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GOVERNMENT GAZETTE

STAATSKOERANT

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DEPARTMENT OF THE PRIME MINISTER

DEPARTEMENT VAN DIE EERSTE MINISTER

No. 1370.

27 June 1979.

It is hereby notified that the Acting State President has assented to the following Act which is hereby published for general information:—

No. 83 of 1979: Occupational Diseases in Mines and Works Amendment Act, 1979.

No. 1370.

27 Junie 1979.

Hierby word bekend gemaak dat die Waarnemende Staatspresident sy goedkeuring geheg het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—

No. 83 van 1979: Wysigingswet op Bedryfsiektes in Myne en Bedrywe, 1979.

Act No. 83, 1979

OCCUPATIONAL DISEASES IN MINES AND WORKS
AMENDMENT ACT, 1979.**GENERAL EXPLANATORY NOTE:**

[Words in bold type in square brackets indicate omissions from existing enactments.

 Words underlined with solid line indicate insertions in existing enactments.

ACT

To amend the provisions of the Occupational Diseases in Mines and Works Act, 1973, so as to provide for the further increase of benefits and special awards; to make different provision regarding the restrictions relating to the performance of work subject to which certain certificates of fitness may be issued; and to provide for matters incidental thereto.

*(Afrikaans text signed by the Acting State President.)
(Assented to 15 June 1979.)*

BE IT ENACTED by the State President, the Senate and the House of Assembly of the Republic of South Africa, as follows:—

Increase of
benefits and
special awards.

1. (1) Subject to the provisions of subsection (2), a benefit as defined in section 1, and a special award referred to in section 101 or 115, of the Occupational Diseases in Mines and Works Act, 1973 (Act No. 78 of 1973) (hereinafter referred to as the principal Act), which are payable in terms of the principal Act but have not yet been paid, and which were increased by the Occupational Diseases in Mines and Works Amendment Act, 1974 (Act No. 67 of 1974), the Occupational Diseases in Mines and Works Amendment Act, 1975 (Act No. 45 of 1975), and the Occupational Diseases in Mines and Works Amendment Act, 1977 (Act No. 117 of 1977), shall be further increased—

- (a) in the case of any such benefit, by ten per cent; 15
- (b) in the case of a special award referred to in section 101 of the principal Act, by an amount which the commissioner may in his discretion determine, but not exceeding ten per cent of any such special award payable immediately prior to the commencement of this section; and 20
- (c) in the case of a special award referred to in section 115 of the principal Act, by an amount which the authority referred to in that section may in its discretion determine in accordance with the availability of moneys in the Fund referred to in that section not required for the payment of benefits under the principal Act or this Act: 25

Provided that any pension or any such special award so increased shall be calculated to the next complete rand.

(2) The provisions of this section shall not apply with reference to any one-sum benefit, as defined in section 1 of the principal Act, to which a person became entitled before the commencement of this section. 30

WYSIGINGSWET OP BEDRYFSIEKTES IN MYNE EN
BEDRYWE, 1979.

Wet No. 83, 1979

ALGEMENE VERDUIDELIKENDE NOTA:

[**]** Woorde in vet druk tussen vierkantige hake dui skrappings uit
bestaande verordenings aan.

_____ Woorde met 'n volstreep daaronder, dui invoegings in bestaande
verordenings aan.

WET

Tot wysiging van die bepalings van die Wet op Bedryfsiektes in Myne en Bedrywe, 1973, ten einde voorsiening te maak vir die verdere verhoging van voordele en spesiale toekennings; en ander voorsiening te maak betreffende die beperkings aangaande die verrigting van werk onderworpe waaraan sekere sertifikate van geskiktheid uitgereik kan word; en om voorsiening te maak vir bykomstige aangeleenthede.

