

REPUBLIC OF SOUTH AFRICA

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# **SOCIAL ASSISTANCE AMENDMENT BILL**

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*(As amended by the Portfolio Committee on Social Development (National Assembly))  
(The English text is the official text of the Bill)*

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(MINISTER OF SOCIAL DEVELOPMENT)

**[B 8B—2018]**

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**Amendment of section 4 of Act 13 of 2004**

2. Section 4 of the principal Act is hereby amended—

- (a) by the substitution for the heading of the following heading:  
**“Provision of social [grants] assistance”**;
- (b) by the deletion of “and” at the end of paragraph (f), the substitution of the expression “; and” for the full stop at the end of paragraph (g) and the addition of the following paragraph:  
**“(h) social relief of distress.”**.

**Substitution of section 6 of Act 13 of 2004**

3. The following section is hereby substituted for section 6 of the principal Act: 10

**“Child support grant**

6. Subject to section 5—

- (a) a person who is the primary care giver of a child; or  
 (b) a child who heads a child-headed household, as contemplated in section 137 of the Children’s Act, 2005 (Act No. 38 of 2005), is eligible for a child support grant.”. 15

**Insertion of section 12A in Act 13 of 2004**

4. The following section is hereby inserted in the principal Act after section 12:

**“Additional payments**

- 12A.** (1) The Minister, with the concurrence of the Minister of Finance, may prescribe an additional payment linked to a social grant. 20  
 (2) The Minister may, in prescribing an additional payment, differentiate on the basis of need between beneficiaries of social grants.”.

**Substitution of section 13 of Act 13 of 2004**

5. The following section is hereby substituted for section 13 of the principal Act: 25

**“Social relief of distress**

- 13.** (1) A person is, subject to section 5, eligible for social relief of distress if the person qualifies as prescribed.  
 (2) Notwithstanding subsection (1) and sections 27, 41 and 55 of the Disaster Management Act, any person may qualify for social relief of distress if his or her household has been affected by a disaster. 30  
 (3) The Agency must, subject to subsections (1) and (2), disburse the social relief of distress as prescribed.  
 (4) Notwithstanding subsection (2), the Agency may in the event of a disaster and depending on the magnitude of the disaster and the availability of resources, determine as prescribed, the needs of the affected communities and disburse the social relief of distress.”. 35

**Amendment of section 14 of Act 13 of 2004, as amended by section 2 of Act 5 of 2010**

6. Section 14 of the principal Act is hereby amended by the substitution in subsection (3)(b) for subparagraph (iii) of the following subparagraph: 40

- “(iii) of his or her right **[to request reconsideration and his or her rights]** of appeal contemplated in section 18 and of the mechanism and procedure to invoke **[any]** such right.”.