

# Sophie Muzamhindo

Candidate Attorney

## About Sophie

### News

#### [Important COIDA amendments](#)

On 17 April 2023, the Compensation for Occupational Injuries and Diseases Amendment Act 10 of 2022 (COIDA Amendment Act), was published. The aim of the COIDA Amendment Act is to amend, substitute, insert, delete and repeal certain definitions and sections of the Compensation for Occupational Injuries and Diseases Act 130 of 1993 (COIDA).

#### [Bargaining council collective agreements and retirement funds](#)

Bargaining councils have extensive powers under the Labour Relations Act 66 of 1995 (the LRA). Once such power being that a bargaining council is entitled to establish and administer pension, provident, medical aid, sick pay, funds, or any similar schemes or funds for the benefit of one or more of the parties to the bargaining council or their members. Does this, however, allow a Collective Agreement (CA) concluded in a bargaining council to impose obligations on existing funds in its sector?

#### [New charges: Does the principle of double jeopardy apply?](#)

In the reportable case of SAMWU obo AN Malatsi v Gert Sibande District Municipality (JR 1211 / 2018) ZALCJHB 63 (13 March 2023) Mr Malatsi (the applicant) who was employed as an accountant in the Gert Sibande District Municipality (Municipality) lodged a review application in which he sought to review and set aside an arbitration award on the basis of double jeopardy.

#### [A remedy of disgorgement: Secondment and the non-disclosure of secret profits](#)

The Labour Court in the case of RFS Administrators (PTY) LTD v Samons and Others (JS 641/17) ZALCJHB 110 (30 August 2022) dealt with the elements that a party must prove when seeking a remedy of disgorgement in terms of the Basic Conditions of Employment Act 75 of 1997 (BCEA) arising from a breach of an oral contract of employment.

[All news by Sophie Muzamhindo →](#)

## Contact Sophie

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## Location

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## Language

English