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GOVERNMENT NOTICE

DEPARTMENT OF SOCIAL DEVELOPMENT

No. R. 1258

29 December 2010

PUBLICATION FOR COMMENT: DRAFT REGULATIONS UNDER THE SOCIAL ASSISTANCE ACT, 2004 (INCLUDING THE SOCIAL ASSISTANCE AMENDMENT ACT, 2010)

DRAFT REGULATIONS FOR THE LODGING AND CONSIDERATION OF APPLICATIONS FOR RECONSIDERATION OF SOCIAL ASSISTANCE APPLICATION BY THE AGENCY AND SOCIAL ASSISTANCE APPEALS BY THE INDEPENDENT TRIBUNAL AND OTHER MATTERS.

The Minister of Social Development intends, under section 32 of the Social Assistance Act, 2004 (Act No. 13 of 2004), as amended, to make regulations set out in the schedule hereto.

Interested parties are invited to submit comments on the proposed draft regulations to the Director-General: Social Development, Private Bag X901, Pretoria, 0001, fax number (012) 312 7106 or e-mail: PuseletsoL@dsd.gov.za (for attention: Mr Puseletso Loselo), on or before 14 February 2011.

Copies of the draft regulations can be obtained from the Government Printer Pretoria, from Mr P Loselo or Ms N Lekgetho, Department of Social Development, 6th Floor, HSRC Building, 134 Pretorius Street, Pretoria, Tel: (012) 312-7094

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CHAPTER 1

DEFINITIONS

1. Definitions and Interpretation

In these Regulations, any word or expression to which a meaning has been assigned in the Act shall have the meaning so assigned and unless the context otherwise indicates –

“medical practitioner” means “medical practitioner” as defined in the Health Professions Act 56 of 1974, as amended;

“the Act” means the Social Assistance Act, 2004 (Act No. 13 of 2004) as amended from time to time;

“2008 Regulations” means the Regulations No 31356 as amended, made in terms of section 32 of the Social Assistance Act, 2004, relating to the application for and payment of social assistance and the requirements or conditions in respect of eligibility for social assistance, published in the Government Notice No.8948 dated 22 August 2008.

CHAPTER 2

APPLICATION FOR RECONSIDERATION AND CONSIDERATION OF THE APPLICATION

Application for reconsideration

[Section 18(1)]

2.(1) An applicant, beneficiary or a person acting on his or her behalf, who disagrees with the decision and reasons for the decision by the Agency may apply to the Agency in terms of section 18(1) of the Act requesting the Agency to reconsider its decision in a form similar to **Form 1**.

(2) An application contemplated in sub-regulation (1) must be based on the same information which was supplied to the Agency when the initial application was made and must be accompanied by:

(a) any document provided by the Agency as proof of receipt of an application for social assistance;

(b) a copy of a letter of rejection or approval of social assistance application by the Agency;

(c) any other relevant document in relation to the application; and

(d) In the case of a person applying on behalf of the beneficiary or applicant, a copy of the power of attorney or proof of his or her appointment by the applicant or beneficiary to act on his or her behalf.

Consideration of an application for reconsideration

3. (1) The Chief Executive Officer of the Agency or his or her delegate must assign such number of officials as may be necessary to consider applications contemplated in regulation 2.

(2) An official contemplated in sub-regulation (1) must occupy a position that is higher in rank to that of the official or officials who considered the application in respect of which the applicant or beneficiary or a person acting on his or her behalf is requesting reconsideration.

(3) The Agency may, within 90 days of receipt of an application contemplated in regulation 2 and after consideration of the application-

(a) uphold the application; or

(b) dismiss the application and provide reasons thereof in a form contemplated in sub-regulation (5).

