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THE PRESIDENCY

No. 35  19 January 2017

It is hereby notified that the President has assented to the following Act, which is hereby published for general information:


AIDS HELPLINE: 0800-0123-22 Prevention is the cure
GENERAL EXPLANATORY NOTE:

[ ] Words in bold type in square brackets indicate omissions from existing enactments.
Words underlined with a solid line indicate insertions in existing enactments.

(English text signed by the President)
(Assented to 18 January 2017)

ACT

To amend the Unemployment Insurance Act, 2001, so as to provide for the extension of the unemployment insurance benefits to learners who are undergoing learnership training and civil servants; to adjust the accrual rate of a contributor’s entitlement to unemployment insurance benefits; to finance employment services; to extend a contributor’s entitlement to benefits under certain circumstances; to provide for the process of application for maternity benefits; to repeal some enforcement provisions; to empower the Unemployment Insurance Board to provide in its constitution for the functions of regional appeals committees; to amend Schedule 2 to the Unemployment Insurance Act, 2001, so as to provide for the adjustment of the Income Replacement Rate; and to provide for matters connected therewith.

BE IT ENACTED by the Parliament of the Republic of South Africa, as follows:—

Substitution of section 3 of Act 63 of 2001, as amended by section 2 of Act 32 of 2003

1. The following section is hereby substituted for section 3 of the Unemployment Insurance Act, 2001 (hereinafter referred to as the principal Act):

“Application of this Act

3. (1) This Act applies to all employers and employees, other than employees employed for less than 24 hours a month with a particular employer, and their employers.
(2) This Act does not apply to members of parliament, cabinet ministers, deputy ministers, members of provincial executive councils, members of provincial legislatures and municipal councillors.”.
THALUTSHEDZONYANGAREDZI

[ ] Maipfi o swifhadzwaho a re kha buraketse dza zwikwea a sumbedza zwo bviswaho.

__________________________
Maipfi o taelwaho nga mutalo u sa khauwi a sumbedza zwo dzheniswaho.

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(English text signed by the President)
(Attended to 18 January 2017)

MULAYOTIBE

U khwin¡isa Mulayo wa Ndindakhombo ya vho Fhelelwaho nga Mushumo wa, 2001, u itela u engedza ndindakhombo uri i katele-vho na vhagudiswanushumo vhane vha dzhenela kha vhugudi ha ngudamushumo na vhshumi vha muvhudo; u shandukisa tshikalo tsha zwo kuvhanganywaho zwo fanelaha mubadeli kha mbuelo dza ndindakhombo ya vho fhelelwaho nga mushumo; u lambeda mashelela kha tshumelo dza musumo; u ita mbetshelo dza kuilele kwa khumbelo ya mbuelo dza zwo vhudzadze; u thelisa dz!i!we mbetshelo; u maand!ufhadza Bodo ya Ndindakhombo ya vho Fhelelwaho nga Mushumo u itela mbetshelo kha ndayotewa yayo hu vhe na mishumo ya komiti dza aphili dza dzingu; u khwin¡isa Shedu!lu ya 2 kha Mulayo wa Ndindakhombo ya vho Fhelelwaho nga Mushumo wa, 2001 u itela mbetshelo ya u shandukisa Tshikalo tshi Imelaho Muholo; na u ita mbetshelo ya zwine zwa kwama izwo.

U KHWAT¡HISWE nga Phalamennde ya Riphabuljiki ya Afrika Tshipembe nga nd¡la i tevhelaho:—

U imelwa ha khethekanyo ya 3 ya Mulayo wa 63 wa 2001, une wa khou khwin¡iswa nga khethekanyo ya 2 ya Mulayo wa 32 wa 2003

1. Khethekanyo i tevhelaho i khou imelwa kha khethekanyo ya 3 ya Mulayo wa Ndindakhombo ya vho Fhelelwaho nga Mushumo wa, 2001 (afha u tshi khou vhidzwa upfi Mulayo muhulwane):

“Kushumisele kwa Mulayo

3. (1) Uno Mulayo u shuma kha vhatholi vhot£he na vhshumi vho£he nga nd¡a ha vhshumi vhane vha shuma iri ñh!khu kha 24 nga nwedzi kha vhatholi vhenevho na vhatholi vhavho.

