

GNR.430 of 30 March 2020: Directions issued in terms of regulation 10 (5) of the Regulations made under section 27 (2) of the Act: Measures to prevent and combat the spread of COVID-19
(Government Gazette No. 43182)

as amended by

Notice
R.455
R.517

Government Gazette
43213
43300

Date
7 April 2020
9 May 2020

DEPARTMENT OF SOCIAL DEVELOPMENT

I, Ms Lindiwe Zulu, MP, the Minister of Social Development, in terms of regulation 10 (5) of the Regulations published in *Government Gazette* No. 43107, Government Notice No. R318 of 18 March 2020, issued in terms of the Disaster Management Act, 2002 (Act No. 57 of 2002), hereby issue the Directions set out in the Schedule hereto, in order to prevent and combat the spread of the COVID-19.

(Signed)

MS LINDIWE D ZULU, MP
MINISTER OF SOCIAL DEVELOPMENT
DATE: 30/03/2020

SCHEDULE

1. Definitions.—In these Directions, a word or expression bears the meaning assigned to it in the Regulations published in *Government Gazette* No. 43107, Government Notice No. R318 of 18 March 2020 and the Regulations published in *Government Gazette* No. 43148, Government Notice No. R398 of 25 March 2020, made by the Minister of Cooperative Government and Traditional Affairs in terms section 27 (2) of the Disaster Management Act, 2002 (Disaster Management Regulations, 2020), and legislation applicable to the Department of Social Development, the South African Social Security Agency, and the National Development Agency, unless the context indicates otherwise.

2. Purpose.—The purpose of these Directions is to—

- (a) prescribe temporary measures or steps currently necessary to manage COVID-19 in order to reduce its impact in the Republic, by preventing the importation of, and minimising the local transmission of the virus; and
- (b) provide directions to officials of the Department of Social Development and other organs of State, responsible for the implementation of the Social Development mandate, and to the extent possible, disseminate information to all affected persons, on applicable measures as set out in these Directions.

Authority

- 3.1 COVID-19 was classified as a pandemic by the World Health Organisation (“WHO”), and following related developments within the Republic, the Minister of Cooperative Governance and Traditional Affairs declared a national state of disaster relating to COVID-19 in terms of section 27 (1) of the Disaster Management Act, 2002.
- 3.2 Section 26 (2) (b) of the Disaster Management Act, 2002 provides that a national disaster, once declared, must be managed in accordance with existing legislation, as well as contingency arrangements as augmented by

disaster management regulations or directions issued in terms of section 27 (2) of the Disaster Management Act, 2002.

- 3.3 These Directions are issued pursuant to regulation 10 (5) of the Disaster Management Regulations, 2020, to provide for measures necessary to manage COVID-19, and are valid for the duration of the declared national state of disaster or any extension thereof.

(Editorial Note: Numbering as per original *Government Gazette*.)

4. Scope.—These Directions apply to all Department of Social Development, South African Social Security Agency, and National Development Agency’s managed and mandated programmes and projects.

4A. Release from facilities

- (a) Every person who is to be released from a facility must be screened before being released.
- (b) A person released from a facility must be released to a household that is free of COVID-19.
- (c) A social worker must be satisfied with regard to the state of readiness of the place to accommodate a person with a disability who is to be released.

[Para. 4A inserted by GNR.517 of 9 May 2020.]

Application

- 5.1 There must be universal access for Persons with Disabilities in a prescribed manner, to all service points, infrastructure and any other essential service and products that are related to COVID-19.
- 5.2 The Department and its agencies and Non Profit Organisations, faith-based organisations and community based organisations responsible for the provision of the services in line with the restrictions imposed by Regulations issued in pursuance of the declaration of the national state of disaster, must ensure that the workforce has the necessary protective clothing and that the families take precautionary measures.
- 5.3 New admissions will only be processed provided that the facility complies with the Disaster Management Regulations, 2020, and the victim or client is provided with the necessary protective clothing.
- 5.4 Persons with Disabilities must have access to personal assistance at all service points, hospitals, screening, testing facilities, supermarkets and any other available facilities which are appropriate and where it is deemed necessary, may be provided with regular care giving services at their places of residence.

