

The Department of Social Development has produced a draft Social Security Agency Bill. A draft Bill proposes to remove the administration of social assistance grants from the public service by transferring the staff, assets and liabilities of relevant departments to a Social Security Agency. The main function of this Agency will be "to ensure the efficient and effective management, administration and payment of social security grants."

This draft Bill represents a major institutional change in the arrangements for the management and delivery of social grants.

A number of civil society organisations have made a submission to the Minister and Department of Social Development in which it is argued the proposal to establish an Agency to solve the problems in social grants delivery has not been properly researched neither has there been widespread consultation with relevant stakeholders. The organisations are concerned that the Agency will simply inherit existing problems in the implementation of social assistance without the underlying issues being systematically addressed. It will also diminish the powers of the national Minister of Social Development in relation to social assistance administration.

The submission also argues that it is premature to establish an Agency without first resolving the problems created by the assignment of the Social Assistance Act to the provinces. Secondly, the institutional arrangements for the delivery of social security should not be determined in isolation from a holistic consideration of the recommendations of the Committee of Inquiry into a Comprehensive Social Security System in its report (the 'Taylor Report').

The organisations concerned have called for the question of a 'Social Security Agency' to form part of the proposed public hearings by the Portfolio Committee (Social Development) on the Taylor Committee Report during June 2003. We have accordingly requested that the Social Security Agency Bill not be tabled prior to these hearings. In any event, given the very limited nature of public awareness and debate on the Social Security Agency, we have requested that the Bill not be tabled without first publishing it for public comment.

The submission is the product of a participatory process in which a large number of organisations provided input and materials. The Socio-Economic Rights Project played a leading role in researching and co-ordinating the drafting of the submission. The following organisations participated in the drafting of the submission and have endorsed it:

- Socio-Economic Rights Project, Community Law Centre (UWC)
- Black Sash
- Congress Of South African Trade Unions (Cosatu)
- Nehawu Parliamentary Office
- Legal Resources Centre
- Alliance For Children's Entitlement To Social Security (ACCESS)
- Nadel Human Rights Research And Advocacy Project
- South African Council Of Churches (SACC)
- South African Catholic Bishops Conference (SACBC)