(2) Uno Mulayo a u shumi kha mira£o ya phalamennde, min¡sta dza khabinete, vhathusaminis¡sta, mira£o ya khorotshitumbe ya mavundu, mira£o ya vhusimamilayo ya mavundu na vhore!oro vha mimasipala.”.
Amendment of section 5 of Act 63 of 2001

2. Section 5 of the principal Act is hereby amended by the addition of the following paragraph:

"(d) financing of the retention of contributors in employment and the re-entry of contributors into the labour market and any other scheme aimed at vulnerable workers."

Amendment of section 7 of Act 63 of 2001

3. Section 7 of the principal Act is hereby amended by substitution for subsection (1) of the following subsection:

"(1) The money of the Fund other than money required to meet the current expenditure of the Fund may be deposited on behalf of the Fund by the Director-General with the Public Investment Corporation to be invested in accordance with the Public Investment Corporation Act, 2004 (Act No. 23 of 2004), and any other applicable legislation.".

Amendment of section 12 of Act 63 of 2001

4. Section 12 of the principal Act is hereby amended—

(a) by the insertion after subsection (1A) of the following subsection:

"(1B) A contributor employed in any sector who loses his or her income due to reduced working time, despite still being employed, is entitled to benefits if the contributor’s total income falls below the benefit level that the contributor would have received if he or she had become wholly unemployed, subject to that contributor having enough credits."); and

(b) by the addition in subsection (3) of the following paragraphs:

"(c) For the purposes of Part D, maternity benefits must be paid at a rate of 66% of the earnings of the beneficiary at the date of application, subject to the maximum income threshold set in terms of paragraph (a).

(d) Subject to section 13(3), the benefit for—

(i) the first 238 days of benefits is paid at the income replacement rate set in terms of paragraph (b); and

(ii) the remainder of credits is paid at a flat rate of 20.
"

Amendment of section 13 of Act 63 of 2001, as amended by section 5 of Act 32 of 2003

5. Section 13 of the principal Act is hereby amended—

(a) by the substitution for subsection (3) of the following subsection:

"(3) (a) Subject to subsection (5), a contributor’s entitlement to benefits in terms of this Chapter accrues at a rate of one day’s benefit for every completed five days of employment as a contributor subject to a maximum accrual of 365 days benefit in the four year period immediately preceding the date of application for benefits; and

(b) Unemployment benefits must be paid to the unemployed contributor regardless of whether or not the contributor has received benefits within that four year cycle, if the contributor has credits.
"
Ukhwisiswa ha khethekanyo ya 5 ya Mulayo wa 63 wa 2001

2. Khethekanyo ya 5 ya Mulayo muhulwane i khou kwinjiswa nga u engedzwa ha phara i tevhelaho:

“(d) u lambedza masheleni a u fareledza vhadzheneli kha zwa mushumo na u dzheña-hafhu ha vhadzheneli kha maraga wa zwa mishumo na zwinwe zwikimu zwa u thusa vhashumi vhane vha todesesa thuso.”

Ukhwisiswa ha khethekanyo ya 7 ya Mulayo wa 63 2001

3. Khethekanyo ya 7 ya Mulayo muhulwane i khou kwinjiswa nga u imelwa kha khethekanyo ũthuku ya (1) ya khethekanyo ũthuku i tevhelaho:

“(1) Tshelede ya Tshikwama nga ndja ha tshelede i todeaho kha u fusha mugaganyagwama wa zvino wa Tshikwama i nga diphosithwa ho imelwa Tshikwama nga Mulangi-Muangaredzi kha [Khomishinari] Korporasi ya u Bindudza ya Muvhuso uri i bindudzwe [hu tshi tevhedzwa Mulayo wa Public Investment Commissioners Act, 1984 (Act No. 45 of 1984)] u ya nga Mulayo wa Public Investment Corporation Act, 2004 (Act No. 23 of 2004), na miwe milayo yo tealo.”.