(4) The Agency must after having upheld the application for reconsideration in respect of:

(a) the duration of a disability grant replace that decision with a longer disability grant subject to regulation (3)(b)(ii) of the 2008 Regulations;

(b) a decision by the Agency to grant the applicant or beneficiary a temporary disability grant instead of a permanent disability grant replace that decision with a permanent disability grant subject to regulation (3)(b)(ii) of the 2008 Regulations;

(c) the grant amount payable in respect of a war veteran, disability or older person's grant, increase that amount subject to Annexure A of the 2008 Regulations;

(d) the refusal by the Agency of an application for a disability grant subject to regulation (3)(b)(ii) of the 2008 Regulations, and the Act, replace it with either a temporary or a permanent disability grant;

(e) refusal by the Agency of an application for a child support grant, subject to Annexure B of the 2008 Regulations and the Act, replace that decision to provide a child support grant;

(f) refusal by the Agency of an application for a war veterans grant, subject to Annexure A of the 2008 Regulations and the Act, replace that decision with a decision to provide a war veterans grant;

(g) refusal by the Agency of an application for an older persons' grant subject to Annexure A of the 2008 Regulations and the Act, replace that decision with a decision to provide a older persons grant;

(h) refusal by the Agency of an application for a grant-in-aid, subject to Annexure A of the 2008 Regulations and the Act, replace that decision with a decision to provide a grant-in-aid;

(i) refusal by the Agency of an application for a foster child grant subject to Annexure C of the 2008 Regulations and the Act, replace that decision with a decision to provide a foster child grant;

(j) refusal by the Agency of an application for a social relief of distress, subject to the 2008 Regulations and the Act, replace that decision with a decision to provide a social relief of distress; or

(k) refusal by the Agency of an application for a care dependency grant, subject to Annexure D of the 2008 Regulations and section 7 of the Act, replace that decision with a decision to provide for a care dependency grant.

(5) The decision and reasons thereof contemplated in sub-regulation (3) must be communicated, within the period stipulated in sub-regulation (3), to the person referred to in regulation 2(1) in a form similar to **Form 2**.

CHAPTER 3

APPOINTMENT AND COMPOSITION OF INDEPENDENT TRIBUNAL

Appointment

4. The Minister may appoint one or more Independent Tribunal to consider appeals as envisaged in section 18 of the Act.

Period of appointment

5. The appointment of an Independent Tribunal contemplated in regulation 4 must be for a specific period of time and on such terms and conditions as the Minister may determine.

Composition

6. (1) The Independent Tribunal considering an appeal shall, subject to sub regulation (2) and (3) be constituted by:

- (a) a legal practitioner who shall also be the chairperson;
- (b) medical practitioner who shall be an assessor; and
- (c) a member of civil society.

(2) A medical practitioner may only form part of the Independent Tribunal in respect of an appeal on disability, care dependency, war veteran's or grant-in-aid grant.

(3) A member of civil society may only form part of the Independent Tribunal in respect of an appeal against the decision of the Agency relating to a social relief of distress grant.

Qualifications and experience of members of Independent Tribunal**Legal practitioner**

7. The legal practitioner as contemplated in regulation 6 (1)(a) must be a person:

- (a) who is an admitted attorney, advocate of the High Court of South Africa or a person with experience in the administration of law;
- (b) who has at least five years post admission experience in the practise of law or at least five years post graduate experience in the administration of law;
- (c) who has not been struck off the roll of Attorneys or Advocates;
- (d) who is a fit and proper person; and
- (e) whose appointment will not give rise to a conflict of interests.

Medical practitioner

8. A medical practitioner as contemplated in regulation 6(1)(b) must be a person:

- (a) who is registered with the Health Professions Council of South Africa;
- (b) who has at least five years post-registration experience in the practise of medicine;
- (c) whose registration with the Health Professions Council of South Africa has not been revoked;
- (d) who is fit and proper; and
- (e) who is not in the full-time employ of the public health service or in the full-time or part-time employ of the Agency.

Member of civil society

9. A member of civil society as contemplated in regulation 6(1)(c) must be a person –
- (a) of good standing in the community; and
 - (b) whose appointment will not give rise to a conflict of interest.

CHAPTER 4

ROLES AND POWERS OF INDEPENDENT TRIBUNAL

Legal Practitioner

10. The legal practitioner shall-
- (1) be responsible for deciding and ruling whether or not an appeal is to be upheld after consultation with the medical practitioner in respect of appeals contemplated in sub regulation 6(2) and a member of civil society in respect of an appeal contemplated in sub regulation 6(3);
 - (2) be responsible for writing down the decision of the Independent Tribunal and the reasons thereof; and
 - (3) sign off on the decision and reasons contemplated in sub regulation (2).

