

National Social Security Authority Accident Prevention  
and Workers' Compensation Scheme (Prescribed Matters)  
(Amendment) Notice, 2022 (No. 21)

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THE Minister of Public Service, Labour and Social Welfare, in terms of section 3 of the National Social Security Authority Act [*Chapter 17:04*], hereby makes the following notice:—

1. This notice may be cited as the National Social Security Authority Accident Prevention and Workers' Compensation Scheme) (Prescribed Matters) (Amendment) Notice, 2022 (No. 21).

2. The National Social Security Authority (Accident Prevention and Workers' Compensation Scheme) (Prescribed Matters) Notice, 1990, published in Statutory Instrument 68 of 1990 (hereinafter called the "principal notice"), is amended in section 3 by the insertion of the following definitions—

““twenty-fourth appointed date” means the 1st of January 2022”

“Diplomatic agent” means the head of an Embassy, International Organisation or Consulate including members of their staff or agents mandated to act on their behalf;”.

3. The principal notice is amended in section 6 by the insertion of the following subsection after subsection 5—

“(6) in respect of a worker employed by a diplomatic agent, such diplomatic agent shall be deemed to be the employer and such employer shall be liable to register, contribute and pay premiums or any moneys in terms of this scheme for all its staff employed under the diplomatic agent who are Zimbabwean nationals or other nationals permanently resident in Zimbabwe.”.

4. The principal notice is amended by the insertion of the following sections after section 7—

*“Persons liable to register and contribute*

7A. Subject to this notice, every employer who has a place of business in Zimbabwe shall, within one (1) month of becoming an employer, register and contribute as an employer in terms of this notice.

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*Application for registration*

7B.(1) In order to register, in terms of section 7A, an employer shall submit to the general manager a complete Form P.2—

- (a) an application for his registration as an employer; and
- (b) a list of all employees under his or her employment.

(2) Every registered employer who, after becoming registered, employs a person, shall submit to the general manager, the name of such employee within one (1) month of such employment.

*Obligations of employee*

7C. Every employee shall provide his or her employer, on request, with such personal particulars as may be required for the purposes of this notice, and the employee shall be responsible for the accuracy of the particulars so provided.”.

5. Section 12 of the principal notice is amended—

- (a) by the insertion of the following subsection after subsection 3—

“(3a) the principal shall ensure that premiums are paid up by demanding a NSSA Clearance Certificate.”;

- (b) by the insertion of the following subsections after subsection 6—

“(7) All ministries, departments and agencies shall include the NSSA Clearance Certificate as one of the mandatory requirements for registering or licensing of all business activities as per the ministries, department and agencies’ mandate.

“(8) All ministries, departments and agencies shall incorporate a requirement for compliance with the Authority through production of a valid NSSA Clearance Certificate as one of the listed requirements in all media adverts for procurement.”.

6. Section 35 of the principal notice is amended in subsection 6 after “shall be” by the deletion of “ZWL\$2 000,00” and substitution of “ZWL\$15,000,00”.

7. Section 43 of the principal notice is amended by the repeal of subsection (5) and the substitution of the following—

“(5) The monthly amount fixed for the purposes of subsection (1) with effect from twenty-fourth appointed date shall be—

- (a) worker—ZWL\$8 050,00;
- (b) widow/widower—ZWL\$5 366,67;
- (c) children—ZWL\$1 006,25;
- (d) full dependants’ allowance—ZWL\$1 788,89;
- (e) partial dependence allowance—ZWL\$1 341,67”.

All pensions on the payroll as at 1st January, 2022, in terms of the Scheme shall be increased by 15% with effect from twenty-fourth appointed date and any pensions that are lower than the minimums stated in this section after applying the 15% increase shall be increased to the minimum set for the category in terms of this section.”.

8. Section 72(1) of the principal notice is amended—

- (a) by the repeal of the subsection (1) and the substitution of the following—

“(1) Every employer shall be liable to assessment from time to time as determined by the general manager.”;

- (b) by the insertion of the following after subsection (1)—

“(1a) The employer shall, by the 10th day of every month, transmit to the general manager a P4 Form certified by him or her as true, showing the following—

- (i) the name of the worker;
- (ii) the worker’s date of birth;
- (iii) the worker’s national identity number;
- (iv) amount of earnings for each worker during the previous month;

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- (v) date on which worker was engaged and terminated;
  - (vi) the date and amount of every payment of earnings to the worker; and
  - (vii) such other information as may be prescribed or as the General manager may require him or her in respect of the workers and their earnings;
- (c) by the repeal of subsections (5) and (6) and substitution of the following—

“(5) if in any such statement submitted to the general manager in terms of subsection one the estimate of earnings for which the employer expects to become liable during any period is in the opinion of the general manager, too low, the general manager may estimate the earnings for which the employer will probably become liable during that period and inform the employer of such estimate.

(6) Any employer who fails to comply with this section or with any requirement of the general manager under subsections (1) and (1)(b) shall be guilty of any offence and liable—

- (a) to a level 3 penalty per each day the remains in default up to a maximum of ninety days;
- (b) where an employer remained in default for a period of ninety days referred to in paragraph (a), shall be liable to a fine not exceeding level 5 or to imprisonment for a period not exceeding six months or to both such fine and such imprisonment.”.

9. Section 77 of the principal notice is repealed and substituted by the following—

“77.(1) Notwithstanding anything contained in this Scheme, an employer individually liable shall pay monthly to the general

manager such contribution towards the expenses incurred by the general manager in the administration of the Scheme as the Board may deem equitable.

(2) The monthly contributions referred to in subsection (1) shall be paid within ten days from the end of the calendar month in respect of which contributions are payable.

(3) Any employer who pays remuneration in a currency other than that of Zimbabwe shall pay his or her contributions in such foreign currency in which the remuneration is payable.

(4) For purposes of applying the contribution rates, the remuneration earned in United States dollars shall be converted to its equivalent Zimbabwe dollars using the official exchange rate prevailing at the time the remuneration is paid.

(5) Where income is denominated in a foreign currency other than the United States dollar, the equivalent amount in United States dollars shall be calculated using the international cross rate of exchange of that currency in United States dollars prevailing on the day the remuneration is paid.

(6) Where an employer pays remuneration in a combination of United States dollars and Zimbabwe dollars, for purposes of calculating the contribution due, the remuneration paid shall be treated separately as in subsections (4) and (5).

(7) Where contributions are paid in a currency other than the Zimbabwean currency, benefits payable shall be paid in Zimbabwean currency using the official exchange rate at the time of payment and by means of cheques or by deposit paid into an account at a bank or building society or the Post Office Savings Bank or in such other manner as the general manager may consider appropriate.

(8) Where the employer fails to remit the contributions referred to in this section or any part thereof by the due date referred to in subsection (2), such employer shall be liable to a penalty at a rate of ten *per centum* per month up to a maximum of fifty *per centum* of the arrear contributions as the general manager may determine:

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Provided that the general manager may, on application by the employer concerned, exempt an employer from paying the penalty amounts as determined in terms of subsection (3) if the General Manager, on good cause shown, is satisfied that the employer was not in will full default and the payment of the penalty will cause extreme irreparable financial challenges to the employer concerned.

(9) In addition to a penalty provided for in subsection (8), the employer shall be guilty of any offence and liable to a fine not exceeding level 5 or to imprisonment for a period not exceeding six months or to both such fine and such imprisonment.”.

10. The principal notice is amended in section 82 by the insertion of the following subsection after subsection (3)—

“(3a) The prescription period for assessments and other moneys shall be thirty (30) years.”.