Ukhwisiswa ha khethekanyo ya 12 ya Mulayo wa 63 wa 2001

4. Khethekanyo ya 12 ya Mulayo muhulwane i khou kwinjiswa—

(a) nga u dzheniswa nga murahu ha khethekanyo ũthuku ya (1A) ya khethekanyo ũthuku i tevhelaho:

“(1B) A mubadeli o tholwaho kha sekithara iwire na iwire ane a fhelelwanga nga muhulo wavwe nga vhanga ja u fhungudzwa ha tshifhinga tsha mushumo, hu songo sedzwa uri u tse o tholwa, o fanelwa nga u wana mbuelo dza ndindakhombo arali muhulo wo fhelelwaha wo tsela fhasha ha tshikalo tshine muraqo wa ndindakhombo o vha a tshi do wana musi o vha o tou fhelelwanga nga mushumo, fzedzi zwi tshi do bva kha uri naa muradpo wa ndindakhombo u na zwo edjanaa naa uri a fhushe todesesa dza u wana mbuelo.”; na

(b) nga u engedzwa kha khethekanyo ũthuku ya (3) ya pharagirafu dzi tevhelaho:

“(3) (a) Hu tshi itelwa Tshipida tsha D, mbuelo dza vhudzadze dzi teu a badelwa dzi kha tshikalo tsha phesenthe dza 66 dza u hola mbuelo nga datumu ya khumbelo, hu tshi khou tevhedzwa phungudzelo ya muhulo wa nhesa sa zwo sumbedzwaho kha phara ya (a).

(d) Hu tshi tevhedzwa khethekanyo ya 13(3), mbuelo ya—

(i) maquvha a 238 a u thoma a mbuelo a badelwa e kha tshikalo tsha u imela muhulo sa zwo sumbedzwaho kha phata ya (b); na

(ii) zwo salaho zwa badelwa zwi kha tshikalo tsha 20.”.

Ukhwisiswa ha khethekanyo ya 13 ya Mulayo wa 63 2001, u kwinjiswaho nga khethekanyo ya 5 ya Mulayo wa 32 2003

5. Khethekanyo ya 13 ya Mulayo muhulwane i khou kwinjiswa—

(a) nga u imelwa kha khethekanyo ũthuku ya (3) ya khethekanyo ũthuku i tevhelaho:

“(3) (a) Hu tshi tevhedzwa khethekanyo ũthuku ya (5), u fanelwa nga mbuelo ha muraqo wa ndindakhombo u ya nga ino Ndima hu kuvhanganhu hu kha tshikalo tsha mbuelo nthihi ya ũvhu lihihi kha maquvha a rathi o fhezwoho lwa tshifhinga tsho fhelelwaha tsha maquvha [a rathi] maanu a mushumo sa izwi muraqo wa ndindakhombo a tshi twa nga mbuelo dza maquvha a [238] 365 kha miw thawa miwa ha mushumo hu tshi rangela [datumu ya khumbelo ya mbuelo] ũvhu nga murahu ya datumu ya u fhele a mushumo hu tshi tevhelwa iyi Ndima [maquvha maâwe na maâwe maâku a mbuelo sa zwo tanganedzwa ho mishumo ndindakhombo] a tshi tshifhinga].

(b) Mbuelo dza u fhelelwanga nga mushumo dzii teu a badelwa kha uyo muraqo wa ndindakhombo o fhelelwango nga mushumo hu songo sedzwa uri naa o vhuya a tanganedza mbuelo kha sekele ya miw thawa miwa, arali uyo o fhelelwango nga mushumo hu na zwi re hone zwine a tea u wana.”;
(b) by the substitution for subsection (5) of the following subsection:

"(5)(a) The days of benefits that a contributor is entitled to in terms of subsection (3) may not be reduced by the payment of maternity benefits in terms of Part D of this Chapter.

