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**GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS**

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**DEPARTMENT OF SOCIAL DEVELOPMENT**

NO. 244

25 FEBRUARY 2019

**NOTICE OF INTENTION TO INTRODUCE THE CHILDREN'S AMENDMENT BILL,  
2019 INTO PARLIAMENT IN TERMS OF RULE RULES 271 AND 276 OF THE  
RULES OF THE NATIONAL ASSEMBLY**

1. Notice is hereby given in terms of rules 271 and 276 of the Rules of the National Assembly that the Minister of Social Development intends to introduce the Children's Amendment Bill, 2019 ("the Bill") in the National Assembly and in the National Council of Provinces during 2019.
2. The Explanatory Summary of the Bill is hereby published in accordance with rules 271 and 276 of the Rules of the National Assembly.
3. The Bill seeks to amend the Children's Act, 2005 (Act No 38 of 2005) ("the Act") to address critical gaps and challenges in the underlying child care and protection system. Furthermore, it responds to a High Court order relating to the foster care challenges and seeks to provide for a comprehensive legislative system in regards thereto. The Bill also provides for coordinated provision of care and protection services to children.
4. The Bill intends to:
  - a) further promote and protect the child's right to physical and psychological integrity;
  - b) to further regulate the position of unmarried fathers;
  - c) to extend the children's court jurisdiction to hear applications for guardianship;
  - d) to provide for matters relating to the provision and funding of early childhood development programmes;

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- e) to strengthen provisions relating to the National Child Protection Register; to further regulate the initiation of care and protection proceedings;
  - f) to further regulate the medical testing of children for foster care and adoption purposes;
  - g) to clarify procedures for children in alternative care;
  - h) to further regulate matters relating to adoption and inter-country adoption;
  - i) to expedite the hearing of child abduction matters and to provide for legal representation of children;
  - j) to adjust the criteria relating to surrogate motherhood and to provide for related matters;
  - k) to align the Act with the Criminal Law (Sexual Offences and Related Matters) Amendment Act, 2007, and the Jurisdiction of Regional Courts Amendment Act, 2008;
  - l) to align the Act with court judgments; to strengthen provisions relating to children with disabilities; to empower the Minister to make additional regulations; to remove certain inconsistencies; and
  - m) to provide for matters connected therewith.
5. A copy of the Bill can be obtained from the Department of Social Development's website at <http://www.dsd.gov.za> or from the Parliamentary Monitoring Group website at <http://www.pmg.org.za>. Alternatively, hardcopies may be requested, after the actual introduction of the Amendment Bill, from the Government Printers at Pretoria or Cape Town.
6. For further enquiries contact: Mr Luyanda Mtshotshisa at [LuyandaMt@dsd.gov.za](mailto:LuyandaMt@dsd.gov.za), Ms. Matlhogonolo Sebopela at [MatlhogonoloS@dsd.gov.za](mailto:MatlhogonoloS@dsd.gov.za), or Ms Sarah Mabasa at [SarahMab@dsd.gov.za](mailto:SarahMab@dsd.gov.za)





