

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

**REGULATION FOR THE REGISTRATION OF THIRD PARTIES THAT ARE
TRANSACTING WITH THE COMPENSATION FUND**

I, Nomakhosazana Meth, Minister of Employment and Labour, after consultation with the Compensation Board and the Commissioner, hereby make the following regulations in terms of Section 97 read with section 73(4) (a) and (b) and 73(5) of Compensation for Occupational Injuries and Diseases Act, 1993 (Act No 130 of 1993) as amended.

The regulations are attached as Schedule A.



N METH, MP

MINISTER OF EMPLOYMENT AND LABOUR

DATE 7 November 2025

SCHEDULE A

REGULATIONS

In these regulations, “the regulations” means the regulations made in terms of section 97 of the Compensation for Occupational injuries and diseases Act, 1993 relating to third parties that are transacting with Compensation Fund; and any word or expression to which a meaning has been assigned in the regulations, shall have that meaning unless the context indicates otherwise

TABLE OF CONTENTS:

1.	Purpose.....	2
2.	Definitions.....	3
3.	Requirements for third parties’ registration with the Compensation Fund...3	
4.	Requirements for third parties transacting on behalf of the employers.....6	
5.	Handling of documents and medical invoices.....6	
6.	Terms and conditions for transacting with Compensation Fund.....6	
7.	Suspension, cancellation or Termination of Third-Party Registration.....8	
8.	Compliance Requirements.....8	
7.	Effective Date of Regulations.....9	

1. PURPOSE

Section 73(4)(a) and (b) require that all third parties that transact with the Fund must be registered with the Fund aiming to enhance transparency and accountability.

2. DEFINITIONS

“Medical invoice” is a formal billing document submitted by a registered Medical Service Provider (MSP) to the Compensation Fund detailing the medical services rendered to an injured employee or occupationally diseased employee. It includes itemized charges for consultations, treatments, procedures, and other healthcare-related expenses incurred during the treatment or rehabilitation process;

“Medical Service providers” means a person who provides health-care services in terms of the law, but not limited to medical practitioners, allied health-care workers, nurses, as defined in section 79 of the Act.

“Health-care facilities” means specialised health-care facilities where medical and/or rehabilitation services are provided by health-care service providers and designed to provide comprehensive care, therapies and support services for employees recovering from occupational injuries or diseases;

“Registration” means a process of informing the Commissioner of the existence of a third-party that represents an employer, employee or a Medical Service Provider;

“Supporting documents” means official forms that are prescribed by the Commissioner as well as any other specified supporting documents that must be submitted; or

“Third-party” means any registered person transacting on behalf of the employee, employer, medical service provider to transact with the Fund. The mandate to transact with the Fund may be given through power of attorney, proxy appointment or a service level agreement.

3. REQUIREMENTS FOR THIRD PARTIES’ REGISTRATION WITH THE COMPENSATION FUND

- (1) For an entity or individual to register as a third party, the following shall be required in respect of the third party:
 - (a) A duly completed third-party registration form;
 - (b) A certified copy of ID of the owner or Director of the company or Board Resolution;
 - (c) Valid CIPC documents;
 - (d) Valid proof of registration NPO, NPC, Trust;

- (e) Power of Attorney;
 - (f) Proof of address of the business;
 - (g) Valid tax clearance certificate;
 - (h) Valid Letter of good standing;(issued by Fund, SAICA, etc)
 - (i) Proof of registration with recognised professional bodies (SAIPA, Regulatory bodies. FSCA, NCR).
- (2) The registration shall be valid for a period of 24 months and renewable by giving the Commissioner three months' notice prior to the expiry of the initial registration or renewal period.
- (3) The Commissioner shall receive the registration and consider the information and documentation contained therein within 60 working days, in which he or she shall decide to accept or reject the request for registration or make further enquiry.
- (4) The registration of third parties shall be from 1st March every year and close at the end of June of the same year.
- (5) The Commissioner may reject a third-party registration if the requirements in sub-regulation 1 above are not complied with, or-
- (a) If a third party submits false information or records on behalf of the employee, the employer, or medical services provider; or
 - (b) If a third party is no longer compliant with their statutory requirements.
- (6) Until such time as the Commissioner has decided to accept or reject the registration, the third party may continue to operate as if it was registered, provided:
- (a) The third party was in operation prior to the promulgation of these regulations; or
 - (b) If the Commissioner permits it.
- (7). The Commissioner shall communicate the rejection outcome in writing.

- (8) Should the Commissioner not process a third party's registration within 60 days, the registration shall be deemed as rejected, and the Commissioner shall on request provide written reasons to the third party.
- (9) A third-party that disagrees with the written reasons contemplated in sub-regulation 3.7 may lodge an objection in terms of section 91.
- (10) A third-party must be capable of obtaining the exact or unaltered electronic or paper copy of the Compensation Fund employer assessment information, employee claim documents, medical invoices and reports from and with the permission of employer, Medical Service Providers or employees to submit the documents and invoices on their behalf for processing.
- (11) A third-party, who is an employer as defined in the Act, must be duly registered with the Fund and maintain its good standing in terms of all Fund compliance obligations.
- (12) The third-party shall annually supply the Commissioner with documentary evidence confirming:
 - (a) Good standing with the Fund.
 - (b) Tax clearance certificate/SARS PIN;
 - (c) Confirmation on the letterhead that:
 - (i) The directors are unchanged;
 - (ii) Alternatively copy/ies of identity document/s of newly appointed director/s;
 - (iii) The address is unchanged, alternatively updated proof of address.
- (13) Where a third-party changes representation with an employee, employer or medical service provider, the third party must notify the Commissioner in writing within 7 days from the date of termination of the mandate.
- (14) An employee, employer or medical service provider may not submit a claim or medical invoices to the Commissioner through more than 1 third-party in the same year unless the prior written notification has been given to the Commissioner.

