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ISEBE LOKUSETYENZISWA KWAMANDLA OLUNTU

ISAZISO SIKARHULUMENTE SE-72

NGOKWENJENJE KUYAZISWA UKUBA UMONGAMELI UWUVUMILE UMTHETHO OLANDELAYO NOBHENGEZWAYO APHA KUSAZISWA ULUNTU NGOKUBANZI:-

UMTHETHO OSISIHLOMELO WEINSHORENSI YOKUNGAQESHWA, 1988

UMTHETHO NOMBOLO 18 WOWE-1988

DEPARTMENT OF MANPOWER UTILISATION

GOVERNMENT NOTICE No. 72

IT IS HEREBY NOTIFIED THAT THE PRESIDENT HAS ASSENTED TO THE FOLLOWING ACT WHICH IS HEREBYPUBLISHED FOR GENERAL INFORMATION

UNEMPLOYMENT INSURANCE AMENDMENT ACT, 1988

ACT No. 18 OF 1988

UNEMPLOYMENT INSURANCE AMENDMENT ACT, 1988

ACT

To amend the Unemployment Insurance Act, 1983.

(English text signed by the President. Assented to on 2 August 1988).

BE IT ENACTED by the National Assembly of the Republic of Ciskei, as follows:-

1. **Amendment of section 20 of Act 1983.** - Section 11 of the Unemployment Insurance Act, 1983 (hereinafter in this Act referred to as the principal Act) is hereby amended by the substitution for subsection (1) of the following subsection:

"(1) Any person aggrieved by a decision of the claims officer -

(a) in regard to any application for benefits or payment of an amount in terms of section 31, or

(b) concerning any other matter arising out of any provision of this Act,

may appeal to the board against such decision in writing not later than 90 days after the date on which he is notified of the decision or within such further period as the board may allow.".

2. **Amendment of section 22 of Act 11 of 1983, as amended by section 2 of Act 26 of 1985 and Proclamations 21 of 1985 and 24 of 1986.** - Section 22 of the principal Act is hereby amended by the substitution for subsection (2) of the following subsection:

"(2) The Minister shall contribute to the fund from moneys appropriated by the National Assembly for the purpose an amount equal to 25 per cent, but not exceeding five hundred thousand rand in any financial year, of the total amount of the contributions paid to the fund in terms of this section by employers in respect of themselves and the contributors employed by them, and such amount shall be paid to the fund at such times and in such manner as the Minister may determine in consultation with the Treasury.".

3. **Amendment of section 28 of Act 11 of 1983, as amended by section 3 of Act 11 of 1986.** - Section 28 of the principal Act is hereby amended —

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

"(6) When any person applies for unemployment benefits the claims officer may require him to submit proof to the satisfaction of the claims officer that he is registered as a workseeker and is, or has been, actively seeking work."; and

(b) by the deletion of paragraph (e) of subsection (13).

4. **Amendment of section 30 of Act 11 of 1983, as amended by section 5 of Act 26 of 1985 and section 1 of Act 20 of 1987.** - Section 30 of the principal Act is hereby amended by the substitution for subsection (4) of the following subsection:

"(4) A contributor shall not be entitled to benefits in terms of subsection (1) unless she was in employment as a contributor, or was otherwise in employment, for at least thirteen weeks during the fifty-two weeks immediately preceding the expected date of her confinement or, where application for benefits is made on or after the date of birth, the date of birth, as the case may be: Provided that the board may at its discretion authorize the payment of such benefits to an applicant who was employed as a contributor, or was otherwise in employment, for less than thirteen weeks during the fifty-two weeks immediately preceding the expected date of the confinement or the date of the birth, as the case may be, if such applicant was employed on work connected with ionizing radiation at any time during the period of thirty-nine weeks immediately preceding the expected date of confinement or the date of the birth.".

5. **Short title and commencement.** - This Act shall be called the Unemployment Insurance Amendment Act, 1988 and shall come into operation on the first day of the month following the month of its promulgation.

UMTHETHO OSISIHLOMELO WEINSHORENSI YOKUNGAQESHWA, 1988

U M T H E T H O

Ukuhlomela uMthetho welnshorensi yokuNgaqeshwa, 1983.

(Okubhalwe ngesiNgesi kusayinwe nguMongameli. Kwavunywa ngomhla we-2 August 1988).

MAKWENZIWE UMTHETHO yiNdlu yeNdibano yeSizwe yeRiphabliki yeCiskei, ngolu hlobo lulandelayo:-

1. **Ukuhlonyelwa kwecandelo 20 loMthetho 1983.** - iCandelo 11 loMthetho welnshorensi yokuNgaQeshwa, 1983 (apha ngasezantsi kulo Mthetho ekubhekiselelwe kulo njengoMthetho oyiNtloko) ukwenjenje uyahlonyelwa ngokufakelwa endaweni yecandelwana (1) eli candelwana lilandelayo:

"(1) Nawuphi na umntu othe akaneliseka sisigqibo segosa lobizo mbuyekezo -

(a) ngokuphathelele kuso nasiphi na isicelo sezibonelelo okanye intlawulo yesixa-mali ngo kwemigaqo yecandelo 31, okanye

(b) ngokuphathelele kuwo nawuphi na omnye umcimbi othe wavela kuwo nawaphi na amalungiselelo alo Mthetho,

unokuthi abhene kwibhodi ukuchasa eso sigqibo ngokubhaliweyo zingedlulanga iintsuku ezingama — 90 emva komhla athe waziswa ngawo ngesigqibo okanye lingedlulanga elinye ithuba elinokuthi livunyelwe yibhodi.".

