GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF SOCIAL DEVELOPMENT

NO. R. 7869 **31 August 2026**

CALL FOR COMMENTS ON THE AMENDMENTS TO THE SOCIAL ASSISTANCE ACT, 2004 (ACT NO. 13 OF 2004), AS AMENDED REGULATIONS RELATING TO THE APPLICATION FOR AND PAYMENT OFSOCIAL ASSISTANCE AND THE REQUIREMENTS OR CONDITIONS IN RESPECT OF ELIGIBILITY FOR SOCIAL ASSISTANCE OF 2022

I, Dina Pule, Minister responsible for Social Development, under Section 32(1) and (2), read with section 13 of the Social Assistance Act, 2004 (Act No.13 of 2004) intend to make amendments to the Regulations relating to the application for and payment ofsocial assistance and the requirements or conditions in respect of eligibility for social assistance set out in the Schedule.

Interested persons or organisations are hereby invited to submit written comments on the draft regulations from the date of publication for a period of 30 days. Comments shall be forwarded to Dr Maureen Mogotsi, Chief Director: Social Assistance by:

(a) **Post to:**
The Department of Social Development
Private Bag X901,
Pretoria
0001;

(b) **Hand to:**
The Department of Social Development
Chief Directorate: Social Assistance
134 Pretorius Street
HSRC Building
PRETORIA
0001;

(c) **by email to:** SAREGS@dsd.gov.za

Ms Dina Pule, (MP)
MINISTER OF SOCIAL DEVELOPMENT
DATE: 27-08-2026

SCHEDULE

In these regulations "Regulations" means the regulations published in the Government Notice No. R. 2119 of 31 May 2022.

Amendment of regulation 1 of the Regulations

1. 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 correctional centre as defined in the correctional Services Act, 1998 (Act No. 111 of 1998), psychiatric hospital as defined in the Mental Health Act, 2002 (Act No. 17 of 2002: Mental Health Care Act, 2002. , a home for older persons, a treatment centre as defined in section 1 of the Prevention and Treatment of Substance Abuse Act, 2008 (Act No. 70 of 2008) or a child and youth care centre as described in section 191(1) of the Children's Act, 2005 (Act No. 38 of 2005) as amended, which is wholly funded by the State;

Amendment of regulation 13 of Regulations

2. Regulation 13 of the Regulations is hereby amended by addition of the following after sub-regulation 1(c):

(d) the beneficiary must produce a valid identity document within 180 days after approval of a social grant.

(e) Failure to produce the required document within the stipulated period will result in the social grant being lapsed."

Amendment of regulation 15 of Regulations

3. Regulation 15 of the Regulations is hereby amended by the addition of the following to sub-regulation 3 (b):

" (b) the obligations of the applicant to notify the Agency of a change in his or her circumstances within 90 days of such change;"

Amendment of regulation 24 of Regulations

4. Regulation 24 of the Regulations is hereby amended by the addition of the following after sub-regulation (2):

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"(3) Notwithstanding the provisions of sub-regulation (1), if a beneficiary of an older person's grant, disability grant or war veteran's grant is detained in a correctional centre, the relevant social grant must be suspended with effect from the first day of the fourth month following the month of the beneficiary's detention".

Amendment of regulation 30 of Regulations

5. Regulation 30 of the Regulations is hereby amended by the substitution for sub-regulation (5) of the following sub-regulation:

"(5) The Agency must annually through any verifiable means as determined by the Agency confirm that the beneficiary is still alive and may by any means of communication, request a beneficiary to present him or herself before the Agency in person".

6. Regulation 30 of the Regulations is hereby amended by the substitution for sub-regulation (6) of the following sub-regulation:

"(6) If a beneficiary fails to provide the requested information or documentation contemplated in section 4(1)(b) of the SASSA Act, the Agency may within 30 days of notifying the beneficiary thereof by electronic communication or by any other means of communication, suspend payment of social assistance, in which case the beneficiary must, by completing the relevant documents, apply within 30 **[working]** days of the suspension for the restoration of such social grant".

