

SOCIAL SECURITY

Social Security Act 34 of 1994.

Summary: This Act establishes a Social Security Commission as well as the following funds: a Maternity Leave, Sick Leave and Death Benefit Fund; a National Medical Benefit Fund, a National Pension Fund and a Development Fund. The Act -- *with the exception of* Parts VI (National Medical Benefit Fund) and VII (National Pension Fund) -- came into force on 15 January 1995 (GN 7/1995, GG 1006).

Amendments: The State-owned Enterprises Governance Act 2 of 2006, which was brought into operation by Proc. 13/2006 (GG 3733), amends section 4, 5 and 12. The Labour Act 11 of 2007 amends the definition of “employee” in section 1.

Appointments: The members of the Social Security Commission are announced in GN 133/1995 (GG 1119), GN 38/2003 (GG 2927) and GN 5/2009 (GG 4192). A Chairperson is announced in GN 234/1998 (GG 1952), GN 38/2003 (GG 2927) and GN 5/2009 (GG 4192).

Regulations: Regulations are contained in GN 198/1995 (GN 1181), as amended by GN 31/1996 (GG 1258), GN 80/1996 (GG 1291), GN 244/1977 (GG 1741), GN 235/1998 (GG 1952), GN 101/2001 (GG 2544), GN 227/2003 (GG 3092), GN 53/2008 (GG 4002) and GN 49/2009 (GG 4236).

Cases: See *Engelbrecht & Others v Hennes* 2007 (1) NR 236 (LC) (deductions made from commissions in respect of social security payments are an indication of an employment relationship).

COMMISSIONS

Commission of Inquiry into the Activities, Affairs, Management and Operation of the Social Security Commission (Proc.7/2002, GG 2857).

See also GN 200/2002 (GG 2857), GN 81/2003 (GG 2956).

See also **LABOUR**.