4. REQUIREMENTS FOR THIRD PARTIES TRANSACTING ON BEHALF OF EMPLOYERS

- (1) A third-party must at registration submit a signed list of employers to be represented.
- (2) A third-party must ensure that each employer represented is duly registered with the Fund and compliant with all employer obligations in terms of the Act and keep all records as required by the Fund in terms of the Act.

5. HANDLING OF DOCUMENTS AND MEDICAL INVOICES

- (1) A third-party must comply with the following requirements when administering medical claims on behalf of their valid contracted medical service providers.
- (2) A third-party must:
 - (a) Keep the claim documents or data in the exact, unaltered paper or electronic form as obtained from the medical service provider; including the unaltered medical invoice number as received;
 - (b) Provide the Fund with relevant claim documents within the requested time period; and
 - (c) Notify the Commissioner within 30 days of any financial or procedural irregularities identified when transacting with the Fund.

6. TERMS AND CONDITIONS FOR TRANSACTING WITH THE FUND

- (1) The Commissioner reserves the right to register only a third party that fully meets the requirements as set out in regulation 3 and/or 4 above.
- (2) The Commissioner may after giving a third party a notice, suspend or terminate the registration if a registered third party does not comply with the provisions of Act or its regulations.

- (3) A Medical Service Provider who treated an occupational injured or diseased employee is legally accountable for all medical claims and reports submitted to the Commissioner on their behalf by a third-party. As such the Commissioner reserves the right to contact the Medical Service Provider directly in relation to any claims that have been lodged or submitted to the Commissioner by a third-party.
- (4) An employer, employee or Medical Service Provider is legally accountable to the Commissioner for any claim or assessment documents or records submitted on their behalf by a third party. As such the Fund reserves the right to contact the employee, employer or Medical Service Provider directly in relation to any claim that have been lodged or submitted to the Fund by a third-party.
- (5) Prior to submitting invoices, a third party must ensure that medical service providers contracted to it are registered and compliant with the relevant statutory and health professional organizations, during the period(s) of service for which they are submitting invoices. Medical invoices of Medical Service Provider who is not in good standing with their relevant statutory health professional organization shall not be processed by the Fund.
- (6) The Fund shall not provide or disclose any information for services rendered by the Medical Service Provider prior to the commencement of a contract between Medical Service Provider and a third-party, unless appropriate consent and authorization have been granted by the Medical Service Provider for such disclosure.
- (7) The Commissioner may, after giving notice to a third-party, cancel a third-party's registration where it no longer complies with the registration requirements.
- (8) The third-party must keep such records in their original state as received from employees, employers or Medical Service Providers and must furnish the Commissioner with such documents on request.

- (9) A third party may not be allowed to receive payment for the fees due to the employee, employer or medical services provider by the Commissioner unless such a third party is registered and authorized to handle the finances of another person.

7. SUSPENSION CANCELLATION OR TERMINATION OF THIRD-PARTY REGISTRATION

- (1) The Commissioner may suspend or terminate the registration of a third-party:
- (a) If a registered third-party does, after being requested and granted reasonable opportunity to rectify any non-compliance issues, fails or refuses to comply with the Act, its regulations, and all applicable policies of Compensation Fund;
 - (b) If a registered third-party or its directors are found to have conducted themselves in a manner that creates a conflict of interest between the third-party and its represented employers or Medical Service Providers;
 - (c) If a third-party is placed under sequestration, liquidation or placed under business rescue and the business rescue practitioner has not proven that the business of the third-party can be rescued.
 - (d) If the employers represented are not compliant in terms of the Act; including the represented employers' contractors who are non-compliant in terms of section 89.
 - (e) If the Third-Party has issued a statement which is offensive or false to the Fund, and has upon request to withdraw or retract such a statement refused or fails to do so.

8. COMPLIANCE REQUIREMENTS

- (1) The employer, third-party representatives, including employers and Medical Service Providers represented may be subjected to an audit on their processes on compliance obligations in terms of the Act.

- (2) A third-party must, upon receipt of reasonable written notice of the Commissioner be available for physical or virtual meetings with representatives of the Fund for the following reasons:
- (a) a review of its business and systems processes; and
 - (b) verification of electronically submitted invoices, claims and employers' assessment information.

9. **EFFECTIVE DATE OF REGULATIONS**

These regulations will come into effect on the date of publication hereof in the Gazette.



N METH, MP

MINISTER OF EMPLOYMENT AND LABOUR

DATE 7 November 2025