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GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF LABOUR

NO. R. 1131

02 SEPTEMBER 2019

DEPARTMENT OF EMPLOYMENTS AND LABOUR

UNEMPLOYMENT INSURANCE ACT, 2001 (ACT NO.63 OF 2001)

**CALL FOR COMMENTS ON THE AMENDMENTS TO THE REGULATIONS TO
THE UNEMPLOYMENT INSURANCE ACT, 2001**

I, Thembelani Waltermade Nxesi, MP Minister of Employment and Labour, under Section 55 (1) of the Unemployment Insurance Act, 2001 (Act No 63 of 2001) intend to make amendments to the Regulations to the Unemployment Insurance Act, 2001 as set out in the Schedule.

Interested persons or organisations are hereby invited to submit written comments on the draft regulations within 14 calendar days from the date of publication.

Comments shall be forwarded to :

(a) Post to:

The Department of Employment and Labour (UIF)

P O Box 1851

Pretoria

0001

(b) Hand Delivery to:

The Department of Employment and Labour (UIF)

Directorate: Legal Services

230 Lillian Ngoyi Street;

Pretoria

0001;

Any enquiries in connection with the Notice can be directed to M.C. Phathela at Cornelius.phathela@labour.gov.za. Tel: 012 337 1775 / 1411 or Thembisile Mokoena at Thembisile.Mokoena@labour.gov.za; Tel: 012 337 1441 / 1747

Comments received after the closing date may not be considered.



T. W. NXESI, MP

MINISTER OF EMPLOYMENT AND LABOUR

DATE: 26/08/2019

SCHEDULE

Definition

1. In this Schedule "the Regulations" means the regulations published under Government Notice No. R. 400 of 28 March 2002 as amended by Government Notice No. 536 of 23 April 2004, Government Notice No. R. 823 of 10 August 2005, Government Notice No. R. 948 of 5 October 2009 and Government Notice No. R. 1434 of 28 December 2018.

Insertion of regulation 5A in the Regulations

2. The following regulation is hereby inserted after regulation 5 of the Regulations:

"Application for parental benefits in terms of section 26B of the Act

5A. (1) An application for parental benefits in terms of section 26B of the Act must be made at an employment office and must be in the form of a complete UI 2.9.

(2) An applicant for parental benefits, when making the application, must submit -

- (a) an identity document;
- (b) a full birth certificate of the child with full details of parents;
- (c) a surrogate motherhood agreement in terms of the Children's Act, 2005 (Act No. 38 of 2005); or
- (d) an interim court order placing the child in the care of the prospective adoptive parent pending the finalisation of an adoption order in respect of that child ;
- (e) details of a valid bank account, in the form of UI 2.8; and
- (f) remuneration received by the employee whilst still in employment, in the form of UI 2.7 "

Insertion of regulation 5B in the Regulations

3. The following regulation is hereby inserted after regulation 5A of the Regulations:

"Application for commissioning parental benefit in terms of section 29B of the Act

5B (1) An application for commissioning parental benefits in terms of section 29B of the Act must be made at an employment office and must be in the form of a complete UI 2.9.

(2) An applicant for commissioning parental benefits, when making the application must submit -

- (a) an identity document;
- (b) a surrogate motherhood agreement in terms of the Children's Act, 2005 (Act No. 38 of 2005);

- (c) details of a valid bank account in the form of UI 2.8;
- (d) remuneration received by the employee whilst still in employment, in the form of UI 2.7; and
- (e) birth certificate of the child with full details of parents.”

Amendment of regulation 6 of the Regulations

4. Regulation 6 of the Regulations is hereby amended by the insertion of the following paragraph after paragraph (e) of sub-regulation (2):

“(f) interim court order placing the child in the care of the prospective adoptive parent pending the finalisation of an adoption order in respect of that child.” _

Amended forms

5. Forms 2.1; 2.2; 2.3; 2.4; 2.5; 2.6; 2.7; 2.8; 53 are hereby substituted for the evenly numbered forms in the Annexure.

