

National Social Security Authority (Accident Prevention and Workers' Compensation Scheme) (Amendment) Notice, 2024 (No. 24)

IT is hereby notified that the Minister of Public Service, Labour and Social Welfare has, in terms of section 3 of the National Social Security Authority Act [*Chapter 17:04*], made the following notice:—

1. This notice shall be cited as the National Social Security Authority (Accident Prevention and Workers Compensation Scheme) (Amendment) Notice, 2024 (No. 24).

2. This notice shall be effective from the date of publication.

3. Section 35 of the National Social Security Authority (Accident Prevention and Workers' Compensation Scheme) Notice, 1990, published in Statutory Instrument 68 of 1990 (hereinafter called the "principal notice"), is amended by the repeal of subsection (5) and the substitution of the following—

“(5) Where a—

- (a) worker dies as a result of an accident;
- (b) pensioner receiving a worker's pension in terms of this scheme dies;

the general manager may authorise the payment of an amount equivalent to two hundred United States dollars (US\$200) with effect from 1st January, 2024, which shall be payable in ZiG at the prevailing official bank rate on the date of payment.”.

4. Section 40 of the principal notice is repealed and substituted as follows—

“40 (1) A widow or widower's pension shall be payable at the same time with any other benefit payable to the widow or widower in terms of this scheme.

(2) A widow or widower shall only receive one widow or widower's pension at a time and where a widow or widower re-marries and becomes a widow or widower to the subsequent

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deceased, he or she shall be entitled to a widow or widower's pension from any one of the greater pensions payable out of the two deceased.”.

5. Section 48 of the principal notice is amended by the repeal of subsection (5) and the substitution of the following—

“(5) Any employer who fails to comply with subsection (1) or (2) shall be guilty of an offence and, in addition to the penalty provided for in the Act, pay the general manager a surcharge of level 5 for each day beyond the maximum notification period that the accident remains unreported, up to a period of 90 days.

(5a) Where an employer remains in default after a period of ninety days referred to in subsection (5), such employer shall be liable to a fine not exceeding level five (5) or to imprisonment for a period not exceeding six months or to both such fine and such imprisonment.”.

6. Section 58 of the principal notice is amended by the repeal of subsection (2) and the substitution of the following—

“(2) The liability of the general manager or the employer individually liable shall be limited to five thousand United States dollars (US\$5 000) or the ZiG equivalent at the prevailing official exchange rate:

Provided that if the general manager is satisfied on a medical certificate that the injury to the worker was of a serious nature, the general manager shall determine that such additional amount as he/she considers just in the circumstances shall be paid by him/her or the employer individually liable, as the case may be.”