(b) The payment of maternity benefits may not affect the payment of unemployment benefits, "; and

(c) by the substitution for subsection (6) of the following subsection:

"(6) If an application for benefits is made within the four year cycle of a previous claim, the Fund must subtract the number of days in respect of which benefits have already been paid in that cycle.".

Amendment of section 14 of Act 63 of 2001, as amended by section 94 of Act 20 of 2006

6. Section 14 of the principal Act is hereby amended by the deletion of paragraph (a).

Amendment of section 17 of Act 63 of 2001

7. Section 17 of the principal Act is hereby amended by the substitution for subsection (2) of the following subsection:

"(2) The application must be made within six 12 months of the termination of the contract of employment, but the Commissioner may accept an application made after the six-month time limit has expired on just cause shown.".

Amendment of section 20 of Act 63 of 2001

8. Section 20 of the principal Act is hereby amended by the substitution in subsection (2) for paragraph (a) of the following paragraph:

"(a) if the period of illness is less than 14 seven days; and".

Amendment of section 24 of Act 63 of 2001, as amended by section 8 of Act 32 of 2003

9. Section 24 of the principal Act is hereby amended—

(a) by the substitution for subsection (5) of the following subsection:

"(5) A contributor who has a miscarriage during the third trimester or bears a still-born child is entitled to a maximum full maternity benefit of six 17 to 32 weeks after the miscarriage or stillbirth; and

(b) by the addition of the following subsection:

"(6) A contributor is not entitled to benefits unless she was in employment, whether as a contributor or not, for at least 13 weeks before the date of application for maternity benefits.".

Amendment of section 25 of Act 63 of 2001

10. Section 25 of the principal Act is hereby amended—

(a) by the substitution for subsection (1) of the following subsection:

"(1) An application for maternity benefits must be made in the prescribed form at an employment office at least eight weeks before childbirth at any time before or after childbirth: Provided that the application shall be made within a period of 12 months after the date of childbirth."; and

(b) by the deletion of subsection (2).
(b) nga u imelwa kha khethhekanyo Ɵukhu ya (5) ya khethhekanyo Ɵukhu i tevhelaho:

“(5) (a) Maduvha a mbuelo o fanela muraðo wa ndindakhombo u ya nga khethhekanyo Ɵukhu ya (3) a nga si fhungudzwe nga mbadelo ya mbuelo dza vhudzadze u ya nga Tshipiða tsha D kha ino Ndima.

(b) Mbadelo ya mbuelo dza vhudzadze a i nga kwami mbadelo ya mbuelo dza u fhelelwa nga mushumo.”; na

(c) nga u imelwa kha khethhekanyo Ɵukhu ya (6) ya khethhekanyo Ɵukhu i tevhelaho:

“(6) Arali khumbelo ya mhuelo ya itwa kha sekele ya minwaha miga ya mbilo yo Ɵelaho, Tshikwama tshi tsa tshihalalo tsha maduvha malugana na mbuelo ine yo no badelwa kha sekele yeneyo.”.

Ukhwiniswa ha khethhekanyo ya 14 ya Mulayo wa 63 wa 2001, une wa khou khwiqiswa nga khethhekanyo ya 94 ya Mulayo wa 20 wa 2006

6. Khethhekanyo ya 14 ya Mulayo muhulwane i khou khwiqiswa nga u thutha phara ya (a).

Ukhwiniswa ha khethhekanyo ya 17 ya Mulayo wa 63 wa 2001

7. Khethhekanyo ya 17 ya Mulayo muhulwane i khou khwiqiswa nga u imelwa kha khethhekanyo Ɵukhu ya (2) ya khethhekanyo Ɵukhu i tevhelaho:

“(2) Khumbelo i tea u itwa hu sa athu u fhela miñwedzi ya [rathi] 12 musi konjiraka ya mushumo yo khaulwa, fhedzi Khomishinari a nga tanganedza khumbelo yo itwaho nga murahu ha [miñwedzi ya rathi] miwezi ya 12 musi tshifhinga tsha u vala tsho fhira arali hu na tshivhangi tsho sumbedzwaho.”.

