

# **Social Aid (Amendment) Regulations 2014**

**GN No. 190 of 2014**

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## **THE SOCIAL AID ACT**

### **Regulations made by the Minister under sections 3(6) and 11 of the Social Aid Act**

1. These regulations may be cited as the **Social Aid (Amendment) Regulations 2014**.

2. In these regulations —

“principal regulations” means the Social Aid Regulations 1984.

3. Regulation 15 of the principal regulations is amended —

(a) in paragraph (b)(i), by adding the words “or the surviving partner’s allowance under paragraph (r)”;

(b) in paragraph (j), by adding the following new subparagraph —

(vi) who is in receipt of a surviving partner’s allowance under paragraph (r), and would have been eligible to receive social aid under section 3(1A) of the Act or paragraph (o) if she were not in receipt of the surviving partner’s allowance;

(c) by revoking paragraph (p) and replacing it by the following paragraph —

(p) notwithstanding section 3(5)(b) of the Act, an applicant who is in receipt of —

(i) a basic pension under the National Pensions Act and would have

been eligible to receive social aid under the Act, if the applicant were not in receipt of the basic pension;

- (ii) a surviving partner's allowance under paragraph (r), and would have been eligible to receive social aid under section 3(1A) of the Act or paragraph (o) if she were not in receipt of the surviving partner's allowance,

the social aid specified in Part XIII of the First Schedule;

- (d) by adding the following new paragraph, the full stop at the end of paragraph (q) being deleted and replaced by a semicolon —

- (r) an applicant who is a female surviving partner, a surviving partner's allowance comprising of an amount equivalent to the rate of the widow's basic pension, together with child allowance, for not more than 3 children, payable under the National Pensions Act, provided the applicant —

- (i) started living with her partner in a union as wife at any time between 13 November 1987 and 22 December 1990, and —

- (A) may have contracted a religious marriage, without being civilly married, from 1 January 1982 to 13 November 1987, or after 21 December 1990; and

- (B) could not contract a religious marriage without being civilly married between 13 November 1987 and 22 December 1990;

- (ii) has not contracted any civil or religious marriage after the death of her partner referred to in paragraph (i);

- (iii) remained a partner in the union up to the time she became a surviving partner;

(iv) is under the age of 60; and

(v) is not in receipt of—

(A) social aid under section 3(1 A) of the Act or paragraph (o); or

(B) an invalid's basic pension, a widow's basic pension or a survivor's pension under the National Pensions Act.

(e) by inserting, before the word "Schedule", wherever it appears, the word "First".

4. The principal regulations are amended by adding the following new regulation —

17. (1) An application for surviving partner's allowance under regulation 15(r) shall be —

(a) made to the Permanent Secretary in the form set out in the Second Schedule;

(b) accompanied by all the supporting documents specified in the form;

(c) supported by an affidavit sworn or solemnly affirmed by 2 witnesses in the form set out in the Third Schedule and —

(i) one of the 2 witnesses shall be a public officer not below the level of Office Management Assistant, a police officer not below the rank of Inspector or a member of a recognised professional body; and

(ii) such affidavit shall be exempt from the payment of any duty, charge or fee.

(2) (a) Any person who became a surviving partner prior to the coming into operation of these regulations shall make an application for a surviving partner's allowance by 31 December 2014.

(b) Any person who becomes a surviving partner on or after the coming into

operation of these regulations shall make an application for surviving partner's allowance within 6 months of the date on which she becomes a surviving partner.

(c) Notwithstanding regulation 6(2), where the Permanent Secretary is satisfied that, due to illness or other reasonable cause, a person has not been able to make an application within the delay specified in subparagraph (a) or (b), the Permanent Secretary may, on such terms and conditions as he may determine, consider the application

5. The Schedule to the principal regulations is amended —

(a) in the heading, by deleting the word “**SCHEDULE**” and replacing it by the words “**FIRST SCHEDULE**”;

6. The newly numbered First Schedule is amended, in Part VIII, in item 2, by deleting the words “and (v)” and replacing them by the words “, (v) and (vi)”.

7. The principal regulations are amended by adding the Second Schedule and Third Schedule set out in the Schedule to these regulations.

Made by the Minister on 10 September 2014.