New forms

6. Forms 2.1P; 2.2P; 2.3P; 2.4P; 2.9P; 2.12P; 2.9; and 2.12

Short title

7. These regulations are called the Unemployment Insurance Act Amendment Regulations, 2019.

UI-2.7

**UNEMPLOYMENT INSURANCE FUND
REMUNERATION RECEIVED BY THE EMPLOYEE WHILST STILL IN EMPLOYMENT**

To: The Claims Officer

Statement in respect of payment made to the undermentioned Contributor who is still in my employment but is unable to work due to Illness; Maternity leave; Adoption Leave, Commissioning Parental leave, Parental leave or is on Reduced Working Time (RWT)

Full names of contributor: _____

Identity Document.																				
--------------------	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Name of Employer: _____

Employers UIF Reference No.

--	--	--	--	--	--	--	--	--	--

 /

--

(A) In terms of section 12(1)b, 19(1), 24(2), 26A(1), 27(3) and 29A(1) of the abovementioned Act, I hereby certify that the contributor would receive less than 100% of his/her remuneration as from ____/____/____ (full date) due to

Parental Leave		Commissioning Parental leave (SURROGACY)		Illness Leave		Maternity Leave		Adoption Leave		Reduced working time	
----------------	--	--	--	---------------	--	-----------------	--	----------------	--	----------------------	--

Periods during which different rates of remuneration were received while on leave/RWT (TO BE INDICATED IN CALANDER MONTHS)				Gross remuneration received whilst on leave/RWT (Per month)
From		To		

(B) The contributor is expected to/has resume/d full working hours on ____/____/____.

SIGNATURE OF EMPLOYER OR AUTHORISED AGENT

DATE: ____/____/____

EMPLOYER STAMP (if available)



labour

 Department:
 Labour
 REPUBLIC OF SOUTH AFRICA


UI-53

NOMINATION FORM FOR UIF DEPENDANTS BENEFITS (PLEASE NOTE THAT NO ALTERATIONS ARE ACCETED ON THIS FORM)

 I _____, Identity Document

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

(Employee's full name & surname)

Currently employed at _____ UIF Ref Number _____, hereby nominate the below individual(s) indicated to have access to my UIF Dependants Benefits in the event of my death.

1. SPOUSE / LIFE PARTNER

Surname	Full Names	Relationship to employee	Date of Birth	Identity Document

2. CHILD/REN UNDER THE AGE OF 21 OR LEARNER OR DEPENDANT CHILD

Surname	Full Names	Date of Birth	Identity Document

3. NOMINATED BENEFICIARY OF YOUR CHOICE *(if more than 1 nominee, the percentage must be allocated per nominee)*

Surname	Full Names	Date of birth	Valid ID/Passport/Permit Number	Relationship to employee	Allocated percentage
Total Percentage					100%

I, _____ the undersigned understand that my circumstances and those of the persons shown above as dependents and/or nominees may change. In the event there is a change, I undertake to complete and re-submit the form UI-53 to my Employer for submission to the Department of Employment & Labour

Signed at: _____ on the _____

EMPLOYEE'S SIGNATURE _____

FULL NAME OF EMPLOYER REPRESENTATIVE _____

EMPLOYERS SIGNATURE _____

DATE _____

• PLEASE NOTE THAT NO ALTERNATIONS ARE ACCEPTED ON THIS FORM

**UNEMPLOYMENT INSURANCE ACT 63 OF 2001 AS AMENDED
APPLICATION FOR ILLNESS BENEFITS IN TERMS OF SECTION 22(1)**

Identity Document		Date of Birth (dd/mm/yy)		Gender	
<input type="text"/>		<input type="text"/>		<input type="checkbox"/> Male <input type="checkbox"/> Female	
First Names			Surname		
<input type="text"/>			<input type="text"/>		
Postal Address				Code	Code/Telephone No
<input type="text"/>				<input type="text"/>	<input type="text"/>
Residential Address				Code	Cell No
<input type="text"/>				<input type="text"/>	<input type="text"/>
Occupation		E-Mail Address		Fax Number	
<input type="text"/>		<input type="text"/>		<input type="text"/>	
Education					
<input type="checkbox"/> SPECIAL SCHOOL CERT.		<input type="checkbox"/> GRADE 8-9		<input type="checkbox"/> GRADE 12	
<input type="checkbox"/> BELOW GRADE 8		<input type="checkbox"/> GRADE 10 - 11		<input type="checkbox"/> ABOVE GRADE 12	

