

South Africa

Disaster Management Act, 2002

Department of Social Development: Adjusted Alert Level 3 Directions Government Notice R681 of 2021

Legislation as at 11 October 2021

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Department of Social Development: Adjusted Alert Level 3 Directions
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South Africa

Disaster Management Act, 2002

Department of Social Development: Adjusted Alert Level 3 Directions Government Notice R681 of 2021

Published in Government Gazette 44938 on 3 August 2021

Assented to on 3 August 2021

There are multiple commencements

Provisions	Status
Section 12	commenced on 1 August 2021. <i>Note: See section 15.</i>
Section 13-14	commenced on 3 August 2021. <i>Note: See section 15.</i>
Section 3(3)(j), section 6A, section 15	not yet commenced.

[This is the version of this document from 11 October 2021.]

[Amended by [Erratum to Adjusted Alert Level 3 Directions \(Government Notice 710 of 2021\)](#) on 10 August 2021]

[Amended by [Directions on Measures to Prevent and Combat the Spread of COVID-19 \(Government Notice 1028 of 2021\)](#) on 11 October 2021]

I, Ms Lindiwe Zulu, MP, the Minister of Social Development, in terms of regulation 4(5) and (10) of the Regulations made in terms of section 27(2) of the Disaster Management Act, 2002 ([Act No. 57 of 2002](#)), and published in *Government Gazette* No. 43107, Government Notice No. 318 of 18 March 2020, as amended, hereby issue Directions, as set out in the Schedule.

Ms Lindiwe Zulu, MP

Minister of Social Development

1. Definitions

"**applicant**" means a person who applies for a Social Relief of Distress Grant;

"**appellant**" means a person whose application for a Social Relief of Distress Grant has been declined and has applied for reconsideration of his or her application; and

"**income**" for the purposes of Direction 4 means, any source of income as defined in regulation 19 of the Social Assistance Regulations, 2008 and includes any form of donation or other financial support or financial assistance received by the applicant of not more than R595 as per the food poverty line threshold;

2. Application for social grant

An application for social grant may be lodged electronically over and above any other available means of lodging such applications.

3. Social Relief of Distress Grant

- (1) A person may apply for a Social Relief of Distress Grant if the person complies with the criteria set out in this Direction.
- (2) An application for a Social Relief of Distress Grant may be lodged electronically over and above any other available means of lodging such applications.
- (3) A Social Relief of Distress Grant of R350 per month as indicated in the Annexure is payable for the period indicated therein to a person who is—
 - (a) a South African Citizen, Permanent Resident or Refugee registered on the Home Affairs database and persons who are holders of special permits under the Special Angolan Dispensation, the Lesotho Exemption Permit dispensation and the Zimbabwe Exemption Permit Dispensation, and asylum seekers whose section 22 permits or visas are valid or were valid on 15 March 2020;
 - (b) currently residing within the borders of the Republic of South Africa;
 - (c) above the age of 18 and below the age of 60;
 - (d) unemployed;
 - (e) not receiving any social grant in respect of himself or herself;
 - (f) not receiving an unemployment insurance benefit and does not qualify to receive an unemployment insurance benefit;
 - (g) not receiving a stipend from the National Student Financial Aid Scheme and other financial aid;
 - (h) not receiving any other government COVID-19 response support;
 - (i) not a resident in a government funded or subsidised institution; and
 - (j) a caregiver without a valid 13-digit identity number and who possesses a system generated number provided by SASSA.

[subparagraph (j) added by section 2 of [Government Notice 1028 of 2021](#)]

4. Reconsideration of application for Social Relief of Distress Grant

In order to have an application for the Social Relief of Distress Grant considered, an applicant must grant consent for SASSA to verify his or her identity, residency, income or social security benefits with—

- (a) the Department of Home Affairs;
- (b) the Unemployment Insurance Fund;
- (c) Banking institutions;
- (d) NSFAS;
- (e) SARS; or
- (f) any other institution deemed necessary by SASSA.

5. Consent for verification

An applicant must complete the income declaration and grant consent in line with the provisions of the Protection of Personal Information Act, 2013([Act No. 4 of 2013](#)) and provide banking particulars as required by SASSA.

6. Duration of receipt of COVID-19 Social Relief of Distress Grant

The Social Relief of Distress Grant contemplated in these Directions is payable from 1 August 2021 up to 31 March 2022, provided that the beneficiary continues to qualify for the grant in accordance with the criteria listed in Direction 4.

6A.

A caregiver without a valid 13-digit identity number and who possesses a system generated number provided by SASSA and whose application for the Social Relief of Distress Grant is lodged during the months of September and October 2021 and approved, will be paid retrospectively from the month of August 2021 as if the grant application had been approved in the month of August 2021.

