# NATIONAL ASSEMBLY

**FOR WRITTEN REPLY**

**QUESTION NO. 1534**

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**(INTERNAL QUESTION PAPER NO. 27)**

**Ms H Ismail (DA) to ask the Minister of Health:**

(1) Whether the Compensation Commission for Occupational Diseases (CCOD) is a listed entity; if not, what is the position in this regard; if so, what are the relevant details;

(2) whether CCOD was a listed entity; if so, what are the reasons that it was removed from the list?

 **NW2859E**

###### REPLY:

1. The Compensation Commissioner for Occupational Diseases (CCOD) is not a listed entity. The Compensation Commissioner is currently in discussions with National Treasury about the status of the Mines and Works Compensation Fund in terms of the Occupational Diseases in Mines and Works Act, No. 78 of 1973 and the Public Financial Management Act, No. 1 of 1999.

Section 61(1) of the Occupational Diseases in Mines and Works Act, No. 78 of 1973 (ODMWA) provides for the establishment of the Mines and Works Compensation Fund. Section 61(2) of the ODMWA states that the Compensation Fund shall be managed by the Compensation Commissioner for Occupational Diseases (CCOD).

1. The Fund was listed as a Public Entity in terms of schedule 3A of the Public Finance Management Act, No. 1 of 1999. However, it was removed in terms of Gazette Notice 3366 of 2003 on 18 November 2003.

Since then, the CCOD was referred to as a trading entity or account of the National Department of Health and produces its Annual Financial Statements separately. The acronym the CCOD and the Fund has been used interchangeably.

The Fund should be classified as an Unlisted Public Entity as it is not listed in Schedule 3A of the PFMA and does not meet the definition of a Trading Account or Entity. The Compensation Commissioner is to apply to National Treasury to have the Fund re-instated as a Public Entity, once the current status as an Unlisted Public Entity has been confirmed by National Treasury. Correspondence in this respect is expected from National Treasury.

END.