

GROUP AREAS DYNAMITE

SUMMARY confiscation of landlords' property and sweeping ministerial powers may become part of tough Group Areas legislation if accepted by the House of Assembly at tomorrow's joint parliamentary sitting.

"We are dealing with dynamite," says Professor Noel Zaal, head of private law at the University of Durban-Westville and a member of the legal team of the Central Durban Residents' Association.

Shocked by some of the changes to the Amendment Bill, Professor Zaal said while previously the State could only confiscate property if the landlord or owning company was in contravention of the Act, confiscation could now be carried out merely because a block was occupied by one or more disqualified tenants.

Landlords still also could face the massively increased fines and or prison sentences contained in the original Group Areas Amendment Bill.

This week a parliamentary standing committee, set to meet for five days, adjourned after five minutes when the Labour Party rejected a "desirability motivation" for changes to the Bill.

However, Progressive Federal Party group areas spokesman Tiaan

By Karen Mac Gregor

van der Merwe said, if accepted by the House of Assembly, the Bill — in either its new or original form — could be pushed through the President's Council and become law within the next two weeks.

Mr van der Merwe, estimating there are more than 250 000 black people living in white areas, said the new Bill would "scare landlords out of their wits", driving them to evict people more out of fear of penalty than of necessity.

"Many blocks are almost exclusively occupied by disqualified people. If landlords are forced to evict those people they may as well knock down their buildings as there are no white tenants to fill the gap."

With the critical housing shortages among blacks, coloureds and Indians, he said Group Areas contraventions were already out of control and cannot be unscrambled.

He said the majority of

black people living in white areas were there because they were unable to find accommodation.

Mr van der Merwe said it was clear the Government had "no idea of the magnitude of current contravention of the Group Areas Act".

The PFP did not expect massive implementation of the Act, he said, but if it was applied literally the Government would be "trying to ride a tiger".

The Bill also further erodes the role of the courts making it possible for the Minister to evict people arbitrarily even where a magistrate had found that such people were not in contravention of the legislation.

Prof Zaal said the Bill also made it far easier for Group Areas snoops, motivated only by racial hatred, to rid their areas of black people.

"This would lead to a ghetto situation and chaos. The Government's concern for and responsibility to people appears to stop at the gutter."