2. **Ukuhlonyelwa kwecandelo 22 loMthetho 11 wowe 1983, njengoko uthe wahlonyelwa licandelo 2 loMthetho 26 wowe-1985 nesiHlokomiso 21 sowe-1985 nesama-24 sowe-1986.** - Icandelo 22 loMthetho oyiNtloko ukwenjenje liyahlonyelwa ngokufakelwa endaweni yecandelwana (2) eli candelwana lilandelayo:

"(2) UMphathiswa uya kuthi arhume kule ngxowa mali ngeemali ezithe zabiwa yiNdlu yeNdibano yeSizwe zisabelwa le njongo isixa-mali esilingana nama-25 eepesenti, kodwa singabikho ngaphezulu kweeRandi ezingamawaka angamakhulu amahlanu ngawo nawuphi na unyaka-mali, esixa-mali sisonke semirhumo ethe yahlawulwa kwingxowa-mali ngokwemigaqo yeli candelo ngabaqeshi bezihlawulela bona kunye nabarhumi abaqeshwe ngabo, kwaye eso sixa-mali siya kuthi sihlawulwe kwingxowa-mali ngamaxesha nangendlela anokuthi uMphathiswa ayiqingqe ecebisana kunye noNdyebo.".

3. **Ukuhlonyelwa kwecandelo 28 loMthetho 11 wowe-1983, njengoko uthe wahlonyelwa licandelo 3 loMthetho 11 wowe-1986.** - ICandelo 28 loMthetho oyintloko ukwenjenje liyahlonyelwa —

(a) ngokufakelwa endaweni yecandelwana (6) eli candelwana lilandelayo:

"(6) Xa nawuphi na umntu esithi enze isicelo sezibonelelo zokungaqeshwa igosa lobizo mbuyekezo linokuthi lifune ukuba angenise ubungqina obuya kuthi banelise igosa lobizo mbuyekezo bokuba uthe wabhaliswa njengofuna umsebenzi kwaye, okanye ubethe, wasoloko efuna umsebenzi."; kwaye

(b) ngokucinywa komhlathi (e) wecandelwana (13).

4. **Ukuhlonyelwa kwecandelo 30 loMthetho 11 wowe 1983, njengoko uthe wahlonyelwa licandelo 5 loMthetho 26 wowe 1985 necandelo 1 loMthetho 20 wowe-1987.** - iCandelo 30 loMthetho oyintloko ukwenjenje liyahlonyelwa ngokufakelwa endaweni yecandelwana (4) eli candelwana lilandelayo:

"(4) Umrhumi uya kuthi angabi nalungelo lezibonelelo ngokwemigaqo yecandelwana (1) ngaphandle kokuba uthe waba phantsi kwengqesho njengomrhumi, okanye uthe waba kanti ubeqeshiwe, ubuncinane iiveki ezilishumi elinesithathu ngeziveki zingamashumi amahlanu anesibini ziphambi komhla olindelekileyo wokuhlala phantsi kwakhe okanye, apho isicelo sezibonelelo sithi senziwe ngomhla okanye emva komhla wokubeleka, ngomhla wokubeleka, ngokwemeko leyo: Phantsi kwemeko yokuba ibhodi inokuthi isebenzisa ukubona kwayo igunyazise intlawulo yezo zibonelelo kumceli othe wacelwa njengomrhumi, okanye obethe kanti uqeshiwe, ithuba elinganeno kweveki ezilishumi elinesithathu ngethuba leeveki ezingamashumi amahlanu anesibini kanye phambi komhla olindelekileyo wokuhlala phantsi okanye umhla wokubeleka, ngokwemeko leyo, ukuba umceli lowo ubeqeshwe kumsebenzi onxulumene nokudalwa kweeayoni ngotshiso ngalo naliphi na ixesha ngethuba leeveki ezingamashumi amathathu anethoba kanye phambi komhla olindelekileyo wokuhlala phantsi okanye umhla wokubeleka".

5. **Intloko emfutshane kunye nesiqalo.** - Lo mthetho uya kubizwa ngokuba nguMthetho osisiHlomelo welnshorensi yokungaQeshwa, 1988 kwaye uya kuqalisa ukusebenza ngomhla wokuqala wenyanga elandela inyanga yokubhengezwa kwawo.

OKUQULATHIWEYO

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UMTHETHO OSISIHLOMELO WEINSHORENSI YOKUNGAQESHWA, 1988

(UMTHETHO ONGU-No. 18 WOWE-1988)

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