*(Afrikaanse teks deur die Waarnemende Staatspresident geteken.)
(Goedgekeur op 15 Junie 1979.)*

DAAR WORD BEPAAL deur die Staatspresident, die Senaat en die Volksraad van die Republiek van Suid-Afrika, soos volg:—

1. (1) Behoudens die bepalings van subartikel (2) word 'n 5 voordeel soos omskryf in artikel 1, en 'n spesiale toekenning bedoel in artikel 101 of 115, van die Wet op Bedryfsiektes in Myne en Bedrywe, 1973 (Wet No. 78 van 1973) (hieronder die Hoofwet genoem), wat ingevolge die Hoofwet betaalbaar is maar wat nog nie betaal is nie, en wat by die Wysigingswet op 10 Bedryfsiektes in Myne en Bedrywe, 1974 (Wet No. 67 van 1974), die Wysigingswet op Bedryfsiektes in Myne en Bedrywe, 1975 (Wet No. 45 van 1975), en die Wysigingswet op Bedryfsiektes in Myne en Bedrywe, 1977 (Wet No. 117 van 1977), verhoog is, verder verhoog—
- 15 (a) in die geval van so 'n voordeel, met tien persent;
 (b) in die geval van 'n spesiale toekenning bedoel in artikel 101 van die Hoofwet, met 'n bedrag wat die kommissaris na goeddunke kan bepaal, maar wat nie tien persent van so 'n spesiale toekenning wat onmiddellik 20 voor die inwerkingtreding van hierdie artikel betaalbaar was, oorskry nie; en
 (c) in die geval van 'n spesiale toekenning bedoel in artikel 115 van die Hoofwet, met 'n bedrag wat die owerheid in 25 daardie artikel vermeld na goeddunke kan bepaal volgens die beskikbaarheid van gelde in die Fonds in daardie artikel vermeld wat nie vir die betaling van voordele ingevolge die Hoofwet of hierdie Wet nodig is nie;

Met dien verstande dat 'n pensioen of so 'n spesiale toekenning 30 wat aldus verhoog is, tot die volgende volle rand bereken word.

(2) Die bepalings van hierdie artikel is nie van toepassing nie met betrekking tot 'n enkelbedragvoordeel, soos omskryf in artikel 1 van die Hoofwet, waarop iemand voor die inwerkingtreding van hierdie artikel geregtig geword het.

Verhoging
van voordele
en spesiale
toekennings.

Act No. 83, 1979

OCCUPATIONAL DISEASES IN MINES AND WORKS
AMENDMENT ACT, 1979.

Amendment of
section 30 of
Act 78 of 1973.

2. Section 30 of the principal Act is hereby amended by the substitution for subsection (3) of the following subsection:

“(3) If the certification committee is satisfied that any White male or Coloured male who has been found by that committee to be suffering from tuberculosis, has received treatment for tuberculosis and that the disease has been completely cured, the director may issue to such person a certificate of fitness restricting the holder thereof to the performance, at a controlled mine or a controlled works, of work of a nature **[and]** or at a place or for a period or **periods** specified in the certificate **[, and for a period or periods so specified but not exceeding in the aggregate one hundred hours in any period of thirty days]**.”

Short title and commencement.

3. This Act shall be called the Occupational Diseases in Mines and Works Amendment Act, 1979, and shall come into operation on 1 October 1979.

WYSIGINGSWET OP BEDRYFSIEKTES IN MYNE EN
BEDRYWE, 1979.

Wet No. 83, 1979

2. Artikel 30 van die Hoofwet word hierby gewysig deur subartikel (3) deur die volgende subartikel te vervang:

Wysiging van artikel 30 van Wet 78 van 1973.

5 „(3) Indien die sertifiseringskomitee oortuig is dat 'n Blankeman of Kleurlingman ten opsigte van wie dié komitee bevind het dat hy aan tuberkulose ly, behandeling vir tuberkulose ondergaan het en dat die siekte volkome genees is, kan die direkteur aan bedoelde persoon 'n sertifikaat van geskiktheid uitreik wat die houer beperk tot die verrigting by 'n beheerde myn of beheerde bedryf van werk van 'n aard of 10 by 'n plek of vir 'n tydperk of tydperke in die sertifikaat vermeld **[en vir 'n tydperk of tydperke aldus vermeld maar in die geheel nie meer as honderd uur in enige tydperk van dertig dae nie]**.”

3. Hierdie Wet heet die Wysigingswet op Bedryfsiektes in 15 Myne en Bedrywe, 1979, en tree in werking op 1 Oktober 1979.

Kort titel en inwerkingtreding.

