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KANTOOR VAN DIE STAATSPRESIDENT

STATE PRESIDENT'S OFFICE

No. 607. 30 Maart 1988

Hierby word bekend gemaak dat die Staatspresident sy goedkeuring gegee het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—

No. 29 van 1988: Wysigingswet op Werkloosheidsversekering, 1988.

No. 607. 30 March 1988

It is hereby notified that the State President has assented to the following Act which is hereby published for general information:—

No. 29 of 1988: Unemployment Insurance Amendment Act, 1988.

UNEMPLOYMENT INSURANCE AMENDMENT ACT, 1988

Act No. 29, 1988

GENERAL EXPLANATORY NOTE:

- [** Words in bold type in square brackets indicate omissions from existing enactments.
- Words underlined with solid line indicate insertions in existing enactments.

ACT

To amend the Unemployment Insurance Act, 1966, so as to provide that the Minister of Manpower may delegate the power to assign an officer of his Department as secretary to the Unemployment Insurance Board, to an officer in the Department; to compel an unemployed contributor to register as unemployed, before an application for unemployment benefits can be submitted by him; to extend the period within which an unemployed contributor who has applied for benefits and thereafter moves to the area of jurisdiction of another claims officer, should henceforth submit a further application to the latter claims officer; to delete the requirement that a contributor will in certain cases not be entitled to unemployment benefits within six weeks after he became unemployed; to provide that application for illness benefits forms may also be completed and signed by chiropractors and homeopaths; and to alter the qualifying period applicable to maternity benefits in order to bring about uniformity with the other types of benefits; and to provide for matters connected therewith.

(Afrikaans text signed by the State President.)
(Assented to 21 March 1988.)

BE IT ENACTED by the State President and the Parliament of the Republic of South Africa, as follows:—

1. Section 12 of the Unemployment Insurance Act, 1966 (hereinafter referred to as the principal Act), is hereby amended by the substitution for subsection (11) of the following subsection:

“(11) The Minister or any officer in the Department of Manpower designated by him for that purpose may assign to the board an officer in [his] that department to be the secretary of the board, and such other officers or employees in [his] that department as may be necessary to enable the board to carry out its functions.”
2. Section 35 of the principal Act is hereby amended—
 - (a) by the substitution for paragraph (b) of subsection (5) of the following paragraph:

“(b) The provisions of paragraph (a) shall apply also with reference to a contributor who is not entitled to benefits in terms of paragraph [(e) or] (f) of subsection (13).”;
 - (b) by the substitution for subsection (6) of the following subsection:

“(6) When any person applies for unemployment benefits the claims officer may require him to submit

Amendment of section 12 of Act 30 of 1966, as amended by section 5 of Act 27 of 1986.

Amendment of section 35 of Act 30 of 1966, as substituted by section 15 of Act 9 of 1979 and amended by section 9 of Act 1 of 1982 and section 2 of Act 102 of 1987.

Wet No. 29, 1988

WYSIGINGSWET OP WERKLOOSHEIDSVERSEKERING, 1988

ging van die eisebeampte bewys lewer dat hy 'n werksoeker is wat ingevolge artikel 4 (1) van die Wet op Voorligting en Indiensplasing, 1981 (Wet No. 62 van 1981), geregistreer is en dat hy daadwerklik werk soek of gesoek het.”;

- (c) deur in paragraaf (c) van subartikel (7) die woord “veertien” deur die woord “agt-en-twintig” te vervang; en
(d) deur paragraaf (e) van subartikel (13) te skrap.

Wysiging van artikel 36 van Wet 30 van 1966, soos vervang deur artikel 16 van Wet 9 van 1979 en gewysig deur artikel 3 van Wet 1 van 1981 en artikel 10 van Wet 1 van 1982.