**SCHEDULE**

[Regulations 4 and 6]

**SECOND SCHEDULE**

[Regulation 17]

**Form CA1**

**MINISTRY OF SOCIAL SECURITY, NATIONAL SOLIDARITY  
AND REFORM INSTITUTIONS  
(SOCIAL AID DIVISION)**

**APPLICATION FOR SURVIVING PARTNER’S ALLOWANCE**

[Regulation 15(r) of the Social Aid Regulations 1984]

Centre .....		National Identity Card no.....			
Date of application.....		Social Security no.....			
<b>PART A – PARTICULARS OF APPLICANT</b>					
<b>1.</b>	(1)	Surname.....			
	(2)	Other names.....			
	(3)	Nickname.....			
	(4)	Date of birth.....	BC no.....	C.S.O.....	NIC no.....
	(5)	Residential address.....			
	(6)	Tel no.....		Mobile no.....	
		Bank amount no.....	Bank.....	Branch.....	
		Occupation.....			
<b>PART B – PARTICULARS OF APPLICANT’S DECEASED PARTNER</b>					
<b>2.</b>	(1)	Surname.....			
	(2)	Other names.....			
	(3)	Date of birth.....	DC no.....	C.S.O.....	NIC no.....
<b>PART C - PARTICULARS OF CHILDREN</b>					
<b>(BENEFIT SHALL BE PAYABLE TO A MAXIMUM OF 3 DEPENDENT CHILDREN IN LINE WITH REGULATION 15(r))</b>					
<b>3.</b>	Full name	Date of birth	NIC no. (where applicable)	Educational institution	Standard/ form
	(1)	.....			

(2)	.....				
(3)					
(4)					
(5)					

**PART D - DECLARATION BY APPLICANT  
(TO BE MADE IN PRESENCE OF REGISTRATION OFFICER)**

I, ..... *(full name of applicant in block letters)* do hereby declare that –

(a) I started to live in a union as wife with the person named in Part B as from ..... (dd) .....(mm)..... (yyyy) and was still living with the said person at the time of his death on.....

(b)..... child/children was/were born from the said union, namely –

- (1).....
- (2).....
- (3).....
- (4).....
- (5).....

(c) I have not contracted any civil or religious marriage after the death of the person named in Part B;

(d) the supporting documents referred to in Part E are duly enclosed;

(e) I am not in receipt of any social aid under section 3(IA) of the Social Aid Act or under paragraph (o) of the Social Aid Regulations 1984 or any invalid's basic pension or widow's basic pension or survivor's pension under the National Pensions Act;

(f) the information given by me and recorded in this form has been read over/translated and explained to me and is true and correct to the best of my knowledge and belief; and

(g) my attention has been drawn to section 8 of the Social Aid Act and I understand that if I, inter alia, knowingly make a false statement or representation or fail to disclose any material fact, I may be subject to prosecution and, on conviction, may be liable to a fine not exceeding Rs 50,000 and imprisonment for a term not exceeding 2 years.

..... Date	..... Signature			
<b>PART E - SUPPORTING DOCUMENTS</b>				
(1)	Copy of birth certificate of applicant		}	Whether documents are enclosed  Please tick (/) in boxes
(2)	Copy of National Identity Card of applicant		}	
(3)	Copy of death certificate of applicant's deceased partner		}	
(4)	Copy of birth certificate of child/children		}	
(5)	Copy of National Identity Card of dependent child/ children, if 18 years of age or above		}	
(6)	Certificate of attendance of dependent child/children from the educational institution		}	
(7)	Affidavit as per the Third Schedule of the Social Aid Regulations 1984		}	
			}	
			}	
			}	
<b>FOR OFFICE USE</b>				
..... Name of registration officer	..... Date	..... Signature		
..... Name of checking officer	..... Date	..... Signature		
This application is recommended/not recommended.				
..... Name of officer	..... Status of officer	..... Signature	..... Date	
This application is approved/not approved.				
..... Name of officer	..... Status of officer	..... Signature	..... Date	

**THIRD SCHEDULE**

[Regulation 17]

**UNDER REGULATION 17 OF THE SOCIAL AID REGULATIONS 1984**

IN THE DISTRICT COURT OF .....

We —

(1) ....., (name) ....., (occupation) of ....., (address), holder of National Identity Card number .....

Make oath/solemn affirmation;

(2) ....., (name) ....., (occupation) of ....., (address), holder of National Identity Card number .....

Make oath/solemn affirmation,

and say that -

(1) We personally know the applicant, Mrs ....., and have known Mr ..... since ..... (date or number of years).

(2) We are personally aware that the applicant had started to live in a union as wife with the said Mr ..... on .....

(3) .....(number of) child/children was/were born from the union between the applicant and Mr ....., namely -

(1) .....

(2) .....

(3) .....

(4) .....

(5) .....

(4) Mr .....passed away on ..... and the applicant has not subsequently contracted any religious or civil marriage.

Sworn/solemnly affirmed by the abovenamed

deponent no. 1 on the .....day of

Before me

.....20.....

Sworn/solemnly affirmed by the abovenamed

.....

deponent no. 2 on the .....day of

District Magistrate

.....20.....



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