



PARLIAMENT
OF THE REPUBLIC OF SOUTH AFRICA

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Memorandum on Legislative Proposal to amend the Compensation for Occupational Injuries and Diseases Act, no 130 of 1993.

Submitted in terms of section 73(2) of the Constitution and National Assembly rule 234.

3 October 2011
Mr Ian Ollis, MP
Democratic Alliance

A. Particulars of the proposed legislation

It is proposed that legislation be amended to expand comprehensive compensation fund coverage to include domestic workers. To this end, all relevant sections of the Compensation for Occupational Injuries and Diseases Act, no 130 of 1993, need to be amended to include coverage for domestic workers.

B. Objects of the proposed legislation

Domestic workers are currently the only category of non-military workers not covered by the compensation fund. This merits serious consideration by the Committee on Private Members' Legislative Proposals and Special Petitions. The Compensation for Occupational Injuries and Diseases Act, no 130 of 1993, needs to be amended to include domestic workers – we cannot allow domestic workers to be left to fend for themselves once they become injured or disabled at work. The proposed legislation will essentially:

- 1) Give domestic workers coverage as participants in the compensation fund;
- 2) Mandate the employers of domestic workers to contribute towards the compensation fund.

C. Financial implications

This proposed amendment will increase the financial burden on the compensation fund. However, the increased costs can be catered for by obliging domestic workers' employers to make monthly contributions to the compensation fund as the compensation fund does in other industries.

Ian Ollis MP
Shadow Labour Minister: Democratic Alliance