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GENERAL NOTICE

NOTICE 871 OF 2009**UNEMPLOYMENT INSURANCE ACT, 2001 AS AMENDED****REGULATIONS****NOTICE OF INTENTION TO ISSUE REGULATIONS IN TERMS OF SECTION 55 OF THE UNEMPLOYMENT INSURANCE ACT, 2001 AS AMENDED**

Under section 55 of the Unemployment Insurance Act, 2001 (Act No. 63 of 2001) as amended, I MEMBATHISI MPHUMZI SHEPHERD MDLADLANA, Minister of Labour, hereby publish my intention to issue regulations.


MINISTER OF LABOUR

DEPARTMENT OF LABOUR**UNEMPLOYMENT INSURANCE ACT, 2001 (ACT NO 63 OF 2001) AS AMENDED
INTENTION TO AMEND UNEMPLOYMENT INSURANCE REGULATIONS**

The Minister of Labour Membathisi Mphumzi Shepherd Mdladlana intends to issue regulations in the Schedule under Section 55 of the Unemployment Insurance Act, 2001 (Act 63 of 2001)

SCHEDULE

Intention to amend sub regulation 1 of the Regulations to amend the definition of 'identity document' as follows: -

"identity document" means a 13-digit bar-coded RSA and non-RSA identity (card) document or a RSA bar-coded passport and includes valid foreign identity documents of spouses, life partners or dependant children of deceased contributors.

Intention to amend sub regulation 1 of the Regulations to include the definition of 'life partner' in the definitions as follows: -

"life partner" means any major person who is a party to a heterosexual or homosexual relationship with another major person, which relationship must be intended to be permanent, exclude any other person and involve cohabitation, an obligation of mutual emotional support between the parties and a reciprocal obligation to support one another financially in circumstances where the one has the means to do so and the other requires such support in order to maintain, without recourse to the Public funds, his or her financial and social standing and standard of living.

Intention to amend the wording of sub regulation 2(1) regarding proof of identity as follows: -

"An official must require an applicant for benefits or for the payment of any amount in terms of the Act to produce an identity document and this includes foreign identification documents of spouses, life partners or dependant children of deceased contributors, but may not retain the document. Foreign identification documents must be verified by the respective Embassies of the applicants"

Intention to delete Regulation 3 of the amended Regulations in order to include persons who are in receipt of a State pension as contributors to the Fund because of the following: -

In terms of section 14(a)(i) of the Unemployment Insurance Act, 2001 a contributor is not entitled to benefits for any period that the contributor was in receipt of a monthly pension from the State. However, this sub section was deleted by the Revenue Laws Amendment Act, 2006 (Act 20 of 2006) which was published in Government Gazette No. 29603 of 7 February 2007. In view of the foregoing, Regulation 3 of the amended Regulations published in Government Gazette No. 26291 dated 23 April 2004 which deals with persons receiving a monthly pension from the State, must be amended by the deletion of that Regulation.

A copy of the draft regulations may be obtained from the Head Office of the Unemployment Insurance Fund, 94 Church Street, Pretoria.

Interested parties may comment on the proposed amendment of the regulations and their comments must be addressed to the Unemployment Insurance Commissioner, Unemployment Insurance Fund, Pretoria, 0001 by not later than one month after the date of this publication. Comments may also be delivered to the Head Office of the Unemployment Insurance Fund, 94 Church Street, Pretoria.