



CASE NO: 5251/2005

**IN THE HIGH COURT OF SOUTH AFRICA
(TRANSCVAAL PROVINCIAL DIVISION)**

PRETORIA 19 MARCH 2008

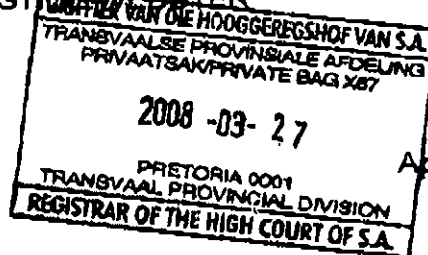
BEFORE THE HONOURABLE MR JUSTICE WEBSTER

In the matter between:

ACCESS

and

MINISTER OF SOCIAL DEVELOPMENT



Applicant

Respondent

 HAVING HEARD counsel(s) for the party(ies) and having read the documents filed of record

IT IS ORDERED

1. It is declared that the regulations made by the Minister on 22 February 2005 in terms of the Social Assistance Act, 13 of 2004 in GN R162, GG27316 ("the 2005 regulations") are in force.
2. The respondent is directed to
 - 2.1 forthwith implement regulation 10(6) of the 2005 regulations; this implementation is to include, but is not limited to, forthwith informing all officials including officials of the South African Social Security Agency of the provisions of Regulation 10(6);
 - 2.2 within nine (9) months of the date of this order, the Minister shall publish a notice in the Gazette (with a copy sent to the applicant's attorneys), a report dealing with the six (6) months' period following the date of this order, setting out:
 - 2.2.1 the number of applicants for the child support grant, the care dependency grant and the foster care grant;
 - 2.2.2 the number of such applications that were approved;
 - 2.2.3 the number of applicants without an identity document and/or birth certificate; and

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2.2.4 how the applicants referred to in paragraph 2.2.3 were dealt with.

3. If the respondent amends or repeals regulation 10(6) of the 2005 regulations so as to remove or curtail the Director-General's powers to accept alternative proof of identification;

3.1 the application may, on these papers supplemented as it deems necessary, re-enroll this matter for hearing; and

3.2 the matter shall, as far as is possible, receive precedence on the roll and be dealt with expeditiously.

4. The respondent is to pay the applicant's costs in this application, such costs to be on the High Court tariff up to and including 1 April 2006 and further that such costs be on attorney and client scale as from 2 April 2006 to date hereof. Such costs are to include the costs consequent upon employment of two (2) counsel.

BY THE COURT

M
REGISTRAR

At: LEGAL RESOURCE CENTRE
HIGH COURT TYPIST: RIA DAVEL

GRIPPER VAN DIE HOOGGEREGSHOF VAN S.A.
TRANSVAALSE PROVINSIALE AFDELING
PRIVAATSAK/PRIVATE BAK 187.
2008 -03- 27
PRETORIA 0001
TRANSVAAL PROVINCIAL DIVISION
REGISTRAR OF THE HIGH COURT OF S.A.