Medical Practitioner

11. The medical practitioner shall-
- (1) be responsible for the assessment of all medical aspects of appeals in respects of grants contemplated in regulation 6(2);
 - (2) be responsible for advising the legal practitioner on all medical aspects of the appeals contemplated in sub-regulation (1); and
 - (3) make recommendations in respect of appeals contemplated in this regulation in a form similar to **Form 3**.

Member of civil society

12. The member of civil society shall be responsible for advising the Independent Tribunal on the socio-economic aspects of the applicant or the beneficiary in respect of an appeal contemplated in sub regulation 6(3).

Powers of Independent Tribunal

13. (1) The Independent Tribunal has the power to-

(a) consider all applications for appeal by applicants, beneficiaries or persons acting on behalf of applicant or beneficiary in terms of section 18(1A) of the Act.

(b) in an instance where it is adjudicating an appeal by the applicants, beneficiaries or persons acting on behalf of applicant or beneficiary and it is not satisfied with reasons provided by the applicants, beneficiaries or persons acting on behalf of applicant or beneficiary, it may request further written reasons from applicant, beneficiary or a person acting on behalf of applicant or beneficiary.

(c) if it is not satisfied by the reasons provided by the Agency for rejecting the beneficiary's or applicant's request for reconsideration, request the Agency to provide written reasons for its decision for rejecting the request for reconsideration in terms of sec 18(1) of the Act.

(d) give directions to any party to the appeal on any matter within its jurisdiction in connection with that appeal.

(e) at any time, request any party to the appeal to furnish any written information which is necessary for the determination of the appeal.

(f) refer the applicant or beneficiary for a second and independent medical examination or opinion in terms of regulation 19(1).

(g) postpone the hearing for the consideration of an appeal to such date as it may determine.

(2) The Independent Tribunal may, upon receipt of the reasons as contemplated in sub regulation (1)(b) and (c), of the information referred to in sub regulation 1(e) or the medical report contemplated in regulation 19(5) and after consideration of the appeal -

(a) confirm or set aside the decision of the Agency; and

(b) must after having set aside the decision of the Agency in respect of an appeal against:

(i) the duration of a disability grant replace that decision with a longer disability grant subject to regulation (3)(b)(ii) of the 2008 Regulations;

(ii) a decision by the Agency to grant the applicant or beneficiary a temporary disability grant instead of a permanent disability grant replace that decision with a permanent disability grant subject to regulation (3)(b)(ii) of the 2008 Regulations;

(iii) the grant amount payable in respect of a war veteran, disability or older person's grant, increase that amount subject to Annexure A of the 2008 Regulations;

(iv) the refusal by the Agency of an application for a disability grant subject to subject to regulation (3)(b)(ii) of the 2008 Regulations, and the Act, replace it with either a temporary or a permanent disability grant;

(v) refusal by the Agency of an application for a child support grant, subject to Annexure B of the 2008 Regulations and the Act, replace that decision to provide a child support grant;

(vi) refusal by the Agency of an application for a war veterans grant, subject to Annexure A of the 2008 Regulations and the Act, replace that decision with a decision to provide a war veterans grant;

(vii) refusal by the Agency of an application for an older persons' grant subject to Annexure A of the 2008 Regulations and the Act, replace that decision with a decision to provide a older persons grant;

(viii) refusal by the Agency of an application for a grant-in-aid, subject to Annexure A of the 2008 Regulations and the Act, replace that decision with a decision to provide a grant-in-aid;

(ix) refusal by the Agency of an application for a foster child grant subject to Annexure C of the 2008 Regulations and the Act, replace that decision with a decision to provide a foster child grant;

(x) refusal by the Agency of an application for a social relief of distress, subject to the 2008 Regulations and the Act, replace that decision with a decision to provide a social relief of distress; or

(xi) refusal by the Agency of an application for a care dependency grant, subject to Annexure D of the 2008 Regulations and section 7 of the Act, replace that decision with a decision to provide for a care dependency grant.