(Editorial Note: Numbering as per original *Government Gazette*.)

6. Directions

- (a) **Substance Abuse and Treatment Centres and Halfway Houses**
 - (i) Service users may be released and discharged from the facilities upon a Social Worker’s recommendation;
[Item (i) substituted by GNR.517 of 9 May 2020.]
 - (ii) No visitation is allowed during the lockdown period;
 - (iii) The family reunification and integration programme may be allowed upon a Social Worker’s recommendation;
[Item (iii) substituted by GNR.517 of 9 May 2020.]

- (iv) A Social Worker's report is deemed to be sufficient for the admission of service users in treatment centres and Halfway Houses during the lockdown period.

[Item (iv) substituted by GNR.455 of 7 April 2020.]

- (v) Statutory services must be provided by social services practitioners supported by relevant staff.

[Item (v) added by GNR.517 of 9 May 2020.]

(b) Child and Youth Care Centres (CYCC):

- (i) Children may be released and discharged from the facilities upon a Social Worker's recommendation;

[Item (i) substituted by GNR.517 of 9 May 2020.]

- (ii) No visitation is allowed during the lockdown period;

- (iii) The family reunification and integration programme may be allowed upon a Social Worker's recommendation;

[Item (iii) substituted by GNR.517 of 9 May 2020.]

- (iv) No new admissions are allowed, except for children in conflict with the law and children declared to be in need of care and protection in terms of the Children's Act, 2005 (Act No. 38 of 2005);

- (v) A Social Worker's report is deemed to be sufficient for the removal and placement of the child in need of care and protection;

- (vi) In instances where CYCCs are full, the department must identify other temporary shelters that meet the necessary and required minimum hygiene and safety standards.

- (vii) Children awaiting trial at secure care facilities must be prioritised when required to attend court for further determination.

[Item (vii) added by GNR.517 of 9 May 2020.]

- (viii) Statutory services must be provided by social services practitioners supported by relevant staff.

[Item (viii) added by GNR.517 of 9 May 2020.]

(c) Shelters for Victims of Crimes and Violence including Gender Based Violence (GBV)

- (i) Victims may be released from the facilities upon a Social Worker's recommendation;

[Item (i) substituted by GNR.517 of 9 May 2020.]

- (ii) No visitation is allowed during the lockdown period;

- (iii) Family reunification and integration programmes are allowed upon a Social Worker's recommendation;

[Item (iii) substituted by GNR.517 of 9 May 2020.]

- (iv) Social Workers' reports are deemed sufficient for the processing of victims;

- (v) All applicable regulatory processes are hereby suspended in line with the Disaster Management Regulations, 2020.

- (vi) Survivors of Gender Based Violence who are ready to be released may be referred for further support by related service providers including civil society organisations.

[Item (vi) added by GNR.517 of 9 May 2020.]