Amendment of regulation 31 of Regulations

7. Regulation 31 of the Regulations is hereby amended by the substitution for sub-regulation (1) (a) of the following sub-regulation:

31.(1) An Older Person's Grant, a Disability Grant and a War Veteran's Grant lapses:

"(a) on the last day of the month following registration of death of a beneficiary by the Department of Home Affairs;"

8. Regulation 31 of the Regulations is hereby amended by the substitution for sub-regulation (2) (a) of the following sub-regulation:

(2) A Child Support Grant lapses on the last day of the month-

" (a) following registration of death of the child in respect of whom the Child Support Grant is paid by the Department of Home Affairs;"

9. Regulation 31 of the Regulations is hereby amended by the substitution for sub-regulation (3) (a) of the following sub-regulation:

(3) A Foster Child Grant lapses-

(a) on the last day of the month following registration of death of the foster child by the Department of Home Affairs

10. Regulation 31 of the Regulations is hereby amended by the substitution for sub-regulation (6) (a) (i) of the following sub-regulation:

(6)(a) A Care-Dependency Grant lapses on the-

(i) last day of the month following registration of death of the care-dependent child by the Department of Home Affairs;

11. Regulation 31 of the Regulations is hereby amended by the insertion of the following sub-regulation after sub-regulation (6):

"(7) Failure to provide life certification within 30 days of suspension as contemplated in sub-regulation 30 (6) of the regulations will result in the social grant being lapsed."

Amendment of regulation 34 of Regulations

12. Regulation 34 of the Regulations is hereby amended by the substitution for sub-regulation (1) of the following sub-regulation:

34.(1) The Agency may continue payment of social assistance to a beneficiary who is absent from the Republic for a period **[not]** exceeding 90 days under the following circumstances:

Amendment of regulation 34 of Regulations

13. Regulation 34 of the Regulations is hereby amended by the insertion of the following sub-regulation after sub-regulation(1):

"(1A) Notwithstanding the provisions of sub-regulation (1), the social assistance beneficiary must inform the Agency of his or her intention to leave the country, dates of departure and return."

Amendment of regulation 34 of Regulations

14. Regulation 34 of the Regulations is hereby amended by the insertion of the following sub-regulation after sub-regulation(2):

(3) (a) In the event the beneficiary is unable to return to the Republic within 90 days due to a medical, family or safety emergency as contemplated in section 16(3)(b) of the Act, the Agency may if satisfied with the statement and proof provided by the beneficiary or procurator continue payment for a period not exceeding 180 days."

(b) Continued payment as contemplated in sub-regulation (3) (a) will be subject to the Agency's receipt of admissible written updates on the circumstances of the beneficiaries after every 60 days.

(c) Failure to provide written report within seven days after the period stipulated in sub regulation (13)(3)(b) will result in the suspension of a social grant.

(d) Upon expiry of the 180 days, the social grant will be suspended until the beneficiary returns to the Republic and notifies the Agency of the same."

Commencement

15. These Regulations are called Social Assistance Act, 2004: Regulations relating to the application for and payment ofsocial assistance and the requirements or conditions in respect of eligibility for social assistance and take effect on the date of publication of this notice in the Gazette.

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ISIMEMO SOKUPHAWULA NGEZICHIBIYELO ZOMTHETHO YOSIZO LWEZENHLALAKAHLE WONYAKA WE-2004 (UMTHETHO WE-13 WONYAKA WE-2004), NJENGOKUCHITSHIYELWA KWEZIMISO EZIHLOBENE NESICELO SOKUKHOKHELWA KANYE NESENKOKHELO YOSIZO LWEZENHLALAKAHLE KANYE NEZIDINGO NOMA IMIBANDELA EMAYELANA NOKUFANELEKA UKUTHOLA USIZO LWEZENHLALAKAHLE YANGONYAKA WE-2022

Mina, u-Dina Pule, uNgqongqoshe Obheke uMnyango Wokuthuthukiswa Komphakathi, ngokweSahluko sama-32(1) kanye nese-(2), sifundwa kanye nesahluko se-13 soMthetho Wosizo Lwezenhlalakahle wonyaka we-2004 (uMthetho we-13 wonyaka we-2004) ngihlose ukwenza izichibiyelo kuZimiso ezihlobene nesicelo sokukhokhelwa kanye nesenkokhelo yosizo lwezenhlalakahle kanye nezidingo noma imibandela maqondana nokufaneleka ukuthola usizo lwezenhlalahle oluchazwe kuSheduli.

