



tourism

Department:
Tourism
REPUBLIC OF SOUTH AFRICA

CODE OF GOOD PRACTICE FOR SHORT-TERM RENTALS

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CODE OF GOOD PRACTICE ON SHORT-TERM RENTALS

DEFINITIONS

“Act” - means the Tourism Act, 2014 (Act No 3 of 2014)

“Code of Good Practice” - means a set of guidelines that provides guidance on how to act in accordance with legal obligations or ethical principles.

“Designated person” - means any individual appointed by the short-term rental host who is responsible for a short-term rental listing, compliance with applicable laws, or serves as a point of contact for guests, neighbours, or regulatory authorities. A designated person may include a property agent or property manager formally authorised by the host to act on their behalf.

“Dwelling” - means any residential property, apartment, unit, or similar premises used or made available for accommodation purposes, whether whole or in part.

“Listing” - means any advertisement, offer, or representation of a dwelling or part thereof, for temporary occupancy for reward, whether made online, offline, through an agent, platform, or private arrangement.

“Platform / Accommodation facilitator” - means any digital or non-digital service that advertises, markets, lists, or facilitates bookings of short-term rentals, or provides the technical infrastructure for third parties to conduct short-term rental operations, including but not limited to online platforms, tour operators, and other third-party intermediaries that connect guests and hosts.

“Short-term rentals” - means the temporary use of a dwelling, or part thereof, for tourist or transient accommodation, ordinarily of short duration consistent with holiday or business-travel purposes, unless otherwise prescribed by applicable municipal bylaws or regulations.

“Short-term rental host” - means any natural or juristic person who makes available a dwelling, or part thereof, for temporary use by guests under a short-term rental arrangement.

“Short-term rental guest” - means any person who rents, occupies, or otherwise makes temporary use of a dwelling under a short-term rental arrangement.

PART A: SCOPE

1. Background and Introduction

Chapter 2 of the Tourism Act 3 of 2014 provides for the Minister of Tourism to issue Codes of Good Practice. Section 8(a) states that the Minister may, by notice in the Gazette, issue a Code of Good Practice to guide conduct relating to tourism services, facilities, and products. The proposed Code of Good Practice, therefore, seeks to contribute to the broader objective of the Tourism Act, i.e., to provide for the development and promotion of sustainable tourism for the benefit of the Republic, its Residents, and its Visitors.

The Code of Good Practice outlines the principles that Short-Term Rental (STR) industry participants in the tourism space, such as hosts or designated persons, guests, visitors, platforms, and accommodation facilitators, should follow in the course of their interactions. This non-binding Code of Good Practice seeks to provide guidance on short-term rental operations as an interim measure pending the amendment of the Tourism Act 3 of 2014.

2. Purpose and Scope of the Code of Good Practice

The Code of Good Practice seeks to outline the good practice behaviours that industry participants should aspire to fulfil, including common principles guiding practice. Whilst the Department of Tourism is working on the legislative review, this Code of Good Practice sets the general principles for STR industry participants.

The Code is intended to support sustainable tourism growth, social inclusion, and the strengthening of local economies. It acknowledges the presence of short-term rentals within the tourism landscape, while also noting the importance of ensuring that tourism activity develops in a balanced and responsible manner, consistent with broader government policy objectives.

3. Objects of the Code of Good Practice

The objects of this Code of Good Practice are to apply the objects of the Tourism Act (Act No. 3 of 2014) within the context of the tourism short-term rental subsector.

The objects of this STR Code of Good Practice are to:

- clarify the role of industry stakeholders, including hosts, guests, visitors, platforms/accommodation facilitators, and designated persons;
- encourage the practice of responsible, fair, and sustainable short-term rental operations that contribute to the benefit of the Republic and the enjoyment of its residents and visitors;

- support the promotion of quality tourism products and services within the short-term rental offering;
- contribute to growth and development in the tourism sector through inclusive participation of hosts, guests, platforms, and local communities;
- foster cooperation and coordination between government, industry stakeholders, and communities in managing the short-term rental environment;
- promote awareness of the principles of responsible tourism, including minimising negative social and environmental impacts, enhancing community well-being, and fostering respect between visitors and host communities; and
- provide guidance on good practice and awareness of applicable legal, health, and safety considerations relevant to the operation of short-term rentals.

4. General Responsibilities

The following general responsibilities apply to all Short-Term Rentals industry participants:

- a) Act lawfully, honestly, and in good faith in all matters relating to short-term rental accommodation.
- b) Ensure that all information provided to other stakeholders is accurate, complete, and not misleading in any material respect.
- c) Comply with all applicable laws, regulations, municipal bylaws, and property-related instruments governing short-term rental activities. These include, but are not limited to, legislation relating to tourism, consumer protection, rental housing, taxation, personal information, property law, planning and land use, community and sectional title schemes, eviction, equality, and constitutional principles.

