



Government Gazette

REPUBLIC OF SOUTH AFRICA

Regulation Gazette

No. 7872

Vol. 463

Pretoria

23

January

2004

No. 25927



AIDS HELPLINE: 0800-0123-22 Prevention is the cure

DEPARTMENT OF SOCIAL DEVELOPMENT

No. R. 49

23 January 2004

AMENDMENT: REGULATIONS REGARDING GRANTS AND FINANCIAL AWARDS TO WELFARE ORGANISATIONS AND TO PERSONS IN NEED OF SOCIAL RELIEF OF DISTRESS IN TERMS OF THE SOCIAL ASSISTANCE ACT, 1992 (ACT NO. 59 OF 1992)

The Minister of Social Development intends, in terms of section 19 of the Social Assistance Act, 1992 (Act No. 59 of 1992), to make the regulations set out in the Schedule hereto.

Interested parties are invited to submit comments on the proposed regulations to the Director-General: Social Development, Private Bag X901, Pretoria, 0001 fax number: (012) 312-7897 or e-mail: Rodgers.hlatshwayo@socdev.gov.za (for attention: Mr Rodgers Hlatshwayo) within 14 days of the date of publication of this notice.

SCHEDULE

1. In these regulations "the Regulations" means the regulations published by Government Notice No. R.418 of 31 March 1998, as amended by Government Notice No. R.813 of 25 June 1999, Government Notice No. R.1233 of 23 November 2001 and Government Notice No. R. 460 of 31 March 2003.

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Amendment of regulation 9 of the Regulations

2. Regulation 9 of the Regulations is hereby amended –

(a) by the substitution for subregulation (6) of the following subregulation:

“(6) The Director-General may accept alternative proof of any of the documents required in terms of subregulations (1) to (5), including, where applicable, a statement or statements made by the applicant or primary care giver under oath attesting to their citizenship.”;

(b) by the substitution for subregulation (7) of the following subregulation:

“(7) The alternative proof referred to in subregulation (6) must include one or more of the following:

- (a) a certified copy of a child’s “Road to Health” card from a clinic or a hospital;
- (b) a school certificate or report card signed by the Principal of the school attended by the child; or
- (c) a statement under oath by a traditional leader, local councilor, religious leader or a letter from a social worker accredited to provide statutory services, who is able to verify the identity or the habitual place of residence of the applicant or the child.”;

(c) by the addition of the following subregulations:

- (8) In exercising the discretion conferred upon him or her by subregulation (6), the Director-General shall have regard to –

- (a) the immediate needs of the applicant and child;
 - (b) the reason why the applicant has not produced the document in question;
 - (c) the period of time which it will reasonably take the applicant to obtain the necessary document, with due regard to the availability in that area of services of the Department of Home Affairs, and the reliability and speed of the production and delivery of documents for people in that area by the Department of Home Affairs.
- (9) If a grant is approved without the production of a document referred to in subregulation (1), the grant will automatically lapse after a period of six months unless the applicant can prove that he or she has applied for the document concerned or has made a reasonable effort to obtain the document concerned.”.