Abantu noma izinhlangano ezinentshisekelo ziyamenywa ukuthi zithumele imibono ebhalwe phansi mayelana nezimiso ezihlongozwayo kusukela ngosuku lokushicilelwa kwesikhathi esiyizinsuku ezingama-30. Imibono izothunyelwa kuDkt. Maureen Mogotsi, uMqondisi Omkhulu: Usizo Lwezenhlalakahle:

(a) Ngeposi ku:-
Mnyango Wezokuthuthukiswa Komphakathi
Private Bag X901,
Pretoria
0001;

(b) Mathupha ku:-
Mnyango Wezokuthuthukiswa Komphakathi
kwiGatsha Elikhulu: Usizo Lwezenhlalakahle
134 Pretorius Street
HSRC Building
PRETORIA
0001;

(c) I-imeyili ku:- SAREGS@dsd.gov.za

Ms Dina Pule, (MP)
MINISTER OF SOCIAL DEVELOPMENT
USUKU: 27-08-2026

ISHEDULI

Kulezi Zimiso "iZimiso" zisho izimiso ezishicilelwe eSazisweni Sikahulumeni esinguNombolo R. 2119 somhla zi-31 Meyi 2022.

Ukuchitshiyelwa kwesimiso soku-1 seZimiso

1. Isimiso soku-1 seZimiso lapha siyachitshiyelwa ngokufakwa kwencazelo elandelayo esikhundleni sencazelo ethi "isikhungo esixhaswe ngezimali nguhulumeni":

"isikhungo esixhaswe ngezimali nguhulumeni" sisho isikhungo sokuhlunyeleliswa kwezimilo njengoba sichazwe nguMthetho Wokuhlunyeleliswa Kwezimilo wonyaka we-1998 (uMthetho we-111 wonyaka we-1998) , isibhedlela sezifo zengqondo njengoba sichaziwe nguMthetho Wezempilo Yengqondo wonyaka we-2002 (uMthetho we-17 wonyaka we-2002: uMthetho Wokunakekelwa Kwempilo Yengqondo wonyaka we-2002. , ikhaya labantu asebekhulile, isikhungo sokwelapha njengoba sichazwe esahlukweni soku-1 soMthetho Wokuvimbela Nokwelapha Ukusetshenziswa Kabi Kwezidakamizwa wonyanga we-2008 (uMthetho wama-70 wonyaka we-2008) noma isikhungo sokunakekela izingane nentsha njengoba sichazwe esahlukweni se-191(1) soMthetho Wezingane wonyaka we-2005 (uMthetho wama-38 wonyaka we-2005) njengoba uchitshiyelwe, esixhaswe ngokuphelele ngezimali nguHulumeni;

Ukuchitshiyelwa kwesimiso se-13 seZimiso

2. Isimiso se-13 seZimiso siyachitshiyelwa ngokwengeza okulandelayo ngemuva kwesimiswana soku-1(c):

(d) ohlomulayo ufanele ethule incwadi kamazisi evumelekile kungakapheli izinsuku eziyi-180 ngemuva kokugunyazwa kwesibonelelo senhlalakahle.

(e) Ukwehluleka ukwethula incwadi edingekayo ngesikhathi esibekiwe kuzoholela ekutheni isibonelelo senhlalakahle siphelelwe yisikhathi.