Ethical conduct of members of Independent Tribunal

14. (1) All members of the Independent Tribunal must, in performing their functions and duties —

- (a) maintain a high standard of integrity;
- (b) respect the confidentiality of information of all parties to an appeal;
- (c) maintain acceptable standards of professionalism and ethics; and
- (d) recuse themselves where there is conflict of interest.

(2) In an instance where a member of the Independent Tribunal is a member of a professional body he or she must observe the ethical rules applicable to members of such a body.

CHAPTER 5

LODGING OF AN APPEAL AND CONDONATION

Lodging an appeal

[Section 18 (1A)]

15. (1) An applicant, beneficiary or a person acting on behalf of applicant or beneficiary, who disagrees with the decision and reasons of the Agency and wishes to appeal that decision, must subject to regulation 2, lodge an appeal in terms of section 18(1A) of the Act to the Independent Tribunal, in a form similar to **Form 4**.

(2) An appeal contemplated in sub-regulation (1):

- (a) must be lodged with the Minister or the Independent Tribunal;
- (b) may be delivered by hand, post, fax or electronic mail; and

(c) must, in addition to the documents required under **Form 4**, be accompanied by all documents contemplated in regulation 2(2) (a) to (d).

(3) When lodging an appeal as contemplated in sub-regulation (1) the applicant, beneficiary or a person acting on behalf of applicant or beneficiary shall not be allowed to produce any evidence or information which was not provided to the Agency at the time of application for social assistance.

Condonation of late lodging of an appeal

16. (1) Notwithstanding the provisions of section 18(1A) of the Act read with regulation 15(1) the Independent Tribunal may, upon application for condonation by persons contemplated in regulation 15(1), condone an application for appeal lodged after a period of 90 days if there is good cause shown.

(2) In deciding whether good cause has been shown for condonation of a late application for an appeal, the Independent Tribunal shall take the following factors into account:

- (a) the reason for the delay;
- (b) if it is in the interest of justice that condonation be granted; and
- (c) if there are reasonable prospects of success.

(3) An application contemplated in sub-regulation (1) must be in a form similar to **Form 5**.

CHAPTER 6

CONSIDERATION OF AN APPEAL

17. (1) An appeal contemplated in sub regulation 6 (1) must be conducted:

(a) in the absence of the applicant, beneficiary or a person acting on behalf of applicant or beneficiary; and

(b) by means of consideration of documentary evidence submitted by the Agency and the applicant, beneficiary or a person acting on behalf of applicant or beneficiary.

(2) An appeal must be finalised within a period of 90 days from the date on which the appeal was received by the Independent Tribunal.

DECISION BY THE INDEPENDENT TRIBUNAL

18. The Independent Tribunal shall, after having due regard to the documents contemplated in regulation 2(2), **Form 4** and subject to regulation 13(1), act in terms of regulation 13(2).

MEDICAL EXAMINATION OF APPLICANT OR BENEFICIARY

19. (1) The Independent Tribunal shall, where it is unable to make a decision due to the insufficiency, inconclusiveness or contradictory nature of the information contained in a medical report provided by the Agency or the applicant or beneficiary or the person acting on his or her behalf, refer the applicant or beneficiary for a second and independent medical examination or opinion.

(2) A referral contemplated in sub regulation (1) must be in a form similar to **Form 6**.

(3) Before an applicant or beneficiary is referred for an examination or opinion as contemplated in sub regulation (2) the chairperson of the Independent Tribunal must summons the applicant, beneficiary or a person acting on behalf of applicant or beneficiary, in a form similar to **Form 7** to appear before it.

(4) When the applicant, beneficiary or a person acting on behalf of applicant or beneficiary appears before the Independent Tribunal as contemplated in sub regulation (3) the chairperson must:

(a) inform him or her of the reasons for the referral;

(b) inform him or her of the date and address to which a medical examination will take place; and

(c) make him or her aware that, if he or she (the applicant or beneficiary) fails to submit himself or herself to an medical examination referred to in sub regulation (1) or submit a medical report based on the said medical examination, the Independent Tribunal shall continue to consider and finalise the appeal without such a medical report.

(5) The medical report contemplated in sub regulation (1) must be in a form similar to **Form 8**.

(6) The applicant, beneficiary or a person acting on behalf of applicant or beneficiary must after the beneficiary or applicant has undergone the medical examination submit such a medical report to the Independent Tribunal.

