

■ WORRY



REGULATION The Tourism Amendment Bill could have serious implications for Airbnb rentals.

For and against views on tourism bill

THE DEBATE over the Tourism Amendment Bill centres on the narrow line owners of Airbnb properties tread. Today, SA Airbnb hosts retain 97% of what they charge to let their space. Since Airbnb's founding in 2008, two million guests have been accommodated in the country, according to a 2018 Airbnb report.

Meanwhile, hotels have to pay taxes and overheads and adhere to regulations for "accommodation establishments", including alcohol licenses and food safety.

The Tourism Business Council of South Africa called for regulation of short-term rentals early last year, and supports the Tourism Amendment Bill, saying hotels in South Africa have been hurt significantly and the playing field should be levelled.

"How can someone who wants to enter the short-term rental space, competing for the same customer as hotels, B&Bs and guest houses, not have to meet the same regulations?" asks the

council's chief executive, Tshifhiwa Tshivhengwa.

"Government tells you what you can do with your property. There is no rules-free ownership. You can't open a restaurant or hair salon in a private property without applying for a land-use departure, having it rezoned, paying commercial property rates and seeking permission from neighbours," says Louisa Theart, spokesperson for the citizen action group One Host One Home.

Lobby group Sakeliga, opposing the bill, believes restrictions on short-term lets may infringe ownership rights. "In the South African legal tradition, ownership is a robust basket of wide-ranging rights to use, enjoy and sell your property. These amendments could potentially impede ways in which owners are allowed to employ leverage on their properties, drastically limiting their economic utility," says Sakeliga legal analyst Daniel du Plessis.

The Western Cape government has similar

concerns. "Any regulations that infringe people's property rights, or impact on a host's ability to earn a living, must be rejected," says Western Cape MEC for economic opportunities, Beverley Schäfer.

Opponents of the amendment bill say it could seriously harm small-scale, short-term home rental businesses and "dissuade aspiring entrepreneurs from entering this market segment," says Gerhard van Onselen, a senior analyst at Sakeliga.

It will drive up costs for both owners and guests. "The minister is not going to promote the tourism industry – he is going to artificially drive up prices and interfere in an industry which self-regulates far better than the government can."

Sakeliga wants a review of existing regulations and the impact on cost structures of traditional B&Bs and hotels. "Deregulation should be considered where new technologies and market innovations in tourism make existing regulations redundant."