Details of previous application if Identity Document differs to current

a) Name and ID No under which you applied:

ARE YOU STILL EMPLOYED YES NO

NB: IF YOU ARE STILL EMPLOYED, FORM UI 2.7 MUST ALSO BE COMPLETED.

IMPORTANT: READ THIS SECTION BELOW:

In the event of my application being successful, the Claims Officer will authorise the payment of benefits. I also undertake to inform the Claims Officer as soon as I am re-employed and understand that failure to do so will constitute fraud.

In the event of an overpayment as a result of any application I submitted, I undertake that I will refund the full amount to the Fund.

MEDICAL CERTIFICATE (To be completed by a registered medical practitioner)

I, _____ am a qualified _____ Qualifications _____

My Registration number is _____ I confirm that _____

is suffering from _____ (optional)

This patient was not capable of performing work from _____ / _____ / _____ to _____ / _____ / _____

Signature _____ Date _____

Tel No. _____ Address _____

Medical Practice Stamp
(if available)

Where a Proxy was appointed by Doctor or Legal Representative proof must be attached.

FOR OFFICIAL USE ONLY:

I declare that the above information is true and correct. SIGNATURE OF APPLICANT Date: _____ / _____ / _____	SIGNATURE OF OFFICIAL Date: _____ / _____ / _____	Claim approved from: _____ Application refused in terms of: _____ Claims officer (Please Print): _____ Signature: _____ Date: _____ / _____ / _____	Department of Employment and Labour Office Stamp
--	--	---	---

UNEMPLOYMENT INSURANCE ACT 63 OF 2001 AS AMENDED
APPLICATION FOR ADOPTION BENEFITS IN TERMS OF SECTION 26A (1), 27(3) and 29A(1) Read with Regulation 6(1)

Identity document	Identity document of child	Date of Birth (dd/mm/yy)	Gender
<input type="text"/>	<input type="text"/>	<input type="text"/>	Male <input type="checkbox"/> Female <input type="checkbox"/>
First name		Surname	
<input type="text"/>		<input type="text"/>	
Postal Address		Code	Code /Telephone No
<input type="text"/>		<input type="text"/>	<input type="text"/>
Residential Address		Code	Cell No
<input type="text"/>		<input type="text"/>	<input type="text"/>
Occupation	E-Mail Address	Fax Number	
<input type="text"/>	<input type="text"/>	<input type="text"/>	
Education			
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Details of previous application if Identity Document differs from current
a) Name and Identity number under which you applied:

ARE YOU STILL EMPLOYED YES NO

NB: IF YOU ARE STILL EMPLOYED, FORM UI 2.7 MUST ALSO BE COMPLETED.

IMPORTANT: READ THIS SECTION BELOW:

In the event of my application being successful, the Claims Officer will authorise the payment of benefits. I also undertake to inform the Claims Officer as soon as I am re-employed and understand that failure to do so will constitute fraud.

In the event of an overpayment as a result of any application I submitted, I undertake that I will refund the full amount to the Fund.