(7) The Independent Tribunal shall, upon receipt of a medical report as contemplated in sub regulation (5) consider the appeal and act in terms of regulation 13(2).

(8) The Independent Tribunal must, subject to sub regulation (11), upon receipt of a medical report referred to in sub regulation (5), act in accordance with the provisions of regulation 13(2).

(9) Where an applicant, beneficiary or a person acting on behalf of applicant or beneficiary fails to attend a medical examination despite having been summonsed as contemplated in regulation 19(1), the Independent Tribunal may proceed with the consideration of the appeal in the absence of the medical examination report.

(10) A medical examination referred to in this regulation must be based on and relate to the applicant's or beneficiary's medical condition as at the time when the application for a grant was rejected by the Agency.

(11) Where the medical examination report as contemplated in sub regulation (1) concludes that the applicant's or beneficiary's medical conditions has, since the rejection of the grant by the Agency, degenerated to such an extent that the beneficiary or applicant would have qualified for a grant had he or she applied thereafter, the Independent Tribunal must:

(a) confirm the decision of the Agency; and

(b) advise the applicant, beneficiary or the person acting on his or her behalf to reapply for a grant based on the latest medical report, provided that the medical report shall not be older than three months as contemplated in regulation 3(b) of the 2008 Regulations at the time when the applicant or beneficiary reapplies for a grant.

CHAPTER 7

ADMINISTRATIVE SUPPORT

Receipt of an appeal, acknowledgement and request for further information

20. (1) The Independent Tribunal must be supported by Secretariat, which shall be constituted by people who are in the full-time employ of the Department.

(2) The Secretariat –

(a) must receive and register appeals in an appeals register;

(b) must, within a period of seven days from date of receipt, acknowledge receipt of an appeal in a form similar to **Form 9**;

(c) must prepare files for the adjudication of appeals by ensuring that all relevant and supporting documentation as may be required in respect of a particular social grant are included in such files;

(d) must assess the accuracy, validity and reliability of supporting documentation; and

(e) may request the Agency to provide any document referred to in regulation 13(1)(c) or (e)

(3) The Secretariat may request the applicant, beneficiary or a person acting on behalf of applicant or beneficiary to provide any document referred to in regulation 13(1) (b).

(4) The Secretariat must -

(a) upon receipt of all the documents as contemplated in regulation 21 (2) and (3), acknowledge receipt thereof in a form similar to **Form 10**;

(b) in a case of a referral for a medical examination provide the applicant, beneficiary or a person acting on behalf of applicant or beneficiary with a date and venue of the medical examination in a form similar to **Form 7**; and

(c) must schedule the appeal and submit such an application to the Independent Tribunal for consideration.

Communication of decision

21. (1) The Secretariat must communicate the findings in respect of an appeal to an applicant, beneficiary or a person acting on behalf of applicant or beneficiary and to the Agency, in a form similar to **Form 11**; and

(2) The communication of the decision shall be delivered to the address provided by or any other method chosen by applicant, beneficiary or a person acting on behalf of applicant or beneficiary in his or her appeal.

(3) Where an appeal as contemplated in regulation 15 was made by legal representative of the applicant, beneficiary or a person acting on behalf of applicant or beneficiary, the communication of the decision must be addressed and delivered to such legal representative via fax, email or registered mail.

Application which does not constitute an appeal

22. (1) The Secretariat must, upon receipt of the application which does not constitute an appeal as contemplated in section 18(1A) of the Act read with regulation 15:

(a) remove the matter from the schedule of the Independent Tribunal if it was already scheduled; and

(b) notify the applicant, beneficiary or a person acting on behalf of applicant or beneficiary that such an application does not constitute an appeal and the reasons thereof in a form similar to **Form 12**;

(2) The Independent Tribunal shall not be obliged to consider an application as contemplated in sub-regulation (1).

Withdrawal of an appeal

23. An applicant, beneficiary or a person acting on behalf of applicant or beneficiary may, by means of a written notice, at any time prior to the finalisation of the appeal by the Independent Tribunal, withdraw such an appeal in a form similar to **Form 13**.

