



# Government Gazette Staatskoerant

REPUBLIC OF SOUTH AFRICA  
REPUBLIEK VAN SUID-AFRIKA

Vol. 436

Pretoria, 1

October  
Oktober 2001

**No. 22721**



**AIDS HELPLINE: 0800-0123-22 Prevention is the cure**

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## GOVERNMENT NOTICES

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### DEPARTMENT OF LABOUR

No. 962

1 October 2001

#### COMPENSATION FOR OCCUPATIONAL INJURIES AND DISEASES ACT, 1993

(ACT No. 130 OF 1993), AS AMENDED

#### INCREASE IN MONTHLY PENSIONS

The Minister of Labour intends to increase in terms of section 57(1) of the Compensation for Occupational Injuries and Diseases Act, 1993 (Act No. 130 of 1993), the monthly pensions payable in terms of sections 39(1) (c) and (d) and 40(1)(a), (b), (c) and (d) of the Workmen's Compensation Act, 1941 (Act No. 30 of 1941), and in terms of sections 49(1)(a) and 54(1)(a), (b), (c) and (d) of the Compensation for Occupational Injuries and Diseases Act, 1993 (Act No. 130 of 1993), by 7% in respect of accidents which occurred before 1 March 2001 as well as occupational diseases which were diagnosed before 1 March 2001 with effect from 1 March 2002.

Any person who wishes to comment on the proposed amendments, should submit such comments in writing to the Compensation Commissioner, P O Box 955, Pretoria, 0001, not later than 30 November 2001.



**M M S MDLADLANA**  
**MINISTER OF LABOUR**

No. 962

1 October 2001

**UMTHETHO WOKUNXEPHEZELA UKULIMALA NOKUGULA  
EMSEBENZINI 130 KA 1993 OGUQULIWE**

**UKUKHUSHULWA KWAMAHOLO EZIMPESHENI NGENYANGA**

Ungqongqoshe Wezemisebenzi uhlela ukwenyusa ngaphansi kwesigatshana 57(1) Somthetho Wokunxephezela Kokulimala Nokugula Emsebenzini, ka 1993 (Umthetho Nombolo 130 ka 1993) imali yempesheni ngenyanga ekhokhwa ngokwesigatshana sika 39(1) (c) no (d) kanye futhi nesigatshana 40(1) (a),(b), (c), kanye no (d) Somthetho Wokunxephezela Emsebenzini ka 1941 (Umthetho Nombolo 30 ka 1941) nangokwesigatshana sika 49(1) (a) no 54(1) (a), (b), (c) no (d) Somthetho Wokunxephezela Kokulimala Nokugula emsebenzini, umthetho (ka Nombolo 130 ka 1993), ngamapesenti ayisikhombisa, 7% kulabo abalimele nabagule ngenxa yomsebenzi ngaphambi komhlaka 01 Mashi 2001. Le mali iyokhokhwa ukusukela ngawo umhla ka 01 Mashi 2002.

Noma ngubani ofisa ukuphawula ngalezizinguquko angathumela umbono wakhe kuleli kheli: Compensation Commissioner, P O Box 955, Pretoria, 0001 ngaphambi komhla ka 30 Novemba 2001.



**M M S MDLADLANA**

**UNGQONGQOSHE WEZEMISEBENZI**

No. 963

1 October 2001

**COMPENSATION FOR OCCUPATIONAL INJURIES AND DISEASES ACT,  
1993**

**(ACT No. 130 OF 1993), AS AMENDED**

**AMENDMENT OF SCHEDULE 4 OF ACT No. 130 OF 1993**

The Minister of Labour intends to amend Schedule 4 of section 55 of the Compensation for Occupational Injuries and Diseases Act, 1993 (Act No. 130 of 1993), with effect from 1 March 2002.

**SCHEDULE 4  
MANNER OF CALCULATING COMPENSATION**

(i)	(ii)	(iii)	(iv)	(v)
Item	Section	Nature and degree of disablement	Nature of benefits	Manner of calculating benefits
1.	47(1)(a)	Temporary total disablement	Periodical payments	75% of an employee's monthly earnings at the time of the accident subject to maximum compensation of R8 784,75 per month.
2.	49(1)	Permanent disablement of 30%	Lump sum	15 times the monthly earnings of the employee at the time of the accident subject to the maximum and minimum compensation of R98 430,00 and R18 885,00.
3.	49(1)	Permanent disablement of less than 30%	Lump sum	An amount which bears to a lump sum calculated under item 2 of the same proportion as the degree of permanent disablement to 30%
4.	49(1)	Permanent disablement of 100%	Monthly pension	75% of an employee's monthly earnings at the time of the accident subject to maximum and minimum compensation of R8 784,75 and R944,25.

(i)	(ii)	(iii)	(iv)	(v)
5.	49(1)	Permanent disablement of less than 100% but more than 30%	Monthly pension	A monthly pension which bears to a pension calculated under item 4 the same proportion as the degree of permanent disablement to 100%
6.	54(1)(a)	Fatal	Lump sum	Twice the employee's monthly pension that would have been payable to the employee under item 4 had he been totally permanently disabled
7.	54(1)(b)	Fatal	Monthly pension	40% of the monthly pension that would have been payable to the employee under item 4 had he been totally permanently disabled
8.	54(1)(c)	Fatal	Monthly pension	20% of the monthly pension that would have been payable to the employee under item 4 had he been totally permanently disabled, to each child
9.	54(1)(e)	Fatal	Lump sum	Percentage dependence as portion of R28 680,00
10.	54(2)	Fatal	Funeral costs	A reasonable amount for funeral costs to a maximum of R6 970,00 or the actual amount, whichever is the lesser.

