



NEGOTIATING MANDATE

To: The Chairperson: Select Committee on Social Services

Name of the Bill: Social Assistance Amendment Bill

Number of the Bill: [B5B-2010]

Date of Deliberation: 17 August 2010

Vote of the Legislature: The Committee resolved that authority be conferred on the permanent delegation to the NCOP to negotiate in favour of the Bill taking into consideration the recommendations made by the Committee below:

1. That late applications for reconsideration by applicants or beneficiaries to SASSA must be condoned by SASSA in the same way that the Independent Tribunal condones late applications for appeals in section 18(4); and
2. That timeframes for decisions on appeals to the Independent Tribunal or applications for reconsideration to SASSA must be specified.

SIGNATURE

16/08/2010

DATE

HON P. NGOBENI
CHAIRPERSON OF THE PORTFOLIO COMMITTEE ON HEALTH AND
SOCIAL DEVELOPMENT

REPORT OF THE PORTFOLIO COMMITTEE ON HEALTH AND SOCIAL DEVELOPMENT ON SOCIAL ASSISTANCE AMENDMENT BILL, [B5B-2010]

1. INTRODUCTION

The Speaker referred the Social Assistance Amendment Bill, [B5B-2010] to the Portfolio Committee on Health and Social Development (the Committee) for consideration and report back to the House in accordance with the Rules and Orders of the Mpumalanga Provincial Legislature.

In terms of Section 118(1) of the Constitution, the Legislature has a mandate to facilitate public involvement in the Legislative and other processes of the Legislature and its committees. Hence, the Committee conducted public hearings in a form of radio slots to solicit inputs or views of the public on the above-mentioned Bill.

2. OBJECTIVES OF THE BILL

The purpose of the bill is mainly;

- To amend the Social Assistance Act, 2004, so as to enable applicants and beneficiaries to apply to the Agency to reconsider its decision;
- To further regulate appeals against decisions of the Agency;
- To effect certain textual corrections; and
- To provide for matters connected therewith.

3. METHOD OF WORK

The Committee met with the National Department of Social Welfare Services, Mpumalanga Department of Social Development, Legal Advisor from the Legislature, officials from South African Social Security Agency (SASSA) on 06 August 2010 for a briefing on the Bill. Accordingly the Committee resolved to conduct public hearings through radio slots to solicit inputs/comments from members of the public; which were scheduled and conducted as follows:

BOHLABELA DISTRICT

DATE	Friday, 13 August 2010
VENUE	Bushbuckridge Community Radio Station
TIME	19:00

NKANGALA AND GERT SIBANDE DISTRICT

DATE	Monday, 16 August 2010
VENUE	Ikwewezi FM
TIME	19:00

During the public hearings/radio slots, Members of the committee explained the Bill thoroughly and also responded to the questions of clarity raised thereafter.

4. OBSERVATIONS AND FINDINGS BY THE COMMITTEE

Inputs and comments were made by members of the public during the public hearing/radio slot held. [on 13 August 2010.]

Generally, members of the public were in support of the proposed amendments, though other comments made were not related to the objects of the Bill and the Committee felt that the Act covers most of the concerns they had raised.

5. RECOMMENDATIONS

1. That SASSA should condone late applications for reconsideration by applicants or beneficiaries in the same way that the Tribunal condones late applications for appeals in section 18(4);
2. That the Department ensures that timeframes for responses on appeals are included and specified in the regulations to be drafted.

6. CONCLUSION

The Chairperson wishes to thank all members of the public for their worthwhile participation in the public hearings and for the inputs or comments they have made. She also extends a word of gratitude to the Members of the Portfolio Committee on Health and Social Development for their efforts in ensuring that the committee meets its obligation and the support staff who contributed to the success of the public hearings and the production of this report.



HON P NGOBENI

**CHAIRPERSON: PORTFOLIO COMMITTEE
ON HEALTH AND SOCIAL DEVELOPMENT**

16/08/2010

DATE