

REPUBLIC OF SOUTH AFRICA

**PORTFOLIO COMMITTEE AMENDMENTS
TO**

**COMPENSATION FOR
OCCUPATIONAL INJURIES AND
DISEASES AMENDMENT BILL**

[B 21—2020]

*(As agreed to by the Portfolio Committee on Employment and Labour
(National Assembly))*

[B 21A—2020]

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AMENDMENTS AGREED TO

 COMPENSATION FOR
 OCCUPATIONAL INJURIES AND DISEASES AMENDMENT BILL
 [B 21—2020]

CLAUSE 1

1. On page 2, in line 10, after “illness,” to insert “occupational”.
2. On page 3, in line 50, after “or” to omit “member of” and to substitute with “[**member of**]”.

CLAUSE 8

1. On page 7, in line 33 to omit “and life enhancement assistance”.
2. On page 7, in line 34 after “injuries and” to insert “occupational”.
3. On page 7, in line 34, after “diseases;” to omit “and”.
4. On page 7, after line 34, to insert “(j) provide psychosocial support subsequent to occupational injury or occupational disease, which forms part of clinical, vocational and social rehabilitation services; and”.
5. On page 7, in line 35, to omit “(j)” and to substitute “(k)”.

CLAUSE 33

1. On page 14, from line 7, to omit “in terms of any regulation made under the [**Minerals Act, 1991 (Act No. 50 of 1991)**] Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002)”.

CLAUSE 41

1. On page 16, in line 13, after “be,” to omit “may” and to substitute “must”.

CLAUSE 43

1. On page 16, from line 47, to omit subsection (4) and to substitute with the following subsection (4):

“(4)(a) No third party will be allowed to transact with the Compensation Fund unless they are registered with the Compensation Fund in the manner as prescribed.

“(b) All third parties that are already transacting with the Compensation Fund must register with the Compensation Fund within six months after the commencement of the Compensation for Occupational Injuries and Diseases Amendment Act, 2021.”.

2. On page 16, after line 50, to add the following subsection:

“(5) For the purpose of this section, a third party means any entity that transacts with the Fund with the aim of assisting either the employee, employer, medical service provider or pensioner with the processing of claims at the Compensation Fund.”.

CLAUSE 59

1. On page 22, in line 21, to omit “Director-General” and to substitute “Commissioner”.
2. On page 23, after line 13, to insert the following:

“(3) No answer by any person to a question by an authorised person or an inspector conducting an investigation or inspection in terms of this Act may be used against that person in any criminal proceedings except proceedings in respect of a charge of perjury or making a false statement.”.

NEW CLAUSE

1. On page 24, after line 17, to insert the following:

“Transitional arrangements

63. (1) Domestic workers and employers must report or submit a claim in the prescribed manner within three years from the date of the commencement of the Compensation for Occupational Injuries and Diseases Amendment Act, 2021 for any accident that had occurred prior to the commencement of this Act.

(2) The validity of the existing licenses issued to the Mutual Associations in terms of the Act will remain effective until new agreements are entered into”.

CLAUSE 63

1. On page 24, in line 19, to omit “63” and to insert “64”.
2. On page 24, in line 20, after “Act,” to omit “2020” and to insert “2021”.

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