5. Guidelines for Responsible Hosting

The host or designated person should act in an ethical and appropriate manner within the STR ecosystem. The host or designated person should:

- a) inform guests of relevant bylaws, body corporate rules, and community-specific norms (e.g., noise, refuse, parking, use of communal areas);
- b) provide clear visitor policies and take reasonable steps to ensure guest visitors comply with applicable rules and obligations;
- c) place guests at the core of all STR activities, i.e., embody a guest-centric service ethic;
- d) inform guests to avoid disrupting neighbourhood peace, engaging in violence or threats, creating hazardous conditions, or causing intentional or negligent property damage;
- e) provide basic health and safety equipment with instructions on how to use them in the event of emergencies;

- f) maintain the premises, amenities, and common spaces in a manner that upholds health and safety standards;
- g) provide accommodation consistent with marketing representations;
- h) ensure clear communication in relation to check-in and checkout of guests;
- i) comply with all applicable tax obligations, including but not limited to income tax, VAT, and tourism levies where relevant;
- j) treat guests with integrity and fairness, in line with the Consumer Protection Act and other applicable consumer legislation;
- k) promote fair working conditions among staff and contractors;
- l) participate in recognised quality assurance mechanisms for tourism products, as applicable;
- m) maintain appropriate liability insurance covering risks of injury, death, or loss of property;
- n) ensure that a responsible contact person is available to address guest and neighbourhood concerns;
- o) provide guests with emergency contact information, including health, fire, security, and essential service providers;
- p) strive to support local businesses and the community while actively mitigating any possible negative impact on the neighbourhood

6. Guidelines for Responsible Guest Behaviour

Short-term rental guests should follow the principles outlined below. Guests should:

- a) comply with applicable laws and rules, including local bylaws; body corporate rules, homeowners' association rules, and community norms as communicated by the host (e.g., noise hours, refuse disposal, braai areas, pool access);
- b) use the property and its amenities responsibly, without unreasonably interfering with the rights of neighbours or the community;
- c) respect the cultural norms and values of the host community;
- d) avoid conduct that creates excessive noise, nuisance, distress, or disturbance to neighbours and other occupants;
- e) not intentionally or negligently damage the premises, communal facilities, or neighbouring property;
- f) act with due care for the safety and security of the premises and surrounding community, including preventing unauthorised access and avoiding hazardous behaviour; (examples of potentially hazardous behaviour include: leaving security gates open, granting access to unidentified individuals, starting fires in windy conditions, leaving fires or gas burners unattended, or failing to secure pool areas, especially where children or vulnerable persons may be present);
- g) take reasonable steps to ensure visitors follow the same principles as those encouraged for guests;
- h) return the property in substantially the same condition as originally found;

- i) vacate the property at the agreed-upon check-out date and time;
- j) familiarise themselves with the compensation rules relating to the damage to the property;
- k) use the property for transient and temporary accommodation purposes, and refrain from using the property for unlawful, nefarious, or unauthorised purposes, such as operating a business, hosting unregistered events, filming explicit content, storing illegal goods, or subletting to third parties;
- l) truthfully disclose the number of occupants for the duration of the stay;
- m) provide accurate, reachable contact details and emergency contact information before occupying the property;
- n) act in good faith, with fairness, transparency, and cooperation in all dealings with the host, platform/accommodation facilitator, and community.

7. Guidelines for Responsible Short-Term Rental Facilitation by Platforms

The platforms/accommodation facilitators that short-term rental hosts use to list their properties should:

- a) inform the STR host or designated person of this Code of Good Practice and the importance of following these guidelines when listing the property as STR accommodation;
- b) ensure the availability of this Code of Good Practice on its website/app, where applicable;
- c) endeavour to support hosts to ensure a positive guest experience;
- d) provide hosts with guest contact information, including contact and identity data, to enhance safety and enable a positive hosting experience, in line with relevant prescripts
- e) support hosts by providing tools or resources that enable them to communicate relevant information to guests.
- f) endeavour to support the host and guests in post-guest check-out conflict resolution
- g) notify the host or guest of any complaint received relating to the host or guest and remind them of the applicable guidelines;
- h) ensure safe handling of hosts and guests' data in line with relevant prescripts;
- i) assist Government and short-term rental stakeholders with the latest information relating to hosts, subject to applicable laws and data protection requirements;
- j) share information on the economic contributions of the STR subsector, where available, subject to applicable laws and data protection requirements.

8. Health and Safety

The hosts and guests should strive to implement the following good practices to support safety and well-being for all involved. The host or designated person should:

- a) understand and practice occupational health and safety requirements, including but not limited to installing smoke detectors and providing other relevant safety equipment,
- b) provide guests with information relating to fire escapes and basic fire safety equipment;
- c) provide a first aid kit in an accessible area for guests, and restock the first aid kit where necessary;
- d) comply with the prevailing public health norms and standards applicable to the tourism sector;
- e) ensure that guests comply with the maximum occupancy limit as displayed in the listing advert and stipulated in the applicable house rules or scheme rules;
- f) maintain appropriate insurance coverage to protect himself or herself as well as guests, against property damages, negligence claims, and liabilities.

9. Conclusion

This Code of Good Practice serves as guidelines for the short-term rental sector. It outlines general good practice measures for conduct and safety, supporting the broader goal of a tourism sector that grows inclusively, responsibly, and sustainably.