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## GOVERNMENT NOTICE

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### DEPARTMENT OF SOCIAL DEVELOPMENT

No. R. 208

26 February 2009

### SOCIAL ASSISTANCE ACT, 2004

#### AMENDMENT: REGULATIONS RELATING TO THE APPLICATION FOR AND PAYMENT OF SOCIAL ASSISTANCE AND THE REQUIREMENTS OR CONDITIONS IN RESPECT OF ELIGIBILITY FOR SOCIAL ASSISTANCE

The Minister of Social Development has, in terms of section 32 of the Social Assistance Act, 2004 (Act No. 13 of 2004), made the regulations in the Schedule.

#### SCHEDULE

1. In these regulations "the Regulations" means the regulations published by Government Notice No. R.898 of 22 August 2008, as amended by Government Notice No. R.67 of 28 January 2009.

### **Amendment of regulation 1 of the Regulations**

2. Regulation 1 of the Regulations is hereby amended by the substitution for the definition of “institution funded by the state” of the following definition:

“‘institution funded by the state’ means a prison, a psychiatric hospital, a home for older persons, a treatment centre as defined in section 1 of the Prevention and Treatment of Drug Dependency Act, 1992 (Act No. 20 of 1992) or a child and youth care centre as described in section 191(1) of the Children’s Amendment Act, 2007 (Act No. 41 of 2007), which is wholly funded by the State;”.

### **Amendment of regulation 16A of the Regulations**

3. Regulation 16A of the Regulations is hereby amended by the substitution for subregulation (1) of the following subregulation:

(1) Notwithstanding the provisions of regulation 6(1)(d), regulation 9(2) and (3) and regulation 16(1)(c) and (4) of the Regulations, social relief of distress may be provided to a child where

(a) the prevailing economic circumstances in the Republic warrants the provision of social relief of distress; or

- (b) failure to provide such social relief of distress would cause undue hardship to the child.

### **Commencement**

4. These regulations will, notwithstanding the date of publication of this notice, come into effect on the 1 November 2008.
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