Ukhwiniswa ha khethhekanyo ya 20 ya Mulayo wa 63 wa 2001

8. Khethhekanyo ya 20 ya Mulayo muhulwane i khou khwiqiswa nga u imelwa kha khethhekanyo Ɵukhu ya (2) kha phara ya (a) ya phara i tevhelaho:

“(a) arali tshifhinga tsha vhulwadze tshi tshi Ɵuku kha maduvha a [14] sumbe; na”.

Ukhwiniswa ha khethhekanyo ya 24 ya Mulayo wa 63 wa 2001, une wa khou khwiqiswa nga khethhekanyo ya 8 ya Mulayo wa 32 wa 2003

9. Khethhekanyo ya 24 ya Mulayo muhulwane i khou khwiqiswa—

(a) nga u imelwa kha khethhekanyo ya (5) ya khethhekanyo Ɵukhu i tevhelaho:

“(5) Muraðo wa ndindakhombo ane a o tshinyalelwa nga vhuitmana kha miñwedzi miraru ya mefhedziseleni a vhuitmana kana ñwana bebwa o lovha o fanelwa nga u wana mbuelo ya zwa vhudzadze yo Ɵelaho [yo dala] ya vhege dza [rathi] 17-32 [nga murahu ha u tshinyalelwa kana u lovha ha uyo ñwana]; na

(b) nga u engedza khethhekanyo dze tevhelaho:

“(6) Muraðo wa ndindakhombo ha ngo fanelwa nga u wana mbuelo nga ndja ha musi o vha a khou shuma, a nga vha e muraðo kana a si muraðo lu siho ñhasi ha vhege dza 13 phandha ya datumu ya u ya ita khumbelo ya mbuelo dza vhudzadze.”.

Ukhwiniswa ha khethhekanyo ya 25 ya Mulayo wa 63 wa 2001

10. Khethhekanyo ya 25 ya Mulayo muhulwane i khou khwiqiswa —

(a) nga u imelwa kha khethhekanyo Ɵukhu ya (1) ya khethhekanyo Ɵukhu i tevhelaho:

“(1) Khumbelo ya mbuelo dza vhudzadze dze tea u itwa kha fomo yo randelwaho nahone ofisini dza mushumoni [phandha ha vhege dza malo ñwana a sa athu u babwa] nga tshifhinga tshinwe na tshinwe phandha ha kana nga murahu ha musi ñwana a tshi bebwa; Tenda khumbelo ya itwa kha tshifhinga tsha miñwedzi ya 12 nga murahu ha datumu ya u bebwa ha ñwana.”; na

(b) nga u thutha khethhekanyo ya (2).
Amendment of section 30 of Act 63 of 2001

11. Section 30 of the principal Act is hereby amended—
   (a) by the substitution in subsection (1) for paragraph (b) of the following paragraph:
      “(b) within six 18 months of the death of the contributor except that, on just cause shown, the Commissioner may accept an application after the six-month 18-month period.”;
   (b) by the substitution in subsection (2) for paragraph (b) of the following paragraph:
      “(b) the surviving spouse or life partner has not made an application for the benefits within six (18) months of the contributor’s death.”;
   and
   (c) by the insertion after subsection (2) of the following subsection:
      “(2A) (a) Any nominated beneficiary of the deceased contributor may claim dependant’s benefits subject to paragraph (b).
      (b) A nominated beneficiary will qualify for benefits if there is no surviving spouse, life partner or dependant children of the deceased contributor.”.

Amendment of section 33 of Act 63 of 2001

12. Section 33 of the principal Act is hereby amended by the addition of the following subsection:
   “(3) When processing application for benefits neither the Fund nor any agency or person purporting to act on behalf of the applicant may charge a fee against the applicant.”.

Amendment of section 36A of Act 63 of 2001, as inserted by section 10 of Act 32 of 2003

13. Section 36A of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:
   “(1) The Minister must, after consultation with the Board, Board must appoint a regional appeals committee for each region determined by the Minister.”.