(d) Old Age Homes and Frail Care Facilities

- (i) No clients may be released from the facilities;
 - (ii) No visitation is allowed during the lockdown period;
 - (iii) The family reunification and interaction programme is suspended;
 - (iv) No new admissions are allowed, except in the case of older persons in distress.
- (e) Residential Facilities for Persons with Disabilities - Respite Care Facilities (Centre and community based)**
- (i) Clients may be released from the facilities upon a Social Worker's or relevant practitioner's recommendation, taking into consideration disability needs for persons with severe disability;
[Item (i) substituted by GNR.517 of 9 May 2020.]
 - (ii) No visitations are allowed during the lockdown period;
 - (iii) The family reunification and interaction programme is allowed upon a Social Worker's recommendation;
[Item (iii) substituted by GNR.517 of 9 May 2020.]
 - (iv) No new admissions are allowed, except in the case of persons with disabilities in distress.
- (f) Residential Facilities for Persons with Disabilities - Respite Care (Home based)**
- Care givers must be available to provide the required home based care services during the lockdown period.
- (g) Community Nutrition Development Centres (CNDC's)**
- (i) Gathering, seating and eating in the centres is prohibited during the lockdown period;
 - (ii) Beneficiaries are prohibited from visiting the centres;
 - (iii) Food and related items must be prepared and delivered through knock and drop, by Social Service Practitioners or Volunteers attached to the respective beneficiaries.
- (h) Social Relief of Distress**
- (i) The Social Relief of Distress must continue to be provided for existing beneficiaries;
 - (ii) Applications for new beneficiaries must be processed telephonically;
 - (iii) Applications for social relief of distress, which are required to be made in person at a SASSA office and in the presence of a designated officer, are suspended for the duration of the lockdown;
 - (iv) Social Relief of Distress must be provided to shelters for homeless already identified by local government.
- (i) Psychosocial Support Services**
- (i) Psychosocial Support Services must be provided to all those infected with or affected by COVID-19;
 - (ii) Persons with disabilities requiring psychosocial interventions must have access to all prescribed medications and counselling as a minimum requirement for crisis interventions.
 - (iii) Psychosocial support services, including screening and referrals for substance abuse to already identified shelters, must be provided to homeless people.

[Item (iii) added by GNR.517 of 9 May 2020.]

(j) Cooperatives

- (i) All Cooperatives registered in terms of the applicable legislation and which are under the Department's incubation programme, must suspend all activities for the duration of the lockdown;
- (ii) All other Cooperatives that operate in different sectors as business, should comply with the pronouncements and directions made by the Minister of Small Business Development.

(k) National Development Agency (NDA)

The NDA must—

- (i) sponsor additional volunteers who will be allocated to the Community Nutrition and Development Centres according to the number of such centres per province;
- (ii) provide technical and financial support to civil society organisations dealing with Gender Based Violence issues; and
- (iii) continue to provide developmental work including recruitment of volunteers.

[Sub-para. (k) substituted by GNR.517 of 9 May 2020.]

(l) South African Social Security Agency (SASSA)

- (i) SASSA offices will be progressively opened for limited services in line with a risk adjusted approach;
[Item (i) substituted by GNR.517 of 9 May 2020.]
- (ii) Payment of social grants must continue unhindered during the lockdown period;
- (iii) SASSA fleet will be made available to augment the respective provincial departmental fleet;
- (iv) Regional office will be made available to increase capacity as additional support to the provinces;
- (v) Temporary disability grants whose date of lapsing fall during the lockdown period must be deemed to have not lapsed during this period;
- (vi) Social grants not claimed for three consecutive months may not lapse during the lockdown period.
- (vii) The COVID 19 additional form of Social Relief of Distress will be payable as follows:
 - (aa) Temporary disability grants which lapsed in February and March 2020, must be reinstated and continue to be paid from the date they were suspended until end of October 2020;
 - (bb) Temporary disability grants which did not lapse during April 2020, as contemplated in subparagraph (l) (v) must continue to be paid until end of October 2020;
 - (cc) Temporary disability grants which are due to lapse in May 2020 and June 2020 must continue to be paid until end of October 2020;
 - (dd) Care dependency and foster care grants which lapsed during the period beginning from February 2020 to April 2020 must be reinstated and continue to be paid until end of October 2020;

- (ee) Care dependency and foster care grants which lapsed during May 2020 or are due to lapse when the care dependent child turns 18 years of age, will not lapse until the end of October 2020 and must continue to be paid until end of October 2020;
- (ff) The top up amounts will be paid in accordance with the table in Annexure A to these Directions;
- (gg) Payments will follow the usual grant payment mechanisms requiring no additional application processes; and
- (hh) A special COVID-19 Social Relief of Distress for Caregivers of R500 per month per Child Support Grant caregiver will be provided. All existing caregivers will automatically qualify and receive this benefit along with their existing monthly benefit.

