

## IMPORTANT INFORMATION AND GUIDELINES

IF THE RETURN IS NOT SUBMITTED TO THIS OFFICE ON OR BEFORE 31 MARCH 2018, A PENALTY NOT EXCEEDING 10% (TEN PERCENT) OF THE FINAL ASSESSMENT, MAY BE IMPOSED, IN TERMS OF SECTION 83(6)(b). THE ACT EMPOWERS THE DIRECTOR GENERAL IN TERMS OF SEC 83(6)(a) TO ESTIMATE THE EARNINGS.

## WHO IS AN EMPLOYEE AS REFERRED TO IN PART 2.

"Employee" means a person who has entered into, or works under a contract of service or apprenticeship or learnership with an employer, whether the contract is expressed or implied, oral or in writing, and whether remuneration is calculated by time or work done, or is in cash or in kind and includes -

- Casual / temporary employee employed for the purpose of the employer's business/farming activities.
- Working director of a Company or member of a Close Corporation/Body Corporate, who has entered into a contract of service, or of apprenticeship or learnership, in so far that the employee acts within the scope of his/her employment in terms of such contract. (Excluding shareholders or "silent partners" who are only paid dividends or sharing profits).

**NB. A sole owner or partners in a business/farming operation are not regarded as "employees" as contemplated by the Act and their earnings should, therefore, not be included.**

A person provided by a labour broker, against payment to a client for the rendering of a service or the performance of work and for which service or work such person is paid by the labour broker, is an employee of the labour broker. The earnings of such persons should not be included in the client's Return of Earnings document.

## WHAT ARE EARNINGS (STAFF COSTS/SALARIES & WAGES) AS REFERRED TO IN PART 2

Earnings are **all** payments made regularly, before any deductions, whether in money or in kind, to employees.

**The following list are not exhaustive, but are intended only to highlight certain remuneration items for which there may be some doubt as to their inclusion or exclusion.**

**Included** in the gross earnings before any deductions are the following:

- Overtime of a regular nature, (not intermittent or irregular overtime).
- Bonuses of any kind, including incentive bonuses and annual bonuses.
- Commission, even though the amount may vary from month to month.
- The cash value of food and quarters supplied to employees as part of a remuneration package. Cash value of fringe benefits such as a company car, free accommodation or accommodation at a reduced rate, etc.
- Travel and other allowances paid regularly, as part of the package.
- Where the employee is remunerated in accordance with a package of benefits, all items forming part of the package, other than employer contributions such as medical aid contributions.
- Earnings/Drawings paid to working Directors of a Company or Members of a Close Corporation.

**Attach a list with their names, ID numbers and addresses.**

**Excluded** are the following:

- Payments of a reimbursive nature.
- Overtime worked occasionally.
- Payments for specific non-recurring tasks which do not form part of an employee's normal duties.
- *Ex gratia* payments.
- Intangible fringe benefits such as the taxable portion of medical aid/pension contributions by the employer, etc.
- Payments to cover special expenses such as subsistence and travelling costs, lunch and costs for business meetings.
- Travel and other allowances paid occasionally.
- Profit sharing of Directors and Members.

## FINAL EARNINGS : When a business is sold/ceased, liquidated/sequestered or the employer deceased)

Indicate the date in the space provided on the front page (item 1.13) and declare the final earnings paid to that date.

## MINIMUM ASSESSMENT SECTION 83(2)(b)

As a result of continuously rising costs, the 2017 – 2018 minimum assessment has been increased to R 1153 per annum.

## LETTER OF GOOD STANDING

This letter can be obtained once the employer has complied with the requirements of the COID Act, inter alia:

- Submitting the latest return of earnings.
- Assessment has been paid or instalments have been arranged and paid.
- The letter of good standing can only be generated online at <https://cfonline.labour.gov.za/OnlineSubmissions>
- Usernames and passwords are the same as the one used when submitting on returns of earnings
- Use the 99..... number on the CF registration number then you link your company

## WEBSITE ADDRESS

The Compensation for Occupational Injuries and Diseases Act, 1993 and Amendments are available on the website at <http://www.labour.gov.za>

## RETURNS OF EARNINGS ONLINE SUBMISSION

The office has introduced the online submission of Return of earnings. The employers can submit their return online.

-  [Compensation Fund Return of Earnings Submissions](#) ” then

- Go to [www.labour.gov.za](http://www.labour.gov.za) under online services block/tab you click “ on the next screen click



**I am a new user and I want to Register --->**

**Register for DOL User account**

“

” to register

- Then fill in the required fields and apply



**Useful Documents:**

[ROE Process Flow](#)

- There is also a process flow attached on the website with steps to guide you.
- If you encounter any problems please send an email to [cfcallcentre@labour.gov.za](mailto:cfcallcentre@labour.gov.za)