



TECHNICAL COMMITTEE

CONSIDERATIONS OF THE POPI ACT IN COIDA COMPLIANCE

Rand Mutual Assurance (RMA) is licensed in terms of the Compensation for Occupational Injuries and Diseases Act (COIDA), 130 of 1993, to carry on the business of insurance of employers against their liability to employees in terms of COIDA, and manage claims for all Class IV and Class XIII employers.

Employers should note that in terms of section 63 of COIDA, RMA is required to calculate the earnings of an employee in such a manner that is deemed best to determine the monthly rate at which the employee was being remunerated at the time of the accident. In order to achieve this, RMA requires the injured employee’s earnings to determine the compensation payable to the employee, or his beneficiaries in the event of his death.

Employers are therefore required to submit the following documentation when reporting a claim to RMA:

- Claim form (this can now be done online via the online C-Filing platform (please visit our website www.randmutual.co.za for more detail)
- First medical report;
- Completed statement of earnings that includes the banking details of the injured employee; and
- As an additional measure to ensure accurate calculation of accident earnings, RMA may request copies of a payroll printout for six months’ salary prior to the month in which the employee was injured.

Employers should further note that in terms of section 81 of COIDA, all employers are expected to keep a register or record of earnings and other particulars of all employees and shall at all reasonable times produce this on demand for inspection.

Some employers have raised concerns regarding their obligations in terms of COIDA, or in particular, our requests for information versus the Protection of Personal Information Act, 4 of 2013 (POPI Act).

The information requested by RMA is required in order to speedily and adequately adjudicate claims received. It is our view that the requested information is required to protect and pursue the interest of the employee and their beneficiaries and thus, even in the event of the POPI being effective, the processing of the requested

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information will be justified, in accordance with section 11, and in particular subsections (c) (d) and (f) of the POPI Act.

That being the case, employers remain responsible to submit the required information regarding the injured person and event to RMA.

Please be assured that RMA will protect the information received and prevent any unauthorised use thereof or dissemination of any information provided and undertakes to use the information solely for the purpose for which it is requested.

Therefore, we request that you continue to submit information in the usual manner. Please contact us on contactcentre@randmutual.co.za or 0860 222 132, should you require further assistance in this regard.



Ernest Hadzhi
Chairperson: Technical Committee

This instruction replaces any previous instructions/circulars to the extent that it introduces amendments.

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