

South Africa

Compensation for Occupational Injuries and Diseases Act, 1993

## Compensation for COVID-19 Vaccination Side-Effects in Terms of Section 6A(b) of the Compensation for Occupational Injuries and Diseases Act 130 of 1993

General Notice 629 of 2021

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# Compensation for COVID-19 Vaccination Side-Effects in Terms of Section 6A(b) of the Compensation for Occupational Injuries and Diseases Act 130 of 1993

## Contents

Paragraph 1. ....	1
Paragraph 2. ....	1
Paragraph 3. ....	1
Paragraph 4. ....	1
Paragraph 5. ....	1
Paragraph 6. ....	1



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### Compensation for Occupational Injuries and Diseases Act, 1993

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Please take notice that the Compensation Fund will cover will cover employees for injuries, illness or death as a result of receiving a Covid-19 vaccine, only where an employee is required by the employer to receive vaccination as an inherent requirement of employment or where vaccination is required based on the OHS risk assessment conducted by the employer. The following requirements shall apply:

1. The vaccination must be regarded as an inherent requirement of the job as determined by the employer's risk assessment;
2. The employee must have been vaccinated with SAHPRA-approved Covid-19 vaccine;
3. Evidence must be provided of the employer's Risk Assessment and Vaccination Plan as set out in paragraph 3(1)(a)(i)(ii) and (b) of the Consolidated Directions on Occupational Health and Safety Measures in Certain Workplaces dated 28 May 2021;
4. The chronological sequence between the vaccine inoculation and the development of symptoms and clinical signs must be provided;
5. The employee must have presented with symptoms and clinical signs that are generally recognised as side effects of Covid -19 vaccine; and
6. Additional tests may be required to assess the presence of abnormalities of any organ affected.

Take further notice that the claims will be adjudicated and compensation will be determined and paid in terms of the Act and the Guidelines of Compensation Fund.

*Nota Bene:* This Notice must not be interpreted to establish any law, regulation or rule that employers may subject their employees to vaccine inoculation against their will.

Vuyo Mafata

Compensation Commissioner