

**PRESENTATION TO THE SELECT
COMMITTEE ON SECURITY AND
CONSTITUTIONAL DEVELOPMENT**

MILITARY VETERANS BILL

19 OCTOBER 2011

DG: MOTUMI



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Department:
Military Veterans

REPUBLIC OF SOUTH AFRICA



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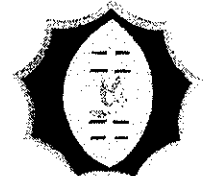
- To introduce the Bill to the Committee; indicate concerns raised by public members during the public hearings and provide answers to the concerns as raised.



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Military Veterans Task Team

The Minister of Defence and Military Veterans established a Ministerial Task Team on Military Veterans following the new administration.

Its mandate was... “To develop policy recommendations that would serve as a framework for the management of military veterans’ affairs in South Africa...

To recommend policy on benefits or support to military veterans and the institutional structures required to deliver the envisaged policy, and...

To advice on the appropriateness or otherwise of the current legislation, after an evaluation of the current situation or status quo as it pertains to military veterans”.



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Military Veterans Task Team: Recommendation

- Recommended an overhaul to the Military Veterans' Affairs Act(1999) to enable enhanced legislative protection of Military Veterans and their Dependants;
- The Military Veterans Bill is drafted in line with the above (MTTMV) recommendations.



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Military Veterans Bill: Lon title

- The Bill provides for principles recognised by the State as governing the affairs of military veterans and for policy objectives in this regard, the President to be Patron-in-Chief of all military veterans; benefits relating to military veterans; the establishment of the Advisory Council on Military Veterans and the Military Appeal Board; and certain functions of the Department of Military Veterans; and to provide for matters incidental thereto.



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Fundamental Principles: Sec 3

- Sacrifices made by military veterans and/or their role in democratisation of the country are honoured
- Compensation to which military veterans may be entitled are not welfare
- Means test to be utilised to determine eligibility to the benefits
- Organs of state and government department must cooperate with DMv to ensure progressive realisation of the benefits



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Authority of the President: Sec 4

- President is, as the commander-in-chief of the SANDF, patron-in-chief of all military veterans



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Benefits relating to mil vets:S5

- Section list lists ten benefits which military veterans may be entitled to:
 - 1) Compensation for occupational injuries
 - 2) Counseling;
 - 3) Honouring and memorialising of fallen mil vets
 - 4) Education, training and skills development
 - 5) Facilitation of employment placement
 - 6) Facilitation of or advice on business opportunities
 - 7) Subsidization or provisioning of public transport
 - 8) Pension
 - 9) Access to health care; and
 - 10) Housing



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SANMVA: Sec 8

- DG is given function to ensure Association serves as Umbrella Body of all Military Veterans

Function of Association: Sec 9

- Section 9 spells out the function of the Association

Establishment of Mil Advisory Council: Sec 10

- This Section established Advisory Council on Military Veterans to attend to the interests of military veterans.



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Appeal Board: Sec 20

- The Appeal Board is established in sec 20.
- The Minister appoints members of the Board and designates the Chairperson after consultation with the Association.
- The Board will consider any appeal lodged with it by a military veteran against any decision taken by an official in terms of this Act which adversely affects the rights of military veterans.
- The Board may **confirm, set aside or vary the relevant decision, substitute** any other decision, or provide the required legal advice



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Public Hearings Issues

- Definitions of military veterans
- Dishonourable discharge
- President Patron-in-chief, the title
- Benefits sec 5(1) (e) and (f) facilitation of employment/business opportunities
- Hierarchy of needs
- SANMVA
- Regulations

These issues and others were answered by the Department as indicated in the following presentation to the PCD on 25 May 2011.



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