



MINDE SCHAPIRO & SMITH

Docex 1 | Tygerberg
PO Box 4040 | Tyger Valley | 7536 | South Africa
Tyger Valley Office Park | Building Number 2 | Cnr Willie van Schoor & Old Oak Roads | Bellville
T: 021 918 9000 | 021 918 9000 (Direct Line) | F: 021 918 9070 (General) | 021 918 9070 (Direct Fax)

E: lisa@mindes.co.za | www.mindes.co.za

Our Ref: DEM16/0709/E Jonker/ks | Your Ref: | Date: 3 May 2020

THE MINISTER OF SOCIAL DEVELOPMENT

Per email: LintonM@dsd.gov.za; JudyB@dsd.gov.za; ZamaK@dsd.gov.za;
SharleneN@dsd.gov.za; VuyiswaM@dsd.gov.za

THE CHIEF EXECUTIVE OFFICER MS BUSISIWE MEMELA – KHAMBULA

Per email: TotsieMK@sassa.gov.za; PinkyMn@sassa.gov.za

Dear Minister Zulu and Ms Memela

OPENING OF SASSA OFFICES

1. We act for the Democratic Alliance ('the DA'). We confirm that our letter addressed to the President and the Minister of Social Development dated 18 April 2020 remains unanswered.
2. All SASSA offices were closed for the duration of the national COVID-19 lockdown under GNR 430 of GG 43182 of 30 March 2020. This directive expired at the end of the lockdown on 30 April 2020. It is not clear when they will reopen.
3. It is imperative that SASSA offices reopen as a matter of urgency. With SASSA offices closed, many South Africans, especially those without ready access to the internet or telephones—
 - 3.1. cannot apply for social grants;
 - 3.2. cannot resolve administrative problems with social grants that they are entitled to; and
 - 3.3. are vulnerable to misinformation regarding social grants circulating on social media.

Minde Schapiro & Smith Incorporated | Attorneys Notaries & Conveyancers since 1926 | Registration number 2010/025182/21

Directors: Heinrich Crous BA LLB | Elzanne Jonker BA LLB | *Jonathan Rubin B Comm LLB LLM | Venesen Reddy LLB

Senior Associate: Gerhard Lourens FPSCA®
BA LLB

Associates: Andre van Breda B Comm LLB | Jhané Bezuidenhout LLB | Lauren Jacobs LLB | Lisa Wyngaard LLB LLM

Consultants: Gerhard van Reenen | Louis Meyer B Juris LLB | Rosalie Smit B Comm LLB | Marianne Olivier B Comm LLB LLM | Marais Hoon BA LLB

Vat registration number: 4580257428 | *At Greenacres, Port Elizabeth



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4. South Africans eligible for social grants have a statutory right to receive them. In addition, they have a constitutional right to access social assistance under section 27(1)(c) of the Constitution. To the extent that the closure of SASSA offices prevents access to social grants (and it does), it is unlawful.
5. The COVID-19 pandemic does not change this position. The level-4 regulations make it clear that supermarkets and shops can reopen safely with the necessary precautions. SASSA offices can as well. Put differently, the Department of Social Development and SASSA must reopen SASSA offices – with the necessary precautions to prevent the transmission of COVID-19.
6. We thus demand that you, by close of business on Monday, 4 May 2020, confirm when SASSA offices will be reopening. Should you fail to respond, or should your response not be satisfactory, the DA will approach a court on an urgent basis for an interdict forcing SASSA offices to re-open, with the necessary precautions, together with a prayer for an appropriate costs order. We trust that this will not be necessary.
7. We look forward to your urgent response.

Yours faithfully

MINDE SCHAPIRO & SMITH INC.

Per

(Electronically sent, therefore unsigned)

THE NATIONAL COMMAND COUNCIL

Per email: presidentrsa@presidency.gov.za:

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