



Embargo: For Immediate Release

**Media statement of the South African Law Reform Commission relating to Project 145:
Review of Mechanisms of Intergovernmental Relations Applicable to the Social
Development Sector**

The South African Law Reform Commission has, at the request of the national department of Social Development, instituted an investigation into the mechanisms through which national and provincial government departments involved in the welfare services sector manage their interdependence and cooperation. This stems from incongruence between the Department of Social Development and its provincial counterparts about how social development mandates should be implemented, and a lack of statutory mechanism empowering the Minister of Social Development or the department to ensure that decisions relating to this policy area are uniformly carried through.

Central to this inquiry therefore is the meaning of constitutional provisions regulating intergovernmental relations between the Department of Social Development and provincial departments responsible for welfare services; and most importantly, the efficacy of the Intergovernmental Relations Framework Act 13 of 2005 intended to promote synergy between national and provincial governments. We ask whether this legislation is deficient in any way and if it is, how that deficiency should be addressed.

As is customary, the Commission has resolved to elicit inputs from interested parties in respect of issues raised in this inquiry. To that end, it hereby publishes an issue paper setting out these issues, the exposition of the law and international best practices to serve as basis for deliberations. Interested parties are requested to submit written submissions, representations and/or comments to the Commission and mark them for the attention of Fanyana Mdumbe by **30 July 2021** to the following address

The Secretary
South African Law Reform Commission
Private Bag X668
Pretoria
0001
Tel: 012 622 6353
Email: fmdumbe@justice.gov.za
Website: <https://www.justice.gov.za/salrc/>

ISSUED BY THE SECRETARY, SA LAW REFORM COMMISSION

DATE: 30 APRIL 2021