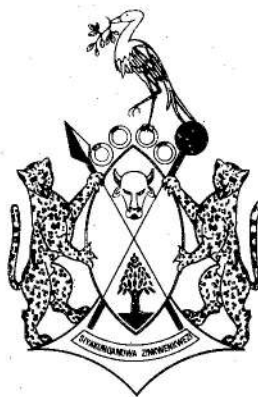


*Draft*

**IRIPHABLIKI  
YECISKEI**

**REPUBLIC OF  
CISKEI**



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**GOVERNMENT  
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**DEPARTMENT OF MANPOWER UTILISATION**

**GOVERNMENT NOTICE NO. 107**

**IT IS HEREBY NOTIFIED THAT THE PRESIDENT HAS  
ASSENTED TO THE FOLLOWING ACT WHICH IS HEREBY  
PUBLISHED FOR GENERAL INFORMATION:—**

**WORKMEN'S COMPENSATION AMENDMENT ACT, 1985  
ACT No. 34 OF 1985**

# WORKMEN'S COMPENSATION AMENDMENT ACT, 1985

## ACT

To amend the Workmen's Compensation Act, 1982 and to provide for incidental matters.  
(English text signed by the President. Assented to on 12 December 1985)

BE IT ENACTED by the National Assembly of the Republic of Ciskei, as follows:—

*Amendment of  
section 2 of  
Act 11 of 1982,  
as amended by  
section 1 of Act  
24 of 1984.*

1. Section 2 of the Workmen's Compensation Act, 1982 (hereinafter in this Act referred to as the principal Act) is hereby amended —
  - (a) by the substitution for the definition of "employer individually liable" of the following definition:  
"employer individually liable" means any employer, other than an employer carrying on a small business, who in terms of section 68 is exempt from paying assessments to the accident fund;"; and
  - (b) by the insertion after the definition of "silicosis" of the following definition: "small business" means a small business as defined in section 1 of the Small Businesses Deregulation Act, 1984 (Act 27 of 1984):"

*Amendment of  
section 3 of Act  
11 of 1982 as  
amended by section  
2 of Act 24 of 1984.*

2. Section 3 of the principal Act is hereby amended —
  - (a) by the deletion in subsection (2) (a) (i) and (ii) of the words "of the Ciskeian Special Force"; and
  - (b) by the substitution in subsection (2) (a) (iii) for the words "Police Division" of the words "Ciskeian Police".

*Substitution of  
section 36 of Act  
11 of 1982.*

3. The following section is hereby substituted for section 36 of the principal Act:  
*"Liability for compensation* 36. Subject to the provisions of section 68 (2) compensation payable to any workman entitled thereto shall, as the case may be, be paid to such workman —
  - (a) by the commissioner from the accident fund; or
  - (b) by the employer individually liable."

*Substitution of  
section 68 of Act 11  
of 1982.*

4. The following section is hereby substituted for section 68 of the principal Act:

*"Certain  
employers  
exempt from  
assessments.*

68. (1) Assessments for the benefit of the accident fund shall not be payable in respect of workmen in the employ of any department of State (including the National Assembly) or any small business.
- (2) Notwithstanding anything in subsection (1) contained, compensation payable to a workman of a small business shall be paid to such workman by the commissioner from the accident fund and the amount of such compensation shall be recoverable from the State as if it were a loss within the meaning of section 72."

*Amendment of  
section 72 of  
Act 11 of 1982.*

5. Section 72 of the principal Act is hereby amended by the substitution for subsection (2) of the following subsection:  
"(2) The Commissioner shall, as soon as possible after each financial year and at such other times as he may deem expedient, estimate the loss incurred during that year or at that time as the case may be, as a result of compensation becoming payable out of the accident fund in respect of workmen whose employers have failed to pay, or in terms of section 68 (1) are exempt from paying assessments for such workmen."

*Short title and  
commencement*

6. This Act shall be called the Workmen's Compensation Amendment Act, 1985 and shall be deemed to have come into operation on 01 September 1984.

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