

### **EMPLOYEES' COMPENSATION ACT, 1941 (Act No 30 of 1941)**

The objective of the Employees' Compensation Fund (ECF), previously known as the Workmen's Compensation Fund, is the following:

- To compensate for disablement caused by accidents to or industrial diseases contracted by employees in the course of their employment or for death resulting from such accidents and diseases.

### **WHO IS AN EMPLOYEE UNDER THE ECF?**

Any person who has entered into a contract of service with an employer, including domestic employees employed as such in a private household.

The term "employee" is defined in section three of the Act. Among the persons excluded from the scope of the Act are:

- persons earning more than N\$72 000 per annum; and
  - a person who contracts for the carrying out of work, and himself engages other persons to perform such work;
- and
- persons who work solely for a commission or a share in the takings.

Persons earning more than N\$72 000 may, however be covered provided that their employer has a special agreement with the Commission.

### **WHO IS AN EMPLOYER UNDER THE ECF?**

Any person including the state who employs an employee.

### **WHAT IS AN ACCIDENT?**

It is an occurrence of which a date, time and place can be determined that arises out of and in the course of an employee's employment and resulted in personal injury or if he/she has contracted a scheduled industrial disease owing to the nature of his/her occupation