Record keeping

24. (1) A copy of the appeal documents, including notification of decision, record of proceedings and copies of the Agency's file should be retained by the Independent Tribunal for a period of five years from the date of communication of the decision on the appeal.

(2) The Secretariat shall be the custodian of the appeal documents.

FORM 1

APPLICATION FOR RECONSIDERATION

(Regulation 2(1))

[Section 18(1) of the Social Assistance Act 13 of 2004]**A. PERSONAL DETAILS OF APPLICANT OR BENEFICIARY**

Name and Surname			
ID Number		Date of Birth	
Age	Nationality	Gender	
Physical Address			
Postal Address			
PLEASE INDICATE WITH AN "(X)" HOW YOU WOULD LIKE TO BE CONTACTED:			
Telephone No:	Fax No:	Cell No:	Email Address:

B. DETAILS OF GRANT APPLICATION: SASSA

SASSA Office:							
Date of Application:		Date of Rejection:					
Type of Grant (Mark with "X")							
DG	OA	WV	FCG	CDG	CSG	GIA	SRD

C. REASONS FOR REQUEST FOR RECONSIDERATION

Reasons why you disagree with the decision of SASSA: (If the space provided is insufficient, please attach a separate page to this form and clearly indicate that a separate page(s) is attached).

Disagreement with the application of the "means test" by SASSA? Yes No N/A

Are you in disagreement with the medical assessment of SASSA regarding your functional impairment (your ability to provide for your own maintenance or to be gainfully employed)?

Yes No N/A

.....

D. DOCUMENTATION TO ACCOMPANY APPLICATION

Proof of grant application to SASSA (Receipt issued by SASSA);

A copy of a letter of rejection or approval of social assistance application by the Agency;

Previous and current medical reports (if available);

Proof of income and/or assets: Yes No N/A

In the case of a person applying on behalf of the beneficiary or applicant, a copy of the power of attorney or proof of his or her appointment by the applicant or beneficiary to act on his or her behalf;

Any other relevant document in relation to the application; and state what type of documentation).

E. REPRESENTATIVE'S DETAILS

Name and Surname			
ID Number		Date of Birth	
Age	Nationality	Gender	
Telephone No:	Fax No:	Cell No:	Email Address:

**Signature of applicant/ beneficiary/
representative**

Place

Date

Abbreviations:

DG = Disability grant

OA = Older person's grant

WV = War veteran's grant

FCG = Foster care grant

CDG = Care dependency grant

CSG = Child support grant

GIA = Grant-in-aid

SRD = Social relief of distress

OFFICIAL DATE STAMP OF RECEIPT:

FORM 2**NOTIFICATION OF OUTCOME OF CONSIDERATION OF AN APPLICATION FOR RECONSIDERATION
(Regulation 3 (5))****[Section 18(1) of the Social Assistance Act 13 of 2004]**

TO: _____

Address:

Dear Sir / Madam

Pursuant to section 18(1) of the Social Assistance Act, 13 of 2004, this serves to inform you of the outcome of your application for reconsideration of the Agency's decision.

A. PERSONAL DETAILS OF APPLICANT OR BENEFICIARY

Name and Surname			
ID Number		Date of Birth	
Age	Nationality	Gender	
Physical Address			
Postal Address			
PLEASE INDICATE WITH AN "(X)" HOW YOU WOULD LIKE TO BE CONTACTED:			
Telephone No:	Fax No:	Cell No:	Email Address:

B. DETAILS OF GRANT APPLICATION: SASSA

SASSA Office:							
Date of Application:		Date of Rejection:					
Type of Grant (Mark with "X")							
DG	OA	WV	FCG	CDG	CSG	GIA	SRD

C. OUTCOME OF APPLICATION**The outcome of your application is as follows:**

- ☐ uphold the application.
- ☐ dismiss the application.