Ukuchitshiyelwa kwesimiso se-15 seZimiso

3. Isimiso se-15 seZimiso siyachitshiyelwa ngokwengeza okulandelayo ngemuva kwesimiswana sesi-3(b):

"(b) izibopho zomfakisicelo zokwazisa i-Ejensi ngoshintsho lwezimo zakhe kungakapheli izinsuku ezingama-90 zoshintsho olunjengalolu;"

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Ukuchitshiyelwa kwesimiso sama-24 seZimiso

4. Isimiso sama-24 seZimiso siyachitshiyelwa ngokwengeza okulandelayo ngemuva kwesimiswana sesi-(2):

"(3) Kungashiywa ngaphandle imibandela yesimiswana soku-(1), uma umhlomuli wesibonelelo somuntu omdala, isibonelelo sokuphila nokukhubazeka noma isibonelelo sezigagayi zempi esigcinwe esikhungweni sokuhlunyeleliswa kwezimilo, isibonelelo senhlalakahle esifanele sifanele simiswe kusukela ngosuku lokuqala lwenyanga yesine elandela inyanga yokuboshwa komhlomuli".

Ukuchitshiyelwa kwesimiso sama-3o seZimiso

5. Regulation 30 of the Regulations is hereby amended by the substitution for sub-regulation (5) of the following sub-regulation:

"(5) I-Ejensi ifanele minyaka yonke, nganoma yiziphi izindlela ezingaqinisekiswa njengoba kunqunywe yi-Ejensi, iqinisekise ukuthi umhlomuli usaphila futhi angacela nganoma iyiphi indlela yokuxhumana, ukuthi azethule mathupha phambi kwe-Ejensi".

6. Isimiso sama-30 seZimiso lapha siyachitshiyelwa ngokufakwa esikhundleni sesimiswana sesi-(6) sesimiswana esilandelayo:

"(6) Uma umhlomuli ehluleka ukunikeza ulwazi oluceliwe noma imibhalo echazwe esahlukweni sesi-4(1)(b) soMthetho we-SASSA, i-Ejensi ingamisa ukukhokhwa kosizo lwenhlalakahle kungakapheli izinsuku ezingama-30 ngemuva kokwaziswa komhlomuli ngokuxhumana nge-elekhthronikhi noma nganoma iyiphi enye indlela yokuxhumana, lapho umhlomuli uafanele, ngokugcwalisa imibhalo efanele, afake isicelo kungakapheli izinsuku ezingama-30 **[zokusebenza]** zokumiswa kokubuyiselwa kwesibonelelo somphakathi esinjengalesi".

Ukuchitshiyelwa kwesimiso se-31 seZimiso

7. Isimiso sama-31 seZimiso lapha siyachitshiyelwa ngokufakwa esikhundleni sesimiswana sesi-(1)(a) sesimiswana esilandelayo:

31.(1) Isibonelelo Somuntu Osekhulile, Isibonelelo Sokuphila Nokukhubazeka kanye nesiBonelelo Sesigagayi Sempi siphelelwa yisikhathi:

"(a) ngosuku lokugcina lwenyanga kulandela ukubhaliswa kokushona komhlomuli nguMnyango Wezasekhaya;"

8. Isimiso sama-31 seZimiso lapha siyachitshiyelwa ngokufakwa esikhundleni sesimiswana sesi-(2)(a) sesimiswana esilandelayo:

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(2) Isibonelelo Sokwendliwa Kwezingane siphelelwa yisikhathi ngosuku lokugcina lwenyanga-

" (a) ngemuAva kokubhaliswa kokushona kwengane oSibonelelo Sokondliwa Kwezingane sikhokhwe nguMnyango Wezasekhaya;"

9. Isimiso sama-31 seZimiso lapha siyachitshiyelwa ngokufakwa esikhundleni sesimiswana sesi-(3)(a) sesimiswana esilandelayo:

(3) ISibonelelo Sokukhuliswa Kwezingane Abanye Abazali Abangebona Abazo Begazi-

(a) ngosuku lokugcina lwenyanga ngemuva kokubhaliswa kokushona kwengane ekhuliswa abazali abangebona abezi bayo nguMnyango Wezasekhaya