FOR OFFICIAL USE ONLY:

I declare that the above information is true and correct. SIGNATURE OF APPLICANT Date: ____/____/____	SIGNATURE OF OFFICIAL Date: ____/____/____	Claim approved from: _____ Application refused in terms of: _____ Claims officer (Please Print): _____ Signature: _____ Date: ____/____/____	Department of Employment and Labour Office Stamp
--	--	---	---

UNEMPLOYMENT INSURANCE ACT 63 OF 2001 AS AMENDED
APPLICATION FOR DEPENDANT'S BENEFITS BY SURVIVING SPOUSE OR LIFE PARTNER IN TERMS OF SECTION 30 Read with Regulation 7(1)

A. PARTICULARS OF DECEASED CONTRIBUTOR:

Identity Document	Date of Birth (dd/mm/yy)	Gender	
<input type="text"/>	<input type="text"/>	Male <input type="checkbox"/>	Female <input type="checkbox"/>
First Names	Surname	Date of Death	
<input type="text"/>	<input type="text"/>	<input type="text"/>	
Last Residential Address			Code
<input type="text"/>			<input type="text"/>
Details of previous application if Identity Document differs to current			
a) Name and ID/passport No under which deceased applied: <input type="text"/>			

B. PARTICULARS OF SURVIVING SPOUSE OR LIFE PARTNER

Identity Document	Date of Birth (dd/mm/yy)	Gender	
<input type="text"/>	<input type="text"/>	Male <input type="checkbox"/>	Female <input type="checkbox"/>
First Names	Surname	Postal Address	
<input type="text"/>	<input type="text"/>	<input type="text"/>	
Residential Address		Code	Tel No
<input type="text"/>		<input type="text"/>	<input type="text"/>
E-Mail Address		Code	Cell No
<input type="text"/>		<input type="text"/>	<input type="text"/>

I declare that I am one of _____ surviving spouses or the only surviving spouse or life partner of the abovementioned deceased contributor, that I was not divorced from him/her and that information given in this document is true and correct.

In the event of an overpayment occurring as a result of this application, I undertake that I will refund the full amount to the Fund.

I understand that it is an offence to make a false statement.

FOR OFFICIAL USE ONLY:

I declare that the above information is true and correct. SIGNATURE OF APPLICANT Date: ____/____/____	SIGNATURE OF OFFICIAL Date: ____/____/____	Claim approved from: _____	Department of Employment and Labour Office Stamp
		Application refused in terms of: _____ Claims officer (Please Print): _____ Signature: _____ Date: ____/____/____	

UNEMPLOYMENT INSURANCE ACT 63 OF 2001 AS AMENDED
APPLICATION FOR PARENTAL BENEFITS IN TERMS OF SECTION 26A (1), 27(3) and 29A (1) Read with Regulation 6(1)

PLEASE SELECT THE TYPE OF BENEFITS YOU WISH TO APPLY FOR:

Parental	Adoption	Commissioning Parental
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Identity Document	Identity Document of child	Date of Birth (dd/mm/yy)	Gender
<input type="text"/>	<input type="text"/>	<input type="text"/>	Male <input type="checkbox"/> Female <input type="checkbox"/>

First name	Surname
<input type="text"/>	<input type="text"/>

Postal Address	Code	Code /Telephone No
<input type="text"/>	<input type="text"/>	<input type="text"/>

Residential Address	Code	Cell No
<input type="text"/>	<input type="text"/>	<input type="text"/>

Occupation	E-Mail Address	Fax Number
<input type="text"/>	<input type="text"/>	<input type="text"/>

Education	GRADE 8-9	GRADE 12
SPECIAL SCHOOL CERT.	GRADE 10 - 11	ABOVE GRADE 12
BELOW GRADE 8		

Details of previous application if Identity Document differs from current

a) Name and Identity Document under which you applied:

ARE YOU STILL EMPLOYED YES NO

NB: IF YOU ARE STILL EMPLOYED, FORM UI 2.7 MUST ALSO BE COMPLETED.

IMPORTANT: READ THIS SECTION BELOW:

In the event of my application being successful, the Claims Officer will authorise the payment of benefits. I also undertake to inform the Claims Officer as soon as I am re-employed and understand that failure to do so will constitute fraud.

In the event of an overpayment as a result of any application I submitted, I undertake that I will refund the full amount to the Fund.

