



Government Gazette Staatskoerant

REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID AFRIKA

Regulation Gazette

No. 11101

Regulasiekoerant

Vol. 659

4 May
Mei 2020

No. 43265

N.B. The Government Printing Works will not be held responsible for the quality of "Hard Copies" or "Electronic Files" submitted for publication purposes

ISSN 1682-5843



9 771682 584003

43265



AIDS HELPLINE: 0800-0123-22 Prevention is the cure

IMPORTANT NOTICE:

THE GOVERNMENT PRINTING WORKS WILL NOT BE HELD RESPONSIBLE FOR ANY ERRORS THAT MIGHT OCCUR DUE TO THE SUBMISSION OF INCOMPLETE / INCORRECT / ILLEGIBLE COPY.

No FUTURE QUERIES WILL BE HANDLED IN CONNECTION WITH THE ABOVE.

Contents

<i>No.</i>		<i>Gazette No.</i>	<i>Page No.</i>
GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS			
Labour, Department of/ Arbeid, Departement van			
R. 486	Disaster Management Act (57/2002): Amendment and Correction of Directives by the Minister of Employment and Labour in terms of Regulation 10 (8) of the Regulations issued by the Minister of Cooperative Governance and Traditional Affairs in terms of section 27 (2) of the Act	43265	3

GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF LABOUR

NO. R. 486

04 MAY 2020

**AMENDED COVID-19 TEMPORARY EMPLOYEE / EMPLOYER RELIEF SCHEME
(C19 TERS), 2020****AMENDMENT OF DIRECTIVE BY THE MINISTER OF EMPLOYMENT AND LABOUR
IN TERMS OF REGULATION 10 (8) OF THE REGULATIONS ISSUED BY THE
MINISTER OF COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS IN
TERMS OF SECTION 27 (2) OF THE DISASTER MANAGEMENT ACT, 2002 (ACT
NO. 57 OF 2002)**

I, Thembelani Waltermade Nxesi, the Minister of Employment and Labour, acting in terms of Regulation 10 (8) of the Regulations issued by the Minister of Cooperative Governance and Traditional Affairs in terms of section 27 (2) of the Disaster Management Act, 2002 (Act No. 57 of 2002) hereby amend the Directive (s) that I issued in terms of Regulation 10 (8) of the Regulations issued by the Minister of Cooperative Governance and Traditional Affairs in terms of section 27 (2) of the Disaster Management Act, 2002 (Act No. 57 of 2002) as set out in the Schedule.

**MR. T. W. NXESI, MP****MINISTER OF EMPLOYMENT AND LABOUR**

DATE: 16/04/2020

SCHEDULE**AMENDMENTS TO THE DIRECTION OF 08 APRIL 2020**

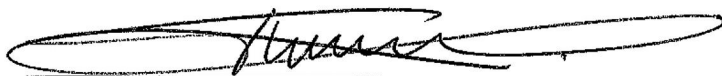
1. Clause 2.1.1(a) is amended as follows -
 - 2.1.1(a) Payment of benefits to Contributors who have lost income or have been required to take annual leave in terms of section 22(10) of the Basic Conditions of Employment Act, 1997 (Act 75 of 1997) due to the Covid-19 pandemic
2. Clause 3.1 of the Directive is amended as follows –
 - 3.1 Subject to clause 3.8.1 and 3.8.2 (c) in view of social distancing and in order to avoid in person individual employee applications at Departmental offices for the Covid-19 benefit during lockdown, should an employer as a result of the Covid-19 pandemic close its operations, or a part of its operations, for a 3 (three) months or lesser period the employer must apply in accordance with clause 5.1 and 5.2 for Covid-19 benefits for and on behalf of its affected employees.
3. The following clauses are inserted after clause 3.8.2 (b) of the Directive –
 - (c) the employer has not submitted an application for COVID 19 benefits to the UIF prior signing of an MOA with UIF.
4. The following clauses 5.4 and 5.5 are added to the Directive -
 - 5.4 An employer, who has required an employee to take annual leave during the period of the lockdown in terms of section 22(1)(b) of the Basic Conditions of Employment Act, 1997 (Act 75 of 1997), may set off any amount received from the UIF in respect of that employee's COVID 19 benefit against the amount paid to the employee in respect of annual leave provided that the employee is credited with the proportionate entitlement to paid annual leave in the future.

5.5 To speed payment of COVID 19 benefits to employees, employers are urged to pay employees based on clause 3.4 of the Directive and reimburse or set off such with COVID 19 benefits claim payments from UIF.

**CORRECTION TO COVID-19 TEMPORARY EMPLOYEE / EMPLOYER RELIEF SCHEME
(C19 TERS), 2020**

**CORRECTION OF DIRECTIVES BY THE MINISTER OF EMPLOYMENT AND
LABOUR IN TERMS OF REGULATION 10 (8) OF THE REGULATIONS ISSUED BY
THE MINISTER OF COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS IN
TERMS OF SECTION 27 (2) OF THE DISASTER MANAGEMENT ACT, 2002 (ACT NO.
57 OF 2002)**

I, Thembelani Waltermade Nxesi, the Minister of Employment and Labour, acting in terms of Regulation 10 (8) of the Regulations issued by the Minister of Cooperative Governance and Traditional Affairs in terms of section 27 (2) of the Disaster Management Act, 2002 (Act No. 57 of 2002) hereby correct the Directives that I issued on 8 and 16 April 2020 in terms of Regulation 10 (8) of the Regulations issued by the Minister of Cooperative Governance and Traditional Affairs in terms of section 27 (2) of the Disaster Management Act, 2002 (Act No. 57 of 2002) as set out in the Schedule.



MR. T. W. NXESI, MP

MINISTER OF EMPLOYMENT AND LABOUR

DATE: 20/04/2020

SCHEDULE**CORRECTION TO THE DIRECTIVES OF 8 AND 16 APRIL 2020**

1. Clause 2.1.1 (a) is corrected by the deletion of the reference to 'section 22 (10)' and replaced by 'section 20 (10)'.
2. Clause 3.6 is corrected by the deletion of the reference to section '12'.
3. Clause 3.8.2 (ii) is corrected by the deletion of 'and' after the semi-colon and replaced by 'and/or'.
4. Clause 5.4 is corrected by the deletion of the reference to 'section 22 (10)(b)' and replaced by 'section 20(10)(b)'.

Printed by and obtainable from the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001
Contact Centre Tel: 012-748 6200. eMail: info.egazette@gpw.gov.za
Publications: Tel: (012) 748 6053, 748 6061, 748 6065