Repeal of sections 38, 39, 40 and 41 of Act 63 of 2001

14. Sections 38, 39, 40 and 41 of the principal Act are hereby repealed.

Amendment of section 50 of Act 63 of 2001

15. Section 50 of the principal Act is hereby amended by the insertion in subsection (2)(a) after subparagraph (i) of the following subparagraph:
   “(iA) the functions of a regional appeals committee.”.

Amendment of section 56 of Act 63 of 2001

16. Section 56 of the principal Act is hereby amended—
   (a) by the substitution for subsection (3) of the following subsection:
      “(3) Every employer must, before the seventh day of each month, inform provide the Commissioner of any change during with all information for the previous month in any information furnished in terms of subsection (1).”;
   and
   (b) by the insertion after subsection (3) of the following subsection:
      “(3A) The Minister will issue regulations on a special dispensation applicable to domestic employers and small businesses or enterprises regarding the submission of information in subsection (3).”.
Ukhwisiswa ha khethekanyo ya 30 ya Mulayo wa 63 wa 2001

11. Khethekanyo ya 30 ya Mulayo muhulwane i khou khwisiswa—
   (a) nga u imelwa kha khethekanyo ŋhuku ya (1) kha pharagirafa ya (b) ya phara
       i tevelhaho:
       “(b) kha miŋwedzị ya [rathi] 18 ya musi muraŋo wa ndindakhombo o
       lovha nga nnđa ha musi hu na tsititi tsı pfalaho, Khomishinari a
       ngamalinkedza khumbelo nga murahu ha miŋwedzị ya [rathi] 18.”;
   (b) nga u imelwa kha khethekanyo ŋhuku ya (2) kha pharagirafa ya (b) ya phara
       i tevelhaho:
       “(b) mufarisi o salaho a khou tshila kana ŋhama ya vhutshiloni ha nga ita
       khumbelo ya mbuelo kha miŋwedzị ya [rathi] (18) musi ho lovha
       muraŋo wa ndindakhombo.”;
   (c) nga u dzhenisa nga murahu ha khethekanyo ŋhuku ya (2) ya khethekanyo
       ŋhuku i tevelhaho:
       “(2A) (a) Mulaiwa muŋwe na muŋwe o nangiwaho nga muŋwe we a vha
       e muraŋo wa ndindakhombo a nga vhila mbuelo a tshi khou
       tevedzha phara ya (b).
       (b) Mulaiwa o nangiwaho u fusha ŋhodwana dza u wana mbuelo arali
       hu sina mufarisi ane a khou hany a ŋhama ya vhutshiloni kana vhaundwana
       vha muŋwe we a vha e muraŋo wa ndindakhombo ya vho helelwaho nga
       mushumo.”.

Ukhwisiswa ha khethekanyo ya 33 ya Mulayo wa 63 wa 2001

12. Khethekanyo ya 33 ya Mulayo muhulwane i khou khwisiswa nga u engedzwa ha
    khethekanyo ŋhuku i tevelhaho:
    “(5) Musi hu tshiti khou shunwa khumbelo ya mbuelo a huna Tshikwama kana
    zhendzị kana muŋwe ane a tevha u imela muhumbeli ane a go tendelwa u
    bdelisa tshelede muhumbeli.”.

Ukhwisiswa ha khethekanyo ya 36A ya Mulayo wa 63 wa 2001, hu tshi khou
    dzheniswa khethekanyo ya 10 ya Mulayo wa 32 wa 2003

13. Khethekanyo ya 36A ya Mulayo muhulwane i khou kwisiswa nga u imelwa kha
    khethekanyo ŋhuku ya (1) ya khethekanyo ŋhuku i tevelhaho:
    “(1) [Minis⁻ta u teu u kwamana na Bodo,] Bodo i teu u thola komiti ya aphi
    dzina dza dzingu kha dzingu Zhendedza kana vhila mbuelo ane a teva u
    tevelhaho.”.