[Item (vii) added by GNR.517 of 9 May 2020.]

(viii)

- (aa) An application for social relief of distress or a social grant may be lodged electronically over and above any other available means of lodging such applications.
- (bb) Notification of the outcome of an application for social relief of distress or a social grant may be given by means of an email, an sms or any such other method.
- (cc) A special COVID-19 Social Relief of Distress of R350 per month may be provided for the period indicated herein to distressed individuals who are—
 - (i) South African Citizens, Permanent Residents or Refugees registered on the Home Affairs database;
 - (ii) currently residing within the borders of the Republic of South Africa;
 - (iii) above the age of 18;
 - (iv) unemployed;
 - (v) not receiving any form of income;
 - (vi) not receiving any social grant;
 - (vii) not receiving an unemployment insurance benefit and do not qualify to receive an unemployment insurance benefit;
 - (viii) not receiving a stipend from the National Student Financial Aid Scheme and other financial aid;
 - (ix) not receiving any other government COVID-19 response support; and
 - (x) not a resident in a government funded or subsidised institution.
- (dd) In order to access the benefit referred to in subitem (cc), through an application, an applicant must grant consent for SASSA to verify his or her identity, residency, sources of income or social security benefits with—
 - (i) the Department of Home Affairs;
 - (ii) the Unemployment Insurance Fund;
 - (iii) Banking institutions;
 - (iv) NSFAS;
 - (v) SARS; or

- (vi) any other government institution deemed necessary by SASSA.
- (ee) The benefit provided for in subitem (cc) will be paid to those who qualify for the period from the date of application, but not earlier than May 2020, up to the end of October 2020, provided the applicant continues to meet the qualifying criteria provided for in subitem (cc).
- (ff) SASSA may determine the most suitable method for disbursing the benefit provided for in subitem (cc) and may amend such method from time to time, as required.
- (gg) SASSA must limit disbursements to the budget made available for this benefit.

[Item (viii) added by GNR.517 of 9 May 2020.]

(m) Movement of children

- (i) The movement of children between co-holders of parental responsibilities and rights or a caregiver, as defined in section 1 (1) of the Children's Act, 2005 (Act No. 38 of 2005), in the same metropolitan area or district municipality is allowed if the co-holders of parental responsibilities and rights or a caregiver is or are in possession of—
 - (aa) a court order;
 - (bb) a parental responsibilities and rights agreement or parenting plan, registered with the family advocate; or
 - (cc) a permit issued by a magistrate which corresponds to Form 3 of Annexure A to the Regulations if the documentation in paragraphs (a) and (b) is not available.

[Item (i) substituted by GNR.455 of 7 April 2020 and by GNR.517 of 9 May 2020.]

(Editorial Note: Wording as per original *Government Gazette*.)

- (ii) The movement of children between co-holders of parental responsibilities and rights or a caregiver between different metropolitan areas, district municipalities or provinces is allowed if the co-holders of parental responsibilities and rights or a caregiver is or are in possession of a permit issued by a magistrate which corresponds to Form 3 of Annexure A to the Regulations.

[Item (ii) substituted by GNR.455 of 7 April 2020 and by GNR.517 of 9 May 2020.]

- (iii) The household to which the child has to move must be free of COVID-19.

[Item (iii) substituted by GNR.517 of 9 May 2020.]

- (iv) (aa) Before a magistrate issues a permit referred to in item (i) (cc), he or she must be provided with—
 - (i) a birth certificate or certified copy of a birth certificate of the child or children to prove a legitimate relationship between the co-holders of parental responsibilities and rights; and
 - (ii) written reasons why the movement of the child is necessary.
- (bb) Before a magistrate issues a permit referred to in item (ii), he or she must be provided with—
 - (i) A court order;

- (ii) a parental responsibilities and rights agreement or parenting plan registered with the family advocate;
- (iii) a birth certificate or certified copy of a birth certificate of the child or children to prove a legitimate relationship between the co-holders of parental responsibilities and rights; and
- (iv) written reasons why the movement of the child is necessary.