3. Artikel 36 van die Hoofwet word hierby gewysig— 10

- (a) deur paragraaf (d) van subartikel (6) deur die volgende paragraaf te vervang:

“(d) indien die eisebeampte van oordeel is dat die bydraer onredelik geweier of versuim het om mediese behandeling te ondergaan of om die opdragte van 'n geneesheer, chiropraktisyn of homeopaat uit te voer, vir so lank sodanige weiering of versuim voortduur;” en

- (b) deur subartikel (7) deur die volgende subartikel te vervang: 20

“(7) By die toepassing van hierdie artikel word 'n ander bydraer as 'n bydraer in subartikel (1) (b) bedoel, geag werkloos te geword het op die datum waarop sy diens-, vakleerlingskap- of leerlingskapkontrak beëindig is uit hoofde van die siekte ten opsigte waarvan 25 aansoek om siektevoordele gedoen word: Met dien verstande dat 'n applikant wat werkloos geword het voordat hy die siekte opgedoen het ten opsigte waarvan die aansoek gedoen word, geag word werkloos te geword het op die datum waarop hy, luidens die geneesheer, 30 chiropraktisyn of homeopaat se sertifikaat, as gevolg van genoemde siekte onbekwaam geword het om te werk.”.

Wysiging van artikel 37 van Wet 30 van 1966, soos vervang deur artikel 17 van Wet 9 van 1979 en gewysig deur artikel 4 van Wet 1 van 1981, artikel 11 van Wet 1 van 1982 en artikel 5 van Wet 36 van 1987.

4. Artikel 37 van die Hoofwet word hierby gewysig deur in subartikel (5) die woord “agtien”, waar dit ook al voorkom, 35 deur die woord “dertien” te vervang.

Wysiging van artikel 62 van Wet 30 van 1966, soos gewysig deur artikel 30 van Wet 9 van 1979, artikel 17 van Wet 1 van 1982 en artikel 8 van Wet 36 van 1987.

5. Artikel 62 van die Hoofwet word hierby gewysig deur paragraaf (f) van subartikel (1) te skrap.

Kort titel en inwerkingtreding.

6. Hierdie Wet heet die Wysigingswet op Werkloosheidversekering, 1988, en tree in werking op 'n datum wat die Staats- 40 president by proklamasie in die *Staatskoerant* bepaal.

UNEMPLOYMENT INSURANCE AMENDMENT ACT, 1988

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proof to the satisfaction of the claims officer that he is a workseeker who has been registered in terms of section 4 (1) of the Guidance and Placement Act, 1981 (Act No. 62 of 1981), and that he is, or has been, actively seeking work.”;

- (c) by the substitution in paragraph (c) of subsection (7) for the word “fourteen” of the word “twenty-eight”; and
(d) by the deletion of paragraph (e) of subsection (13).

3. Section 36 of the principal Act is hereby amended—

- (a) by the substitution for paragraph (d) of subsection (6) of the following paragraph:

“(d) if the contributor, in the opinion of the claims officer, has unreasonably refused or neglected to undergo medical treatment or to carry out the instructions of a medical practitioner, chiropractor or homeopath, for as long as such refusal or neglect continues;” and

- (b) by the substitution for subsection (7) of the following subsection:

“(7) For the purpose of this section a contributor, other than a contributor referred to in subsection (1) (b), shall be deemed to have become unemployed on the date upon which his contract of service or apprenticeship or learnership was terminated by reason of the illness in respect of which application is made for illness benefits: Provided that an applicant who became unemployed prior to contracting the illness in respect of which the application is made, shall be deemed to have become unemployed on the date from which he is certified by the medical practitioner, chiropractor or homeopath to have become incapable of performing work by reason of the said illness.”.

Amendment of section 36 of Act 30 of 1966, as substituted by section 16 of Act 9 of 1979 and amended by section 3 of Act 1 of 1981 and section 10 of Act 1 of 1982.

4. Section 37 of the principal Act is hereby amended by the substitution in subsection (5) for the word “eighteen”, wherever it occurs, of the word “thirteen”.

Amendment of section 37 of Act 30 of 1966, as substituted by section 17 of Act 9 of 1979 and amended by section 4 of Act 1 of 1981, section 11 of Act 1 of 1982 and section 5 of Act 36 of 1987.

5. Section 62 of the principal Act is hereby amended by the deletion of paragraph (f) of subsection (1).

Amendment of section 62 of Act 30 of 1966, as amended by section 30 of Act 9 of 1979, section 17 of Act 1 of 1982 and section 8 of Act 36 of 1987.

6. This Act shall be called the Unemployment Insurance Amendment Act, 1988, and shall come into operation on a date fixed by the State President by proclamation in the *Gazette*.

Short title and commencement.

