletcher@cdhlegal.com



**Samantha Kelly**  
Senior Associate  
T +27 (0)11 562 1160  
E samantha.kelly@cdhlegal.com



**Janke Strydom**  
Senior Associate  
T +27 (0)11 562 1613  
E janke.strydom@cdhlegal.com

**Joloudi Badenhorst**  
Associate  
T +27 (0)11 562 1217  
E joloudi.badenhorst@cdhlegal.com

**Nabeela Edris**  
Associate  
T +27 (0)11 562 1740  
E nabeela.edris@cdhlegal.com

**Robyn Geswindt**  
Associate  
T +27 (0)21 481 6382  
E robyn.geswindt@cdhlegal.com

**Lutfiyya Kara**  
Associate  
T +27 (0)11562 1859  
E lutfiyya.kara@cdhlegal.com

**Palesa Matseka**  
Associate  
T +27 (0)11 562 1851  
E palesa.matseka@cdhlegal.com

**Aaron Mupeti**  
Associate  
T +27 (0)11 562 1016  
E aaron.mupeti@cdhlegal.com

**Emilia Pabian**  
Associate  
T +27 (0)11 562 1076  
E emilia.pabian@cdhlegal.com

**Melissa Peneda**  
Associate  
T +27 (0)11 562 1385  
E melissa.peneda@cdhlegal.com

**JD van der Merwe**  
Associate  
T +27 (0)11 562 1736  
E jd.vandermerwe@cdhlegal.com

### BBBEE STATUS: LEVEL ONE CONTRIBUTOR

This information is published for general information purposes and is not intended to constitute legal advice. Specialist legal advice should always be sought in relation to any particular situation. Cliffe Dekker Hofmeyr will accept no responsibility for any actions taken or not taken on the basis of this publication.

### JOHANNESBURG

1 Protea Place, Sandton, Johannesburg, 2196. Private Bag X40, Benmore, 2010, South Africa. Dx 154 Randburg and Dx 42 Johannesburg.  
T +27 (0)11 562 1000 F +27 (0)11 562 1111 E jhb@cdhlegal.com

### CAPE TOWN

11 Buitengracht Street, Cape Town, 8001. PO Box 695, Cape Town, 8000, South Africa. Dx 5 Cape Town.  
T +27 (0)21 481 6300 F +27 (0)21 481 6388 E ctn@cdhlegal.com

### STELLENBOSCH

14 Louw Street, Stellenbosch Central, Stellenbosch, 7600.  
T +27 (0)21 481 6400 E cdh Stellenbosch@cdhlegal.com

©2019 8049/JUNE