[direction 6A inserted by section 3 of [Government Notice 1028 of 2021](#)]

7. Review of payment of Social Relief of Distress Grant

The Social Relief of Distress Grant paid to recipients must be reviewed on a monthly basis and, where there is a change in the circumstances of the applicant, SASSA may—

- (a) decline to pay the grant should the applicant not qualify for the grant; or
- (b) pay the grant, should the applicant qualify for the grant: Provided that the grant will only be payable from the month in which the applicant qualified for the grant.

8. Disbursement of payments

SASSA may determine the most suitable method for disbursing payments of the grant and may amend such method of payment from time to time, as required.

9. Reconsideration process

- (1) Following the consideration of an application for the Social Relief of Distress Grant provided for in these Directions, SASSA must inform the applicant—
 - (a) whether the applicant qualifies for the grant; or
 - (b) that the applicant does not qualify for the grant in terms of these Directions, stating the reasons why the applicant does not qualify and inform the applicant of the applicant's right to appeal or request SASSA to reassess its decision;
 - (c) that the applicant must, if the applicant so decides, submit an application for appeal or reassessment to SASSA electronically, within 30 days from the date of each notification of SASSA's decision; and
 - (d) that for the purposes of an application for an appeal or reassessment, the appellant must only set out the reasons why the appellant disputes the decision of the SASSA and that the appellant may not submit any new or additional evidence.
- (2) Upon receipt of a request for reassessment or appeal, SASSA must reassess its decision against the latest available information, including checking with banks to determine whether the appellant has an income, within a period of 60 days from the date on which the application for reassessment was received by SASSA and inform the appellant of the outcome of the reassessment and provide reasons for such an outcome including that-
 - (a) no appeal or application for reassessment will be considered by SASSA if it is not lodged within the prescribed period of 30 days from the date of the rejection of an application, whichever is applicable;

- (b) the outcome of the appeal or reassessment by SASSA is the final decision and no further internal recourse will be available; and
 - (c) if the appellant is not satisfied with the outcome of the reassessment by SASSA, the appellant may approach a relevant court for a judicial review of SASSA's decision within a period of not more than 180 days of the date of the outcome of the reassessment by SASSA, in terms of section 6 (1) read with section 7 of the Promotion of Administrative Justice Act, 2000 ([Act No. 3 of 2000](#)).
- (3) An appellant may access information regarding the outcome of his or her application on SASSA's website.

10. Recovery and uncollected benefits

- (1) SASSA may recover all monies paid to any person in the event that such a person irregularly benefitted or was not entitled to benefit from the Social Relief of Distress Grant.
- (2) An applicant whose application was approved but who was not paid because the applicant was not traceable or the applicant did not contact SASSA to update his or her personal details within 90 days of being notified to do so, may forfeit any monies due to him or her to the state.
- (3) Before the money is forfeited to the state as contemplated in subdirection (2) the applicant who has not responded to SASSA's communication shall be given 90 days to respond from the date of the applicant being sent an sms notification by SASSA through the last known mobile cellphone number in possession of SASSA.
- (4) It is the responsibility of the applicant to ensure that SASSA has his or her current cell phone number as SASSA cannot be held liable for messages sent to an incorrect cell phone number.

11. Social Relief of Distress Grant paid up to 30 April 2021

With respect to the previous Social Relief of Distress Grant paid during the period from 1 May 2020 until 30 April 2021, the following measures apply:

- (a) any enquiries related to the Social Relief of Distress Grant for that period will not be considered after 31 August 2021;
- (b) SASSA may recover all monies paid to any person in the event that such person irregularly benefitted or was not entitled to benefit from the grant;
- (c) payments not withdrawn by a beneficiary by 30 November 2021, will be forfeited to the State; and *[paragraph (c) substituted by section 4 of [Government Notice 1028 of 2021](#)]*
- (d) money payable to an applicant whose application was approved but who was not paid because the applicant could not be traced or the applicant did not contact SASSA to update his or her personal details, will be forfeited to the State by 31 August 2021.

12. Death of Social Relief of Distress Grant beneficiary

If the beneficiary of a Social Relief of Distress Grant dies, the grant will be paid until the end of the month in which the beneficiary died.

13. Community Nutrition Development Centres

Sitting and eating at Community Nutrition and Development Centres is allowed subject to compliance with the applicable COVID-19 health and safety measures.

14. Older persons' residential facilities

Visits to older persons' residential facilities are permitted subject to compliance with the applicable COVID-19 health and safety measures.

15. Short title and Commencement

These Directions are called Adjusted Alert Level 3 Directions and Directions 1 to 12 take effect from 1 August 2021. Directions 13 and 14 come into effect on the date of publication in the *Government Gazette*.

Annexure

An additional form of Social Relief of Distress will be provided for the period August 2021 until the end of March 2022.

Type of Grant	August 2021	September 2021	October 2021	November 2021	December 2021	January 2022	February 2022	March 2022
COVID-19 SRD	R350	R350	R350	R350	R350	R350	R350	R350

The COVID-19 Social Relief of Distress grants will only be payable for the period August 2021 until end of March 2022.

[Annexure amended by [Government Notice 710 of 2021](#)]