FOR OFFICIAL USE ONLY:

I declare that the above information is true and correct. SIGNATURE OF APPLICANT	SIGNATURE OF OFFICIAL	Claim approved from: _____	Department of Employment and Labour Office Stamp
		Application refused in terms of: _____	
Date: ____/____/____	Date: ____/____/____	Claims officer (Please Print): _____	
		Signature: _____	
		Date: ____/____/____	

UNEMPLOYMENT INSURANCE ACT 63 OF 2001

UI-19

Employers Declaration of Employees for the month of

Information to be supplied in terms of Section 56(1&3) read with Regulation 13(1&2)

An employer must by the seventh day of each month inform the Commissioner with all the information during the previous month regarding the employer's contact details or employees remuneration details including new appointments and termination of service. The employer must forward this form to the **Unemployment Insurance Fund** at (012) 337-1943/44 or 337-1580/81/82 **or submit same at any branch of the UIF which is closest to the employer. The completed form can also be faxed to any of the following numbers: Pta (012) 309 5142/5286; Jhb (011) 497 3293; Dbn (031) 366 2156; Polokwane (015) 290 1670; Mmabatho (018) 384 2658; East Ldn (043) 701 3263; Biftn (051) 447 9353; CT (021) 441 8024; Wtb (013) 656 0233; PE (041) 506 5142; Gmn (011) 873 2219; George (044) 873 2568; Pmb (033) 394 5069.** Or mail to: uif.declarations@labour.gov.za

1. EMPLOYER DETAILS

1.1 UIF Employer Reference No Branch No 1.2 PAYE Reference No (If registered with SARS)

1.3 Trading name of business _____ 1.4 Physical Address _____

1.5 Address where employees listed in Item 2 work (if different to the address in 1.4) _____ 1.6 Postal address _____

1.7 Co. Reg.No (CIPRO No) 1.10 Phone No _____ 1.11 Authorised person** _____

1.8 E-mail address _____ 1.9 Fax No _____

2. EMPLOYEE DETAILS

A Surname	B Initials	C Identity Document Number	D* Total (Gross) Remuneration paid to Employee Per Month		E* Total Hours Worked during Month	F Commencement date of Employment						G Termination Date						H Reason for Termination (Use Termination Codes as supplied at the bottom of the page)	I Indicate whether contributor or non-contributor (YES OR NO)	J*** If non-Contributor state reason (Use codes at bottom of page)
			R	c		D	D	M	M	Y	Y	D	D	M	M	Y	Y			

I, _____ (Name of Employer), ID No _____, declare that the above information is true and correct. I understand that it is an offence to make a false statement.

EMPLOYER SIGNATURE

DATE

DESCRIPTIONS	Code	(J) Reason for Non-Contribution ***	
** If the employer is not resident in the RSA, or is a body corporate not registered in the RSA, an authorised person must carry out the duties of the employer in terms of this Act.	1	Temporary employees (less than 24 hours per month)	Employer Stamp (if available)
D* Remuneration means actual basic salary plus payment in kind (Declare actual gross salary)	2	Employees who earn commission only	
If paid Weekly, convert wages to monthly salary (weekly wages X 52/12)	3	No income paid for the payroll period	
E* Total Hours Worked ie. Actual hours worked during the month			
Employers may also submit these details electronically from payrolls or on the UIF's website at www.labour.gov.za			
* Only Applicable for Commercial employers, Domestic employers – provide Surname and initials			
**** Constructive dismissal can only be determined by the CCMA : Bargaining-Council or Labour Court			

REASON FOR TERMINATION CODES

2 Deceased	6 Resigned	10 Illness /Medically boarded	14 Business Closed	18 Commissioning Parental
3 Retired	7 Constructive Dismissal****	11 Retrenched/Staff Reduction	15 Death of Domestic Employer	19 Parental Leave
4 Dismissed	8 Insolvency/Liquidation	12 Transfer to another Branch	16 Voluntary Severance Package	
5 Contract Expired	9 Maternity/Adoption	13 Absconded	17 Reduced Work Time	