

**COMPENSATION FOR OCCUPATIONAL INJURIES AND  
DISEASES ACT, 1993 (ACT NO 130 OF 1993)**

**REGULATIONS ON APPOINTMENT OF ASSESSORS, PRESIDING OFFICERS  
AND INTERPRETERS FOR THE COMPENSATION FUND MADE UNDER  
COMPENSATION FOR OCCUPATIONAL INJURIES AND DISEASES ACT, 1993**


The Minister of Employment and Labour, after consultation with the Compensation Board has, under section 97 of the Compensation for Occupational Injuries and Diseases Act, 1993 (Act No 130 of 1993) made the regulations in Schedule A. These regulations are published for public comments only.

Interested and affected parties are hereby invited to submit written representations on the proposed Regulations. The aforesaid representations must be marked for the attention of **Mr TH Maphologela** and sent by registered post or emailed or hand delivered within 60 days of publication of this notice to the following addresses:

Compensation Fund	OR	PO Box 955
167 Thabo Sehume Street		Pretoria
Pretoria		0001
0157		

Email addresses: [Kimbly.Makgoba@labour.gov.za](mailto:Kimbly.Makgoba@labour.gov.za) or [Harry.Maphologela@labour.gov.za](mailto:Harry.Maphologela@labour.gov.za)

Copies of the Regulations are herewith attached.

A handwritten signature in blue ink, appearing to read 'Nxesi', is written over a horizontal line.

MR TW NXESI, MP  
MINISTER OF EMPLOYMENT AND LABOUR  
DATE: 26/03/2020

**SCHEDULE A****REGULATIONS ON APPOINTMENT OF ASSESSORS, PRESIDING OFFICERS  
AND INTERPRETERS FOR THE COMPENSATION FUND MADE UNDER  
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**1. Definitions**

**“Business”** means employers’ organisations representing the interests of employers;

**“Labour”** means federations of unions representing the interests of employees;

**“NEDLAC”** means National Economic Development and Labour Council; and

**“Regulations”** means the Regulations on Appointment of Assessors, Presiding Officers and Interpreters for the Compensation Fund made under the Compensation for Occupational Injuries and Diseases Act, 1993.

## 2. Appointment

- (1) The Minister may in terms of section 8 of the Act appoint the following assessors for hearing proceedings contemplated in terms of section 91(2)(a) and (b) of the Act: -
  - a. Employer;
  - b. Employee assessors; and
  - c. Medical assessor.
- (2) The Minister must consult with the Board prior to the appointments in sub regulation (1)
- (3) The Director-General may in terms of section 4(2) of the Act appoint the following persons for hearing proceedings contemplated in terms of section 91(2)(a) and (b) of the Act:-
  - (a) Presiding Officers; and
  - (b) Interpreters.

## 3. Minimum qualifications for Appointment

The minimum requirement for appointment as: -

- (a) Medical assessor shall be:
  - (i) MBCHB;
  - (ii) registered with the Health Professions Council of South Africa;
  - (iii) a minimum of five years of practical experience as a medical practitioner; and
  - (iv) in good standing with Health Professions Council of South Africa.
- (b) Presiding officer shall be:
  - (i) Bproc or LLB;
  - (ii) admitted legal practitioners;
  - (iii) a minimum of five years or more of practical experience;
  - (iv) in good standing with the Legal Practice Council of South Africa.



(c) Employer assessors shall be:

- (i) matric or grade 12 certificate;
- (ii) nominated by Business; and
- (iii) endorsed by NEDLAC.

(d) Employee assessor shall be:

- (i) matric or grade 12 certificate;
- (ii) nominated by Labour; and
- (iii) endorsed by NEDLAC.

(e) Interpreter shall be :

- (i) matric or grade 12 certificate;
- (ii) diploma in language practice; and
- (iii) a minimum of 3 years practical experience.

#### **4. Disqualification of Assessors, Presiding officers and Interpreters**

- (1) An assessor shall be disqualified in terms of section 8(5) of the Act.
- (2) A presiding officer and an interpreter shall also be disqualified in terms of sub-regulation (1) of this regulation.

#### **5. Processes of appointment of Employer and Employee Assessors**

- (1) The Compensation Commissioner must request National Economic Development and Labour Council to provide Compensation Fund with a list of persons nominated by Labour and Business from which the Minister may appoint assessors representing the interests of Business and Labour.
- (2) Upon receipt of the list of nominees, the Compensation Commissioner must present such list to the Minister for consideration of suitable candidates for appointment.
- (3) The Minister must make appointments in accordance with sub-regulation 1(2).

**(4) Processes of appointment of Medical Assessors, Presiding Officers and Interpreters**

- (1) The Compensation Commissioner must advertise nationally or provincially in the media for the appointment of medical assessors, presiding officers and interpreters.
- (2) Upon receipt of applications, the Compensation Commissioner or the officials delegated by him or her must shortlist candidates suitable for appointment.
- (3) The list of shortlisted candidates must be forwarded to the Director-General for appointment.

**(5) Confirmation of appointment of Assessors, Presiding Officers and Interpreters**

The Minister and or the Director-General shall appoint the Assessors, Presiding Officers and Interpreters in writing as the case may be.



MR TW NXESI, MP  
MINISTER OF EMPLOYMENT AND LABOUR  
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