Ufheliswa ha khethekanyo 38, 39, 40 na 41 dza Mulayo wa 63 wa 2001

14. Khethekanyo 38, 39, 40 na 41 dza Mulayo muhulwane dzy khou fheliswa.

Khwisiswa ya khethekanyo ya 50 ya Mulayo wa 63 wa 2001

15. Khethekanyo ya 50 ya Mulayo muhulwane i khou kwisiswa nga u dzheniswa
    kha khethekanyo ŋhuku ya (2)(a) nga murahu ha phara ŋhuku ya (i) ya phara ŋhuku
    i tevelhaho:
    “(iA) mishumo ya komiti ya aphi dzina dzingu;”.

Ukhwisiswa ha khethekanyo ya 56 ya Mulayo wa 63 wa 2001

16. Khethekanyo ya 56 ya Mulayo muhulwane i khou kwisiswa—
    (a) nga u imelwa kha khethekanyo ŋhuku ya (3) ya khethekanyo ŋhuku i
       tevelhaho:
       “(3) Mutholi muŋwe na muŋwe phanda ha maŋva suma maŋwe
       na maŋwe u teu u [vhudzα] [ha Khomishinari [shandako iŋwe na iŋwe]
       mafungo obhe a ŋwedzị wo ŋhelaho [maŋungo maŋwe na maŋwe o
       ŋetshedzwa] u ya nga khethekanyo ŋhuku ya (1).”; na
    (b) nga u dzhenisa nga murahu ha khethekanyo ŋhuku ya (3) ya khethekanyo
       ŋhuku i tevelhaho:
       “(3A) Minis⁻ta u do ŋetshedzwa ndangulo nga ha kutshimbidzele kwa
       tshipentshela kha vhushumi vha hayani na mabindu maŋwe malugana na
       kuisele kwa mafungo a re kha khethekanyo ŋhuku ya (3).”.”.
Amendment of Schedule 2 to Act 63 of 2001

17. Schedule 2 to the principal Act is hereby amended by the substitution for the second paragraph under the heading “Income Replacement Rate” of the following paragraph:

“The IRR is at its maximum when income equals zero, and it reaches its minimum where income is equal to the benefit transition income level. The maximum IRR is \[\text{fixed}\] currently set at 60%. The minimum IRR is currently set at 38%. However, the Minister may, in consultation with NEDLAC vary the minimum IRR maximum income and flat replacement rate in terms of section 12(3)(b) but cannot reduce the minimum IRR to any percentage below 38. The Minister may from time to time after consultation with Parliament, vary the IRR and the benefit period by regulations.”.

Short title

18. This Act is called the Unemployment Insurance Amendment Act, 2016.
Ukhwisiswa ha Shedulu ya 2 kha Mulayo wa 63 wa 2001

17. Shedulu ya 2 kha Mulayo muhulwane i khou khwisiswa nga u imelwa kha phara ya vhuvhili nga fhasi ha ñoho ine ya ri “Tshikalo tshi Imelaho Muholo” kha phara i tevhela ho:

“Tshikalo tshi Imelaho Muholo tshi vha tshi nñesa musi muholo u tshi lingana na zero, nahone tshi swika fhasisa musi muholo u tshi lingana na mbuelo ya tshanduko ya muholo. Tshikalo tshi Imelaho Muholo [a tshi shanduki] zwa zwinu tsho vhewa kha phesente dza 60. Tsha fhasisa tsho vhewa kha phesenthe dza 38. Minista o kwamana na NEDLAC a nga shandukisa [IRR] muholo wa nñesa na tshikalo tshi sa shanduki a tshi khou tevhedza khethekanyo ya 12(3)(b) ihedzi a nga si kone u fhungudza tshikalo tsha IRR tsha fhasisa tsha vha ñasi ha 38. Minista musi o ranga a kwamana na Phalamennde, a nga shandula IRR na tshifhinga tsha mbuelo nga ndangulo.”.

Dzina jipfufhi