Reasons: _____

If you wish to appeal against the above decision, you may appeal to the National Minister of Social Development in writing against such decision within ninety (90) days after the date on which you were notified of the decision. The appeal may be sent to:

**INDEPENDENT TRIBUNAL: DEPARTMENT OF SOCIAL DEVELOPMENT
PRIVATE BAG X901
PRETORIA
0001
Fax No:
Email:**

**CHIEF EXECUTIVE AUTHORITY
SOUTH AFRICAN SOCIAL SECURITY
DATE:**

Signature or thumb print of recipient

Date

FORM 4**LODGING OF AN APPEAL****(Regulation 15(1))****[Section 18(1A) of the Social Assistance Act 13 of 2004]****A. PERSONAL DETAILS OF APPLICANT OR BENEFICIARY**

Name and Surname			
ID Number		Date of Birth	
Age	Nationality	Gender	
Physical Address			
Postal Address			
PLEASE INDICATE WITH AN "(X)" HOW YOU WOULD LIKE TO BE CONTACTED:			
Telephone No:	Fax No:	Cell No:	Email Address:

B. DETAILS OF GRANT APPLICATION: SASSA

SASSA Office:							
Date of Application:		Date of Rejection:					
Type of Grant (Mark with "X")							
DG	OA	WV	FCG	CDG	CSG	GIA	SRD

C. REASONS FOR APPEAL

Reasons why you disagree with the decision of SASSA: (If the space provided is insufficient, please attach a separate page to this form and clearly indicate that a separate page(s) is attached).

D. DOCUMENTATION TO ACCOMPANY APPEAL

Proof of grant application to Agency (Receipt issued by Agency);

Proof of application for reconsideration to Agency;

A copy of a letter of rejection or approval of application for reconsideration by the Agency;

Previous and current medical reports (if available);

Proof of income and/or assets: Yes No N/A

In the case of a person appealing on behalf of the beneficiary or applicant, a copy of the power of attorney or proof of his or her appointment by the applicant or beneficiary to act on his or her behalf;

Any other relevant supporting documents (state what type of documentation).

E. REPRESENTATIVE'S DETAILS

Name and Surname			
ID Number		Date of Birth	
Age	Nationality	Gender	
Telephone No:	Fax No:	Cell No:	Email Address:

Signature of applicant/beneficiary/
Representative

Place

Date

Abbreviations:

DG = Disability grant
OA = Older person's grant
WV = War veteran's grant
FCG = Foster care grant
CDG = Care dependency grant
CSG = Child support grant
GIA = Grant-in-aid
SRD = Social relief of distress

OFFICIAL DATE STAMP OF RECEIPT:

FORM 5

APPLICATION FOR CONDONATION FOR LATE APPEAL
(Regulation 16(3))
[Section 18(1A) of the Social Assistance Act 13 of 2004]

A. PERSONAL DETAILS OF APPLICANT OR BENEFICIARY

Name and Surname			
ID Number		Date of Birth	
Age	Nationality	Gender	
Physical Address			
Postal Address			
PLEASE INDICATE WITH AN "(X)" HOW YOU WOULD LIKE TO BE CONTACTED:			
Telephone No:	Fax No:	Cell No:	Email Address:

B. DETAILS OF GRANT APPLICATION: SASSA

SASSA Office:							
Date of Application:		Date of Rejection:					
Type of Grant (Mark with "X")							
DG	OA	WV	FCG	CDG	CSG	GIA	SRD

C. REASONS FOR LATE LODGING OF AN APPEAL

Reasons why you failed to lodge your appeal within a period of 90 days after gaining knowledge of the Agency's decision on your application for reconsideration: (If the space provided is insufficient, please attach a separate page to this form and clearly indicate that a separate page(s) is attached).

D. DOCUMENTATION TO ACCOMPANY APPEAL

Proof of grant application to Agency (Receipt issued by Agency);

Proof of application for reconsideration to Agency;

A copy of a letter of rejection or approval of application for reconsideration by the Agency;

Previous and current medical reports (if available);

Proof of income and/or assets: Yes No N/A;

In the case of a person appealing on behalf of the beneficiary or applicant, a copy of the power of attorney or proof of his or her appointment by the applicant or beneficiary to act on his or her behalf;

Any other relevant supporting documents (state what type of documentation).

