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THE PRESIDENCY

No. 768 14 July 2008

It is hereby notified that the President has assented to the following Act, which is hereby published for general information:–

No. 6 of 2008: Social Assistance Amendment Act, 2008.



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GENERAL EXPLANATORY NOTE:

[ ] Words in bold type in square brackets indicate omissions from existing enactments.

Words underlined with a solid line indicate insertions in existing enactments.

(English text signed by the President.)
(Assented to 9 July 2008.)

ACT

To amend the Social Assistance Act, 2004, so as to regulate afresh the eligibility of men for an older person's grant; and to make further provision for the consideration of appeals against the Agency by an independent tribunal; and to provide for matters connected therewith.

BE IT ENACTED by the Parliament of the Republic of South Africa, as follows:—

Amendment of section 10 of Act 13 of 2004

1. Section 10 of the Social Assistance Act, 2004 (hereinafter referred to as the principal Act), is hereby amended by the substitution for paragraph *(b)* of the following paragraph:

"*(b)* in the case of a man, he has **[attained the age of 65 years]**—

(i) after 1 April 2008, attained the age of 63 years;

(ii) after 1 April 2009, attained the age of 61 years; or

(iii) after 1 April 2010, attained the age of 60 years.".

Amendment of section 18 of Act 13 of 2004

2. Section 18 of the principal Act is hereby amended—

(a) by the substitution for subsection (2) of the following subsection:

"(2) The Minister may**[, after considering]**—

(a) upon receipt of the applicant's written appeal and the Agency's reasons for the decision, **[**—

(a)] confirm, vary or set aside that decision; or

(b) appoint an independent tribunal to consider **[the]** an appeal contemplated in subsection (1) in accordance with such conditions as the Minister may prescribe by notice in the *Gazette*, and that tribunal may, after consideration of the matter, confirm, vary or set aside that decision or make any other decision which is just."; and

(b) by the addition of the following subsection:

"(3) If the Minister has appointed an independent tribunal in terms of subsection (2)*(b)* all appeals contemplated in subsection (1) must be considered by that tribunal.".

Short title

3. This Act is called the Social Assistance Amendment Act, 2008.

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