[Sub-para. (m) amended by GNR.455 of 7 April 2020 and by GNR.517 of 9 May 2020. Item (iv) substituted by GNR.517 of 9 May 2020.]

(n) Drop-in centres

- (i) Gathering, seating and eating in drop-in centres is prohibited during the lockdown period;
- (ii) Beneficiaries are prohibited from visiting the drop-in centres;
- (iii) Food or food parcels and related items must be prepared and delivered through knock and drop by Social Service Practitioners or volunteers attached to the respective beneficiaries.

(o) Early Childhood Development

The Department must continue to subsidise the early childhood development centres during the state of national disaster.

[Sub-para. (o) added by GNR.517 of 9 May 2020.]

(p) Inter-country adoptions

Inter-country adoptions are suspended during the state of national disaster.

[Sub-para. (p) added by GNR.517 of 9 May 2020.]

Commencement

These Directions come into operation on the date of publication in the *Government Gazette*.

(Editorial Note: Numbering as per original *Government Gazette*.)

ANNEXURE A

[6 (k) (vii) (ff).]

(Editorial Note: Wording as per original *Government Gazette*. It is suggested that the reference of “6 (k) (vii) (ff)” is intended to be “6 (l) (vii) (ff)”.)

(Editorial Note: The amendment by GNR.517 of 2020 does not issue an instruction to insert Annexure A. We suggest that the Annexure was intended to be inserted and have included this Annexure A for your reference.)

The monthly top-up amounts are as indicated in the following tables:

Type of Grant	May	June	July	August	September	October
Older Persons	R 250	R 250	R 250	R 250	R 250	R 250
War Veterans’	R 250	R 250	R 250	R 250	R 250	R 250
Disability Grant (permanent and temporary)	R 250	R 250	R 250	R 250	R 250	R 250
Care Dependency Grant	R 250	R 250	R 250	R 250	R 250	R 250
Foster Child Grant	R 250	R 250	R 250	R 250	R 250	R 250

Child Support Grant	R 300	0	0	0	0	0
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Furthermore, an additional form of Social Relief of Distress will be provided for the period until end of October 2020.

Type of Grant	May	June	July	August	September	October
CSG Care Givers Allowance		R 500	R 500	R 500	R 500	R 500
COVID-19	R 350	R 350	R 350	R 350	R 350	R 350

The top-up allowances and the additional form of Social Relief of Distress will only be payable for the period May until end of October 2020.

FORM 3

PERMIT FOR THE MOVEMENT OF CHILDREN TO TRAVEL TO ANOTHER PROVINCE/METROPOLITAN AREA/DISTRICT

[Regulation 17 (1) (c).]

(Editorial Note: The amendment by GNR.517 of 2020 does not issue an instruction to insert Form 3. We suggest that the Form was intended to be inserted and have included this Form 3 for your reference.)

Note: This permit and any form of identification must be in the possession of the person to whom this permit is issued

**IN THE MAGISTRATES COURT FOR THE DISTRICT OF HELD
AT ON THIS DAY OF 2020.
BEFORE ME MAGISTRATE FOR THE
AFOREMENTIONED DISTRICT IN CHAMBERS**

I, hereby issue this permit for travel to the following person—

Full names:						
Surname:						
Identity number:						
Address of place of residence:						
Province of residence:						
Contact details.	Cell nr		Tel No (h)		e-mail address	
Metropolitan area/district travelling to:						
Province travelling to:						
Date of travel to:						
Date of return travel:						
Name of child concerned (must correspond with the birth certificate):						
Reason for movement of child(ren):						

I also declare that the above-mentioned person presented the documentation as required by *regulation 17 (5).

Signed at this day of 2020.

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Magistrate issuing


