



PRESS RELEASE

No Embargo

24 November 2021

16 Days of Activism 2021: Al Jama-ah introduces Private Members Bill on Maintenance to eradicate discriminatory clauses and for a more effective system.

In support of the “16 Days of Activism for No Violence Against Women and Children” Hon Hendricks Leader of Al Jama-ah in Parliament has introduced a Private Members Bill, the Maintenance Amendment Bill 2021 which seeks to be a lifeline for millions of women in South Africa.

Loopholes in the Maintenance Act which adversely affect women and children were pointed out on Al Jama-ah’s Women’s Day webinar programme in August 2021 by social justice activists for women and children. The activists called for amendments to be made to the Maintenance Act which will speed up the process of applications and deliver a fair and just rulings.

Al Jama-ah recognises that the Maintenance Act, 1998 (Act No. 99 of 1998) (“the Maintenance Act”), aims were to bring about a fair, equitable and sensitive maintenance service with simplified, speedier, and cheaper procedures prioritising the rights of children, as well as to improve effectiveness of enforcement. However, it was introduced as an interim measure pending a review of the South African maintenance system by the South African Law Reform Commission. Sadly, this revision failed to bring about an effective maintenance system.

We urge the Minister in the spirit of 16 Days Activism for No Violence Against Women and Children to speed up the amendments to the Act.

The proposed amendments recommended in the party’s Private Members Bill include amongst others:

That the system remains in disarray, is slow, ineffective, clogged up and unproductive to enforce rights; that the maintenance debtors evade their legal duty to maintain dependents with seeming impunity despite maintenance orders; long waiting time at court result into claimants losing out on a day’s work and earnings. Other discriminatory practices are that the claimants receive no compensation for transport and substance costs while the respondents receive.





“These discrepancies in the Maintenance Act have a direct impact on the rights and quality of the lives of children. Improving access to the maintenance system will include the improvement of children’s health, education, and employment prospects,” says Hendricks.

Al Jama-ah believes that support programmes should be in place for 365 days of Activism for No Violence Against Women and Children.

For further information contact national spokesperson:

Adv. Shameemah Salie

Cell: 084 423 0476