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DEPARTMENT OF EMPLOYMENT AND LABOUR

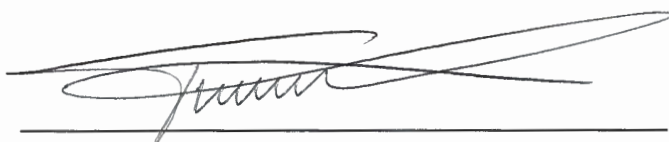
NO. R. 595

26 MAY 2020

**AMENDED COVID-19 TEMPORARY EMPLOYEE / EMPLOYER RELIEF SCHEME
BENEFIT (C19 TERS), DIRECTION 2020**

**AMENDMENT OF DIRECTIVE BY THE MINISTER OF EMPLOYMENT AND LABOUR
IN TERMS OF REGULATION 4(10) OF THE REGULATIONS MADE BY THE MINISTER
OF COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS IN TERMS OF
SECTION 27(2) OF THE DISASTER MANAGEMENT ACT, 2002 (ACT NO. 57 OF 2002)**

I, Thembelani Waltermade Nxesi, the Minister of Employment and Labour, acting in terms of Regulation 4(10) of the Regulations made by the Minister of Cooperative Governance and Traditional Affairs in terms of section 27 (2) of the Disaster Management Act, 2002 (Act No. 57 of 2002) on 29 April 2020, hereby amend the Directive issued on 25 March 2020, as amended on 6 April 2020 and 16 April 2020, as corrected on 20 April 2020 and further amended on 30 April 2020 as set out in the Schedule



MR T W NXESI, MP

MINISTER OF EMPLOYMENT AND LABOUR

DATE: 25/05/2020

SCHEDULE

AMENDED COVID-19 TEMPORARY EMPLOYEE/EMPLOYER RELIEF SCHEME (C19 TERS) DIRECTIVE, 2020

AMENDMENT TO DIRECTIVE OF 25 MARCH 2020

(As amended 6 April 2020 and 16 April 2020, corrected on 20 April 2020, and further amended on 30 April 2020)

1. Amendment to clause 1

Clause 1 is amended by the addition of the following definition after sub-clause 1.1.9:

“**Worker**” means –

- (a) a contributor; or
- (b) an employee as defined in the UI Act who should have received benefits under this Directive but for circumstances beyond that employee's control, namely that the employer failed to-
 - (i) the register as an employer in contravention of section 10(1) of the Unemployment Insurance Contributions Act, 2002 (Act No. 4 of 2002);
 - (ii) provide details relating to the employees in contravention of section 10(3) of that Act and accordingly not registered as contributors; or
 - (iii) pay the contributions contemplated in section 5(1) of that Act in respect of that employee.

2. Amendment to clause 2.1.1 (a)

Clause 2.1.1 (a) is amended by the substitution of the sub-clause with the following sub-clause:

- (a) Payment of benefits to workers who have lost income or have been required to take annual leave in terms of section 20(10) of the Basic Conditions of Employment Act, 1997 (Act No. 75 of 1997) due to the COVID-19 pandemic;

3. Coming into effect of the amendment

This amendment comes into effect on the date of its publication on the Department's website or the *Gazette*, whichever is the earlier.