

GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF SOCIAL DEVELOPMENT

NO. 4364

14 February 2024

CALL FOR COMMENTS ON THE AMENDMENTS TO THE REGULATIONS RELATING TO COVID-19 SOCIAL RELIEF OF DISTRESS ISSUED IN TERMS OF SECTION 32, READ WITH SECTION 13, OF THE SOCIAL ASSISTANCE ACT, 2004 (ACT NO. 13 OF 2004), AS AMENDED

I, Lindiwe Zulu, 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 Covid-19 Social Relief of Distress as set out in the Schedule.

Interested persons or organisations are hereby invited to submit written comments on the draft regulations within 21 days from the date of publication thereof. Comments shall be forwarded to Dr Maureen Mogotsi, Acting 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



L ZULU (MP)
MINISTER OF SOCIAL DEVELOPMENT
DATE: 14/2/2024

**ISICELO SEMIBONO NGEZICHIBIYELO ZEZIMISO EZIPHATHELENE NOSIZO
LWEZENHLAKAHLE LWE-COVID-19 EZIKHISHWE NGOKWESAHLUKO SAMA-32,
ESIFUNDWA NESAHLUKO SE-13, SOMTHETHO WOKUSIZO
LWEZENHLALAKAHLE WONYAKA WE-2004 (UMTHETHO WE-13 WONYAKA WE-
2004), NJENGOBA UCHITSHIYELWE**

Mina, Lindiwe Zulu, uNgqongqoshe obhekele ukuThuthukiswa Komphakathi, ngokweSahluko sama-32(1) nese-(2), esifundwa nesahluko se-13 soMthetho Wosizo Lwezenhlalakahle wonyaka we-2004 (uMthetho we-13 wonyaka we-2004) ngihlose ukwenza izichibiyelo kwiZimiso eziphathelelene noSizo Lwezenhlakahle Lwe-covid-19 njengoba zishiwo kuSheduli.

Abantu abanetshisekelo noma izinhlango ezinetshisekelo bayamenywa ukuba balethe imibono ebhalwe phansi mayelana nezimiso ezisasetshenzwa kungakapheli izinsuku ezingama-21 kusukela ngosuku lokushicilelwa kwazo. Imibono izodluliselwa ku-Dkt Maureen Mogotsi, oyiBamba Lomqondisi Omkhulu: Usizo Lwezenhlakahle ngalezi zindlela:

- (a) **Ngeposi ku:-**
The Department of Social Development
Private Bag X901,
Pretoria
0001;
- (b) **Ngesandla ku:-**
The Department of Social Development
Chief Directorate: Social Assistance
134 Pretorius Street
HSRC Building
PRETORIA
0001;
- (c) **Nge-imeyili ku:- SAREGS@dsd.gov.za**



L ZULU (u-MP)
UNGQONGQOSHE WOKUTHUTHUKISWA KOMPHAKATHI
USUKU:14/2/2024

SCHEDULE

In these regulations "Regulations" means the regulations published in the Government Notice No. R. 2042 of 22 April 2022, as amended by Government Notice No. R. 2381 of 16 August 2022, and Government Notice No. R. 3210 of 29 March 2023.

Amendment of regulation 5 of Regulations

1. Regulation 5 of the Regulations is hereby amended by the substitution for sub-regulations (1) and (3) of the following sub-regulations:

"(1) The monthly amount of the COVID-19 Social Relief of Distress is R350 per person and is payable for the months in the period 1 April [2023] 2024 to 31 March [2024] 2025".

"(3) The payments in terms of these regulations- (a) are limited to the amount appropriated for the [2023/2024] 2024/2025 financial year to the vote of Social Development for social relief of distress; and (b) may only be made in respect of applications, made during the period 1 April 2022 to 31 March [2024] 2025, and approved by the Agency".

Insertion of regulation 6A in Regulations

2. The following regulation is hereby inserted after regulation 6.

"Recovery and uncollected benefits"

6A. "(1) The Agency may recover all monies paid to any person in the event that such a person has irregularly benefitted or was not entitled to benefit from the COVID-19 Social Relief of Distress.

(2) An applicant whose application was approved but was not paid because he or she was not traceable or did not contact the Agency to update his or her personal details, including payment details, within 90 days of being notified to do so, the application may be cancelled and any monies due to him or her will be forfeited to the State.

(3) Before the money is forfeited to the State as contemplated in subregulation (2), the applicant who has not responded to the communication of the Agency must be given 90 days to respond from the date of notification by the Agency through the last known mobile number in possession of the Agency.

(4) It is the responsibility of the applicant to ensure that the Agency has his or her current mobile number as the Agency cannot be held liable for messages sent to an incorrect mobile number.

(5) The applicant must ensure that the Agency has his or her correct banking details to enable bank verification and payment”.

Insertion of regulation 6B in Regulations

3. The following regulation is hereby inserted after regulation 6A.

“Death of COVID-19 Social Relief of Distress beneficiary”

6B “If the beneficiary of a COVID-19 Social Relief of Distress dies, the grant will be paid until the end of the month in which the beneficiary died”.

Insertion of regulation 6C in the Regulations

4. The following regulation is hereby inserted after regulation 6B.

“Transitional provision”

6C “To ensure uninterrupted assessments and payments during the transition between the Regulations published on 29 March 2023 and these amendments, the Agency may use data used during the March 2024 assessment cycle, in terms of regulation 2, for continued assessments of clients up to 31 May 2024”.