Any person who wishes to comment on the proposed amendments, should submit such comments in writing to the Compensation Commissioner, P O Box 955, Pretoria, 0001, not later than 30 November 2001.



**M M S MDLADLANA**  
**MINISTER OF LABOUR**



No. 963

1 October 2001

**UMTHETHO WOKUNXEPHEZELA UKULIMALA NOKUGULA****EMSEBENZINI 130 KA 1993 OGUQULIWE****IZINGUQOKO ESIGABENI 4 SOMTHETHO WOKUNXEPHEZELA****UKULIMALA NOKUGULA EMSEBENZINI 130 KA 1993 OGUQULIWE**

Ungqongqoshe Wezemisebenzi uhlela ukuguqula isigatshana 55 Somthetho Wokunxephezela Ukulimala Nokugula Emsebenzini 130 ka 1993 kusukela mhla ka 1 Mashi 2002.

**ISIGABA 4****INDLELAYOKUBALWA KWESINXEPHEZELO**

<b>Iphuzu</b>	<b>Isigatshana</b>	<b>Indlela nezinga lokukhubazeka</b>	<b>Inhlobo yomvuzo</b>	<b>Indlela yokunxephezela</b>
1.	47(1)(a)	Ukukhubazeka kwesikhashana	Ukhokhelwa ngasikhathi	Amapesenti angu 75 omholo wenyanga abewuhola ngesikhathi sokulimala engedluli ku R8 784,75
2.	49(1)	Ukukhubazeka okuphelele okungu 30 pesenti	Isamba semali	Umholo wenyanga ophindaphindiwe ka – 15 ongekho ngaphezu kuka R98 430,00 futhi ongekho ngaphansi kuka R18,885,00 kuye ngemali abeyihole ngesikhathi elimala.
3.	49(1)	Ukukhubazeka okuphelele okungaphansi kuka 30 pesent	Isamba semali	Le mali ibalwa ngokufanayo nasephuzwini lesibili (2) kuhambelana nezinga lokukhubazeka okungu 30%.
4.	49(1)	Ukukhubazeka okuphelele 100 pesenti.	Impesheni njalo ngenyanga.	Amapesenti angu 75 omholo wenyanga abewuhola ngesikhathi sokulimala ayeqi ku R8 784,75, futhi ayikho ngaphansi kwe R944,25.

Iphuzu	Isigatshana	Indlela nezinga lokukhubazeka	Inhlobo yomvuzo	Indlela yokunxephezela
5.	49(1)	Ukukhubazeka okuphele okungaphansi kuka 100% kodwa phezu kuka 30 pesenti	Impesheni njalo ngenyanga.	Imali yempesheni njengoba ibalwe ephuzwini lesine (4) kuye ngokuthi ukhubazeke kangakanani. Lokhu kungaba ukukhubazeka okuphelele (100%).
6.	54(1)(a)	Oshonile	Isamba semali	Imali yempesheni yenyanga ephindwe kabili ebingakhokhwa ukuba ubekhubazeke ngokuphelele, le mali ibalwe ephuzwini lesine (4).
7.	54(1)(b)	Oshonile	Impesheni nyangazonke	Amapesenti angu 40 empesheni yenyanga abalwe ephuzwini (4) ebingakhokhwa ukuba ubekhubazeke ngokuphele.
8.	54(1)(c)	Oshonile	Impesheni nyangazonke	Amapesenti angu 20 empesheni yenyanga abezoyihola ngokwephuzu lesine (4) ukuba ubekhubazeke ngokuphelele. Ingane iyodwa iyonikwa lemali ngenyanga.
9.	54(1)(d)(ii)	Oshonile	Isamba semali	Umndeni kamufi unganikezwa isamba semali engedluli ku R28 680,00
10.	54(2)	Oshonile	Izindleko zomngcwab	Izindleko zomngcwabo ezingedluli ku R6 970,00 noma ngaphansi.

Thumela umbono wakho kuleli kheli : Compensation Commissioner, P O Box 955,  
PRETORIA 0001, ngaphambi komhla ka 30 Novemba 2001.



**M M S MDLADLANA**

**UNGQONGQOSHE WEZEMISEBENZI**

Printed by and obtainable from the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001  
Publications: Tel: (012) 334-4508, 334-4509, 334-4510  
Advertisements: Tel: (012) 334-4673, 334-4674, 334-4504  
Subscriptions: Tel: (012) 334-4735, 334-4736, 334-4737  
Cape Town Branch: Tel: (021) 465-7531

Gedruk deur en verkrygbaar by die Staatsdrukker, Bosmanstraat, Privaatsak X85, Pretoria, 0001  
Publikasies: Tel: (012) 334-4508, 334-4509, 334-4510  
Advertensies: Tel: (012) 334-4673, 334-4674, 334-4504  
Subskripsies: Tel: (012) 334-4735, 334-4736, 334-4737  
Kaapstad-tak: Tel: (021) 465-7531