E. REPRESENTATIVE'S DETAILS

Name and Surname			
ID Number		Date of Birth	
Age	Nationality	Gender	
Telephone No:	Fax No:	Cell No:	Email Address:

**Signature of applicant/beneficiary/
 Representative**

Place

Date

FORM 7

NOTIFICATION OF A MEDICAL EXAMINATION
(Regulation 19(3))
[Section 18(1A) of the Social Assistance Act 13 of 2004]

A. PERSONAL DETAILS OF APPLICANT OR BENEFICIARY

Name and Surname			
ID Number		Date of Birth	
Age		Nationality	
Physical Address			
Postal Address			

You have lodged an appeal against SASSA's decision in relation to the following grant:

..... (Grant type)

The Independent Tribunal for Social Assistance Appeals (ITSAA) requires you to undergo a medical examination in relation to your appeal.

B. PARTICULARS OF THE MEDICAL EXAMINATION

Date of Medical Examination:	
Venue: Physical Address:	
Name of medical practitioner:	
Time:	

You may also bring evidence, such as medical reports, reports by other professional persons, medical prescriptions or any information which you consider to be relevant to your appeal.

If you are unable to attend the medical examination at the prescribed venue because you are too ill, disabled or frail, please contact..... (Name of ITSAA contact person) at..... (ITSAA tel no) at least seven days before the date of the medical examination reflected above.

.....

(ITSAA official)

ITSAA date stamp:

FORM 9**ACKNOWLEDGEMENT OF RECEIPT OF APPEAL
(Regulation 20(1)(b))
[Section 18(1A) of the Social Assistance Act 13 of 2004]**

TO: _____

Address:

Dear Sir / Madam

This is to acknowledge receipt of your appeal dated _____ which was received by the
Independent Tribunal on _____.

You are requested to provide our office with the following documentation:

Please be informed that the Independent Tribunal will not be able to consider your appeal until such time that
you have submitted the documentation indicated above.

(ITSAA official)

Name: _____

Signature _____

Date _____

ITSAA official stamp:

FORM 10**ACKNOWLEDGEMENT OF RECEIPT OF FURTHER INFORMATION
(Regulation 20(4) (a))**

TO: _____

Address:

Dear Sir / Madam

This is to acknowledge receipt of further documentation in support of your appeal
dated _____ which documents were received by the Independent Tribunal
on _____.

You will be notified of the outcome of the appeal within 90 days from the date of receipt of further documents
in support of your appeal.

(ITSAA official)

Name: _____

Signature _____

Date _____

ITSAA official stamp:

NOTIFICATION OF OUTCOME OF AN APPEAL
(Regulation 21(1))

TO: _____

Reasons:

CHAIRPERSON INDEPENDENT TRIBUNAL DATE:	
Signature or thumb print of recipient	Date

FORM 12
NOTIFICATION THAT AN APPLICATION DOES NOT CONSTITUTE AN APPEAL
(Regulation 22 (1) (b))

TO: _____

Address:

Dear Sir / Madam

This is to inform you that your appeal dated _____ does not constitute an appeal in terms of section 18 (1A) of the Social Assistance Act, 2004 as amended (Act No 13 of 2004) due to the following reasons:

FORM 13

WITHDRAWAL OF AN APPEAL
(Regulation 23)
[Section 18(1A) of the Social Assistance Act 13 of 2004]

ATTENTION: Minister of Social Development
Independent Tribunal for Social Assistance Appeals
Private Bag X901 PRETORIA 0001

A. PERSONAL DETAILS OF APPLICANT OR BENEFICIARY

Name and Surname			
ID Number		Date of Birth	
Age	Nationality	Gender	
Physical Address			
Postal Address			
PLEASE INDICATE WITH AN "(X)" HOW YOU WOULD LIKE TO BE CONTACTED:			
Telephone No:	Fax No:	Cell No:	Email No:

I, the undersigned, hereby withdraw my appeal in relation to the following application for a social grant:

_____ (grant type),
_____ (date of application of grant to SASSA),
_____ (date of rejection/decision of SASSA),
_____ (date of SASSA reconsideration),
_____ (date of appeal).

My reasons for withdrawing the appeal are as follows:

(Signature of applicant or beneficiary or representative)

REPRESENTATIVE'S DETAILS (if applicable)

Name:
Surname:
Tel (Office Hours):
Tel (After Hours):
Cell:
Fax:
Email:

.....

(Date)

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