Short title and Commencement

6. These Regulations are called Social Assistance Act, 2004: Amendment Regulations Relating to COVID-19 Social Relief of Distress and take effect on 01 April 2024 by publication of this notice in the Gazette.

ISHEDULI

Kulezi zimiso "iZimiso" zichaza izimiso ezishicilelwe kwiSaziso Sikahulumeni Esingunombolo R. 2042 somhla zi-22 Ephreli 2022, njengoba zichitshiyelwe ngeSaziso Sikahulumeni Esingunombolo R. 2381 somhla zi-16 Agasti 2022, kanye neSaziso Sikahulumeni Esingunombolo R. 3210 somhla zi-29 Mashi 2023.

Ukuchitshiyelwa kwesimiso sesi-5 seZimiso

1. ISimiso sesi-5 seZimiso lapha siyachitshiyelwa ngokufaka esikhundleni sesimiswan soku-(1) kanye nesesi--(3) salezi zimiswana ezilandelayo:

"(1) Inani lemali yanyanga zonke zoSizo Lwezenhlalakahle lwe-COVID-19 ingama-R350 umuntu ngamunye futhi ikhokhelwa izinyanga ezisukela mhla lu-1 Ephreli 2024 ukuya zingama-31 Mashi 2025".

"(3) Izinkokhelo ngokwale zimiso- (a) ziphelela enanini lemali elabelwe unyaka wezimiso 2024/2025 mayelana nokuThuthukiswa Komphakathi ngosizo lomphakathi; futhi (b) zingakhokhwa kuphela mayelana nezicelo, ezenziwe ngesikhathi esimaphakathi komhla lu-1 Ephreli 2023 ukuya mhla zingama-31 Mashi 2025 , futhi ezamukelwe yisiKhungo"

Ukufakwa kwesimiso sesi-6A kuZimiso

2. Lesi simiso esilandelayo lapha sifakwa ngemuva kwesimiso sesi-6.

"Ukubuswa kwemihlomulo kanye nemihlomulo engaqoqiwe"

6A. "(1) I-Ejensi ingase ibuyise zonke izimali ezikhokhelwe nanoma yimuphi umuntu esimweni lapho lowo muntu ehlo mule ngokungafanele noma ebengenalungelo lokuhlomula oSizweni Lwezenhlalakahle lwe-COVID-19.

(2) Umfakisisicelo osicelo sakhe savunywa kodwa sangakhokhwa ngenxa yokuthi ubengatholakali noma akangazange axhumane ne-Ejensi ukuze kubuyekzwe imininingwane yakhe, kubandakanya imininingwane yokukhokha, kungapheli izinsuku ezingama-90 zokwenze njalo, isicelo singakhanselwa futhi nanoma yiziphi izimali okufanele zikhokhwele yena zizophucwa uMbuso.

(3) Ngaphambi kokuthi imali iphucwe uMbuso njengoba kuhlangozwe kwisimiswana sesi-(2), umfakisisicelo ongakaphenduli ekuxhumaneni ne-Ejensi ufanele anikezwe izinsuku ezingama-90 ukuba aphenidule kusukela ngosuku lokwaziswa yi-Ejensi keinombolo kamakhalekhukhwini eyaziwayo yokugcina ephethwe yi-Ejensi.

(4) Kungumsebenzi womfakisisicelo ukuqinisekisa ukuthi i-Ejensi inenombolo yakhe yamanje kamakhalekhukhwini njengoba i-Ejensi ingeke ithweswa icala

ngemiyalezo ethunyelwe enombolweni yeselula okungeyona.

(5) Umfakisicelo ufanele aqinisekise ukuthi i-Ejensi ineminingwane yakhe yasebhange efanele ukuze ikwazi ukuqinisekisa nebhange kanye nokukhokha".

Ukufakwa kwesimiso sesi-6B kuZimiso

3. Lesi simiso esilandelayo lapha sifakwa ngemuva kwesimiso sesi-6A.

"Ukushona kohlomula oSizweni Lwezenhlalakahle lwe-COVID-19"

6B "Uma ohlomula oSizweni Lwezenhlalakahle lwe-COVID-19 eshona, isibonelelo sizokhokhwa kuze kube sekupheleni kwenyanga lowo ohlomulile ashone ngayo".

Ukufakwa kwesimiso sesi-6C kuZimiso

4. Lesi simiso esilandelayo lapha sifakwa ngemuva kwesimiso sesi-6B.

"Umbandela wesikhashana"

6C "Ukuqinisekisa ukuhlolwa nezinkokhelo ezingaphazamiseki ngesikhathi soshintsho oluphakathi kweZimiso zomhla zi-29 Mashi 2023 kanye nalezi zichibiyelo, i-Ejensi ingasebenzisa umniningo osetshenziswe ngoMashi 2024 ngomjikelezo wokuhlola, ngokwesimiso sesi-2, ukuze kuqhutshekwe nokuhlolwa kwamaklayenti kuze kufike mhla zi-31 Meyi 2024."

Isihloko Esifushane Nokuqala

6. Lezi Zimiso zibizwa ngoMthetho Wosizo Lwezenhlalakahle wonyaka we-2004: IZimiso Ezichitshiyelwe Ezihlobene Nosizo Lwezenhlalakahle lwe-COVID-19 futhi izoqala ukusebenza mhla lu-01 Ephreli 2024 ngokushicilelwa kwalesi saziso kwiGazethi.