

**PORTFOLIO COMMITTEE AMENDMENTS TO
CHILDREN'S AMENDMENT BILL**

[B18 — 2020]

(As agreed to by the Portfolio Committee on Social Development)

(National Assembly)

CLAUSE 1

1.
 - (a) On page 2, in line 15, after “has” to insert “, if applicable,”.
 - (b) On page 2, from line 19 to omit definition of “**adoption service**”.
 - (c) On page 3, from line 7 to omit definition of “**after care**”.
 - (d) On page 3, from line 16 to omit definition of “**care**”.
 - (e) On page 3, from line 23 to omit definition of “**care giver**”.
 - (f) On page 3, from line 24 to omit definition of “**circumcision**”.
 - (g) On page 3, from line 27 to omit definition of “**clerk of the court**”.
 - (i) On page 3, from line 37 to omit definition of “**divorce court**”.
 - (j) On page 3, from line 38 to omit definition of “**early childhood development centre**”.
 - (k) On page 3, from line 43 to omit definition of “**early childhood development service**”.
 - (l) On page 3 from line 50 to omit definition of “**family counsellor**”.
 - (m) On page 3 from 55 line to omit definition of “**genital mutilation**”.
 - (n) On page 4 from line 1 to omit definition of “**intercountry adoption**”.
 - (o) On page 4, from line 8 to omit definition of “**midwife**”.

- (p) On page 4, from line 11 to omit definition of “**nurse**”.
- (r) On page 4, from line 16 to omit definition of “**party**”.
- (s) On page 4, from line 21 to omit definition of “**regional court**”.
- (t) On page 4, from line 24 to omit definition of “**separated migrant child**”.
- (u) On page 4, from line 30 to omit definition of “**sexual abuse**”.
- (v) On page 4, from line 34 to omit definition of “**social service practitioner**”.
- (x) On page 4, from line 42 to omit definition of “**temporary safe care**”.
- (y) On page 4, from line 51 to omit definition of “**unaccompanied migrant child**”.
- (z) On page 4, from line 57 to omit substitution of “subsection 4”.

CLAUSE 2

Clause rejected.

CLAUSE 3

Clause rejected

CLAUSE 4

Clause rejected

CLAUSE 5

Clause rejected.

CLAUSE 6

Clause rejected.

CLAUSE 7

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CLAUSE 8

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CLAUSE 55

Clause rejected.

CLAUSE 56

Clause rejected.

New clause

Amendment of section 105 of Act 38 of 2005, as inserted by section 5 of Act 41 of 2007

“2” Section 105 of the principal Act is hereby amended by the insertion after subsection (5) of the following subsection:

“(6) The Department must, as prescribed, develop and conduct a quality assurance process for the evaluation of-

- (a) child protection services; and
- (b) child protection organisations as contemplated in section 107.”.

CLAUSE 57

Clause rejected.

CLAUSE 58

Clause rejected.

CLAUSE 59

Clause rejected.

CLAUSE 60

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CLAUSE 80

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CLAUSE 81

Clause rejected.

CLAUSE 85

1. In line 50, after “is” to omit “less than”.
2. In line 50, after “age” to insert “or less”.

CLAUSE 86

Clause rejected

New clause

Amendment of section 159 of Act 38 of 2005, as amended by section 8 of Act 17 of 2016

“3” Section 159 of the principal Act is hereby amended by the insertion after subsection (2) of the following subsections:

“2A. A court may extend an alternative care order that has lapsed or make an interim order for a period not exceeding six months on good cause shown.”.

“2B. “Notwithstanding the amendment to section 150(1)(a), an order placing an orphaned or abandoned child in foster care with a family member in terms of section 156 before or on the date of this Amendment Act, may be extended by the court in terms of section 159(2) or section 186(2).”.

CLAUSE 87

Clause rejected.

CLAUSE 88

Clause rejected.

CLAUSE 89

Clause rejected.

CLAUSE 90

Clause rejected.

CLAUSE 91

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CLAUSE 95

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CLAUSE 144

Clause rejected.

CLAUSE 145

Clause rejected.

CLAUSE 146

Clause rejected.

NEW CLAUSE

On page 34, after line 6 to insert the following

“4” “(cA) the procedure, form and manner that a social service practitioner must follow when assessing, screening, investigating, referring to the relevant authority and placing a child who is in need of care and protection.”.

LONG TITLE

Long tile rejected

NEW LONG TITLE

To amend the Children’s Act, 2005, so as to amend and insert certain definitions; to extend the children’s court jurisdiction; to further provide for the care of abandoned or orphaned children and additional matters that may be regulated; to provide for additional matters relating to children in alternative care; and to provide for matters connected therewith.