10. Isimiso sama-31 seZimiso lapha siyachitshiyelwa ngokufakwa esikhundleni sesimiswana sesi-(6)(a)(i) sesimiswana esilandelayo:

(6)(a) Isibonelelo Sokweyama Ekunakekelweni-

(i) okokugcina usuku lwenyanga ngemuva kokubhaliswa kokushona kwengane eyame ekunakekelweni nguMnyango Wezasekhaya;

11. Isimiso sama-31 seZimiso lapha siyachitshiyelwa ngokwengeza ngokufakwa kokulandelayo ngemuva kwesimiswana sesi-(6):

"(7) Ukwehluleka ukunikeza ngesitifiketi sokuphila kungakapheli izinsuku ezingama-30 zokumiswa njengoba kuhlongozwe kwisimiswana sama-30(6) sezimiso kuzoholela ekutheni isibonelelo senhlalakahle siphelelwe yisikhathi."

Ukuchitshiyelwa kwesimiso sama-34 seZimiso

12. Isimiso sama-34 seZimiso lapha siyachitshiyelwa ngokufakwa esikhundleni sesimiswana sesi-(1) sesimiswana esilandelayo:

34.(1) I-Ejensi ingaqhubeka nokukhokha usizo lwezenhlalakahle kumhlomuli ongekho eRiphabhulikhi isikhathi **[esingadluli]** izinsuku ezingama-90 ngokwezimo ezilandelayo:

Ukuchitshiyelwa kwesimiso sama-34 seZimiso

13. Isimiso sama-34 seZimiso lapha siyachitshiyelwa ngokwengeza ngokufakwa kokulandelayo ngemuva kwesimiswana sesi-(1):

"(1A) Kungashiywa imibandela yesimiswana soku-(1), umhlomuli wosizo lwezenhlalakahle ufanele azise i-Ejensi ngenhloso yakhe yokushiya izwe, izinsuku zokuhamba kanye nokubuya."

Ukuchitshiyelwa kwesimiso sama-34 seZimiso

14. Isimiso sama-34 seZimiso lapha siyachitshiyelwa ngokwengeza ngokufakwa kokulandelayo ngemuva kwesimiswana sesi-(2):

(3) (a) Uma kwenzeka umhlomuli engakwazi ukubuya eRiphabhulikhi kungakapheli izinsuku ezingama-90 ngenxa yesimo esiphuthumayo sezokwelapha, somndeni noma sokuphepha njengoba sihlongozwe esahlukweni se-16(3)(b) soMthetho, i-Ejensi ingahle uma yanelisekile ngesitatimende nobufakazi obunikezwe ngumhlomuli noma umuntu ogunyazwe ukuqhubeke nokukhokhelwa isikhathi esingedluli izinsuku eziyi-180.

(b) Inkokhelo eqhubekayo njengoba kuhlongozwe kusimiswana sesi-(3)(a) izoncika ekutholeni kwe-Ejensi izibuyekezo ezibhaliwe ezimukelwe mayelana nezimo zabahlumuli njalo ngemuva kwezinsuku ezingama-60.

(c) Ukwehluleka ukunikeza umbiko obhaliwe kungakapheli izinsuku eziyisikhombisa ngemuva kwesikhathi esichazwe kwisimiswana se-(13)(3)(b) kuzoholela ekumisweni kwesibonelelo senhlalakahle.

(d) Uma sekuphele izinsuku eziyi-180, isibonelelo sezenhlalakahle sizomiswa kuze kube yilapho umhlomuli ebuya eRiphabhulikhi futhi azise i-Ejensi ngaso.

Ukuqala

15. Lezi Zimiso zibizwa ngokuthi uMthetho Wosizo Lwezenhlakahle wonyaka we-2004: Izimiso ezihlobene nesicelo sokukhokhelwa kanye nesenkokhelo yosizo lwezenhlalakahle kanye nezidingo noma imibandela emayelana nokufaneleka ukuthola usizo lwezenhlalakahle futhi uzoqala ukusebenza ngosuku lokushicilelwa kwalesi saziso kugazethi.